

### **INJURED WHILE TRAVELING? WE CAN HELP**

As Christmas and the New Year approach, many of us will hit the road to see friends and family. Though this is typically a joyous time of year, we are mindful that, as we travel away from our homes, we are at increased risk for injuries and accidents. Unfortunately, the sheer volume of travelers means there are more injuries than we see at other times of year.

Over the years, the attorneys of Fox & Farley have helped many victims of negligence and their families who have unfortunately been injured while away from home. We have pursued compensation to get people back on their feet across the State of Tennessee, and in many other states. Over the years, we have cultivated many relationships with attorneys throughout the country, from California to Minnesota to Florida and have worked with these attorneys on behalf of our clients injured while away from East Tennessee.

If you or a family member are hurt while traveling out of state, you don't have to feel you're taking your chances with a Google search. Give us a call and we will work with you and help those responsible for your injuries compensate you for the harm they have caused.

# Merry Christmas

from all of us at

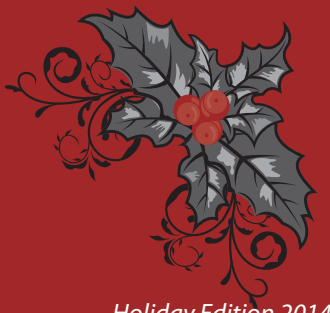
# FOX & FARLEY



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## ATTORNEYS AT LAW

An Association  
Your Injury and Accident Attorneys



Holiday Edition 2014

### FOX & FARLEY Attorneys at Law

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#### OFFICE HOURS

Monday through Thursday  
8:00 am - 5:00 pm  
Friday  
8:00 am - 4:00 pm

- Social Security
- On-the-job injuries
- Medical Device Defects
- Auto Accidents
- Product Liability
- Defective Pharmaceutical Drugs
- Wrongful Death
- Serious Injuries
- Trucking Accidents
- Motorcycle Accidents
- Free Consultation

### MEET OUR NEW ASSOCIATE: BRAD BURNETTE

Brad Burnette joined Fox & Farley in February of 2014. He spent the prior nine years as a civil defense attorney at a prominent regional law firm where he represented employers and their insurance carriers in employment and workers' compensation cases. He also defended businesses and individuals in slip-and-fall cases, car wrecks and construction litigation. He has extensive courtroom and trial experience throughout East Tennessee.

As an experienced defense attorney, Brad understands how insurance companies value cases. He also knows first-hand the value that a competent attorney brings to the table in representing injured parties. He is a member of the Tennessee, Knoxville and Anderson County Bar Associations and the Tennessee Association for Justice.

Brad is a native of New Orleans, Louisiana and he's an avid Saints fan. He moved to Johnson City, Tennessee in 1990 with his mother and two brothers. He graduated from Science Hill High School in 1996 and went on to study political science at East Tennessee State University with a minor in legal studies. He attended law school at the University of Memphis where he graduated with honors in 2005. While in law school, he served as the Editor-in-Chief of the Tennessee Journal of Practice and Procedure and as a member of the Moot Court Board. He also worked as a law clerk for the Honorable Judge Donn Southern in the Shelby County Probate Court, Division II.

Brad has been married to his wife, Bethany, for twelve years. She is a high school teacher in Knox County and together they have two sons and a daughter. If he can get out of the house, he enjoys hiking and fishing. He coaches youth sports and devotes time each week mentoring a young man through Amachi Knoxville, which is a faith-based program that provides mentors to at-risk children.



## SOME RECENT SETTLEMENTS AND RESULTS FROM OUR ATTORNEYS

- This year, Fox & Farley represented a number of clients for claims against two different manufacturers of defective hip replacement components. Over the course of several years, our firm worked with attorneys from all over the country in prosecuting claims against both Depuy (a division of Johnson & Johnson) and Stryker, who manufacture medical products used in joint replacement surgeries. Each company had products pulled from the market by the FDA due to defects in design. While the defects were different for each product, they led to painful failures for many people who had them implanted when they underwent hip replacement surgery. Often, the failures required extensive revision and subsequent problems. We were happy to participate in resolving these claims and participating in global settlements, with clients receiving between \$250,000 and \$750,000 to compensate for the harm caused by these defective products.
- In a case that took 5 years to prosecute and went all the way to the Supreme Court's Workers' Compensation Appeals Panel, we were able to secure permanent and total disability benefits for a client who had a serious neck injury while working as a truck driver that required two separate neck surgeries fusing vertebral levels. After an unsuccessful mediation at the Department of Labor, where the employer offered less than \$50,000, we successfully tried the case in the trial court and defended the Judge's award of permanent and total disability benefits on appeal. Our client will receive benefits until age 67, for a total judgment of \$441,000.
- Fox & Farley was able to settle a claim on behalf of a special needs child with serious disabilities and his family after the child was injured on a school bus, operated by a private contractor. The driver failed to properly secure the child's wheelchair for transport, in large part because the bus had inadequate and defective tie

brackets. As a result the wheelchair and child were thrown to the floor as the bus rounded a curve. Settlement was reached at mediation after depositions were taken. Because of the age of the child, the settlement remains confidential and the bulk of the proceeds were placed in trust to be used for the special needs of the child.

- Fox & Farley represented the family of a passenger in a truck that was injured as a result of being struck by tractor trailer. The client received an immediate injury that ultimately required neck surgery. Shortly after surgery, the client unfortunately passed away from a massive heart attack. The medical issues were contentiously litigated as the client had a long history of prior neck problems and the defendant denied any connection between the surgery and the subsequent heart attack. The case progressed through federal court in Greeneville and was ultimately settled at mediation for \$172,000.
- In a case arising out of a head on car collision, our firm represented a couple who both received significant injuries, including broken legs, collar bone and rib fractures, head injury and internal injuries. Both husband and wife were hospitalized and spent time in a nursing home for rehabilitation. The case was settled for the maximum insurance policy limits of \$200,000.
- In a contentious workers' compensation case, Fox & Farley represented an employee who had been exposed to ammonia fumes at a meat processing facility. The client immediately developed debilitating asthma which caused constant breathing problems. The employer denied the claim from the start. After multiple depositions were taken and medical experts were brought to bear, the claim was settled for a lump sum disability payout of \$110,000, plus lifetime medical benefits for the asthma claim.

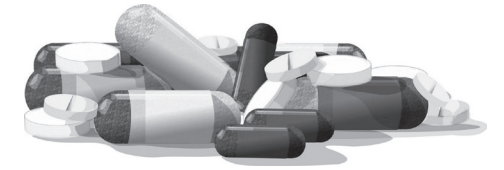
## DEFECTIVE DRUG ALERT

Most folks are aware that all newly developed drugs are required to undergo exhaustive clinical trials testing for safety, toxicity, side effects and efficacy before Food and Drug Administration (FDA) approves the drugs for sale and distribution. However, FDA approval does not void a drug manufacturer's liability for defects or severe side effects that are caused as a result of using their drugs. Failure of the drug manufacturer to disclose any side effects, defects, or other such complications associated with their drugs is potentially negligent and grounds for legal action.

It is important to understand that long-term studies of drugs continue even after FDA approval, and often show latent side-effects long after the drugs have been widely distributed and used. Fox & Farley are currently handling

or investigating claims involving a variety of drugs that have caused serious harm, including:

- Actos
- Lipitor
- Yaz
- Pradaxa
- Topamax
- Effexor



Each of these drugs have been shown to cause serious side effects that were either understated or not disclosed by their manufacturers. Even though each was approved for sale and use by the FDA, these drugs have subsequently been recalled or warnings have been issued regarding harm caused by their use.

## WELCOME WOODROW!

Hi, everybody! I'd like to introduce Woodrow, my new buddy and house mate. Woodrow and I trained for field trials together for almost two years. But when it was time for me to go home with Bruce and Mary Jane, he always stayed with the trainer. His owners never took him home, and I would worry about him the whole time. I could tell that Woodrow was lonely, so I asked Bruce to take Woodrow home and give him a bath (that he needed badly!). After a weekend at the



dog spa (my house), I knew Mary Jane would fall for him. Over the next week, I heard Mary Jane telling Bruce to bring Woodrow back home for another visit. I knew then he was going to be my new best buddy. Bruce and Mary Jane took him in and we've been inseparable since. Welcome, Woodrow!



-Ty

## A FAVORITE HOLIDAY RECIPE from our very own Debbi Nance!

### Red Velvet Sugar Cookie Bars with Cream Cheese Frosting

Author: Alyssa Prep time: 15 mins Cook time: 20 mins Total time: 35 mins

Delicious red velvet sugar cookie bars with cream cheese frosting without all of the hard work!

#### Ingredients

- o 3 1/3 cups flour
- o 1/4 cup unsweetened cocoa
- o 1/2 teaspoon salt
- o 1 teaspoon baking powder
- o 1 cup butter, softened
- o 1 1/2 cups sugar
- o 2 eggs
- o 2 teaspoons vanilla extract
- o 2 Tablespoons (one 1-ounce bottle) red food coloring
- o Cream Cheese Frosting:
- o 2 8 Oz cream cheese, softened
- o 1/2 cup butter, softened
- o 2 cups sifted powdered sugar
- o 1 teaspoon vanilla

#### Instructions

1. Preheat oven to 350 degrees. Have a 9x13 inch pan ready. I like to line mine with aluminum foil and spray it with cooking spray so that the bars easily lift out and are easy to cut.
2. In a medium bowl, whisk together flour, cocoa, salt, and baking powder. Set aside.
3. In a mixing bowl, cream together 1 cup butter softened and sugar until light and creamy. About 2-3 minutes. Beat in the eggs, vanilla, and food coloring until combined.
4. Add the flour mixture until a soft dough forms. Press into the bottom of the 9x13 inch pan. Bake for about 20 minutes until the edges start to pull away from the sides and a toothpick entered into the center comes out clean. Allow to completely cool before frosting.
5. To make the cream cheese frosting, Beat together the cream cheese and butter. Add the powdered sugar and vanilla. Beat together until smooth. Frost the top of the bars and enjoy!



Recipe by **The Recipe Critic** at <http://therecipecritic.com/2014/01/red-velvet-sugar-cookie-bars-cream-cheese-frosting/>