

**MURRAY
& GUARI**
TRIAL ATTORNEYS P.L.

Helping Clients in their time of need.

Avoiding Summer Dangers

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Summer 2012
Hablamos Español

1525 N. Flagler Drive, Suite 100 | West Palm Beach, FL 33401

Auto Accidents | Premises Liability | Product Liability | Personal Injury & Wrongful Death

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Staying Safe Around Water

Swimming Pool & Water Park Safety



Supervision is Key!!

Whether using a backyard pool, community pool, hotel pool and even a portable kiddie pool – it's essential to take precautions to prevent drownings, injuries and slip-and-fall accidents. According to the Consumer Product Safety Commission's 2011 Pool and Spa Submersion Report, there were 383 deaths and 5,100 injuries annually reported from 2008-2010. Seventy-six percent of fatalities and 79% of the injuries involved children under the age of five. Most injuries and fatalities occurred at a residence with 57% attributing the incident to a lapse in adult supervision.

Seventy-seven percent of kids injured by submersion are only missing from view for five minutes or less. **Don't assume kids are safe even if they know how to swim or are using flotation devices.**

To keep you and your family safe:

- Childproof your pool by enclosing it in a fence with a self-closing and self-latching gate
- Install safety nets, permanent pool covers and audible alarms to prevent kids or pets from falling into the pool
- Remove all toys from the pool and pool deck to prevent kids from playing near or falling into the pool
- Supervise your kids around the pool, even if they know how to swim
- Swim in pools with certified lifeguards who are trained in injury prevention and emergency response
- Have the right emergency equipment on hand (flotation devices, first aid kit, phone) and learn CPR
- Have children who don't know how to swim wear a Coast Guard approved life vest – not "floaties"
- Take your child to swimming lessons
- Install anti-entrapment drain covers so kids do not get trapped by drain suction ■

BOATING & PERSONAL WATERCRAFT SAFETY

In 2010, the U.S. Coast Guard counted 3,499 boating accidents that involved 564 deaths and 2,935 injuries (head, chest and abdomen trauma and spinal injuries). More than two-thirds of fatal accident victims drowned and 88% were not wearing a life jacket. The most common types of vessels involved in reported accidents were motorboats, personal water crafts (Jet Skis, Wave Runners, Sea-Doos) and cabin motorboats.

If you are going boating make sure the captain or person handling the boat is experienced and competent. The captains and crew members should: not drink alcohol, be aware of and follow local weather conditions, make sure passengers wear or have access to personal flotation devices (PFD), and leave a float plan with someone on land in case of emergencies. If you are going to be using a jet ski or other personal watercraft, make sure you know the rules of the water and make sure you are properly trained on how to use the equipment. ■



Prevent Bicycle Accidents

Learn some cycling tips to keep you safe on Florida's roadways

Biking is a great way to have fun, stay healthy and help the

environment. Florida is a great place to ride a bicycle, but it can also be a dangerous one. In 2007, there were almost 5,000 reported cycling accidents in Florida, and those accidents resulted in 119 fatalities. Knowing the laws that apply to bicyclists and

following safe cycling practices will go a long way in helping keep you and your family safe.



Children 15 years and younger are at particularly high risk, accounting for 60% of all bicycle injuries seen in U.S. emergency rooms.

Bicycle fatalities and injuries are often caused by a collision with a motor vehicle by a driver who

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murrayguari.com/Videos

was distracted (texting, talking on phone, speeding) and failed to yield, ran a red light or stop sign. Other causes can include poor roadways, unmarked lanes, loose gravel, potholes, overgrown vegetation, and defective bike equipment (tires, helmets). Injuries often include broken bones, fractures, brain injuries, spinal cord injuries and even death.

If you are in an accident, it is important to note that juries often carry negative prejudice and/or bias against cyclists, despite the fact that they are entitled to use the roadway as a motor vehicle by law.



It's important that you hire a law firm who has a thorough knowledge and understanding of Florida statutes and case law.

For safety tips on bicycle safety, please visit our website where you can download a free Cycling Safety guide or view our informative on-line safety video. ■

Bicycle Case – Wrongful Death

Fatal Bicycle Accident

We successfully resolved a complex liability case against a commercial landowner and business tenant who, by negligently allowing overgrown foliage at the corner of their property adjacent to an intersection, created a line of sight problem for a truck driver and a bicyclist who was on a morning ride. The Florida Traffic Homicide Report concluded that a contributing cause of the crash and the decedent's death was the overgrown foliage.

Additional defendants included the intersection designer and contractor and the Florida Department of Transportation for negligent design, construction and maintenance. Our law firm also resolved a claim for Uninsured Motorists benefits for the Estate of the Decedent/Bicyclist. ■



Kids In Hot Cars Alert

BE SAFE

It is never okay to leave kids or pets in a car – even with a window open. In less than 30 minutes, the temperature inside a car can increase 35 degrees. An infant can die in as little as 15 minutes even on a mild 75-degree day.

In 2011, there were 33 deaths of children in hot vehicles due to hyperthermia (heat stroke). Since 1998, there have been approximately 527 preventable tragedies according to KidsAndCars.org. More than half of the deaths occur in children under the age of 2.

KidsAndCars.org recommends the following memory tips: **BE SAFE**

Back seat – Put something in the back seat so you have to open the door when leaving the vehicle – cell phone, handbag, etc.

Every child should be correctly restrained in the back seat.

Stuffed animal – Move it from the car seat to the front seat to remind you when your baby is in the back seat.

Ask your babysitter or child-care provider to call you within 10 minutes if your child hasn't arrived on time.

Focus on driving – Avoid cell phone calls and texting while driving.

Every time you park your vehicle open the back door to make sure no one has been left behind.



Parents should be on alert for cars that might have an unattended child left inside. If you see a child alone in a car, be sure to call 911 and help make sure the child gets out as soon as possible. ■

Summer Vacation Driving Tips

Many of us are now planning our summer vacation, and for a lot of us, this means we'll be driving to our vacation destinations. Here are a few tips to help make your road trip a little safer:

- **Take care of your tires.** Make sure your tires are inflated to the proper pressure as identified on your vehicle (door pillar, the glove compartment door or the gas cap door). Check for tread wear to reduce chances of a blowout or hydroplaning on a wet roadway.

- Make sure your **windshield wipers** work and that you have plenty of wiper fluid. Replace blades that are worn.

- Regularly **check fluid levels.**

- **Prepare an emergency kit.** Kits should include, at a minimum, flares, first-aid kit, jumper cables, tire gauge, basic tools and a disposable camera.



- If you have children, **check child restraints** for a proper fit. At boosterseat.gov, parents can match a child to the correct restraint by entering in height and weight information.

- **Pack smarter** and lighter. Most of us are guilty of taking everything but the kitchen sink with us on road trips – stuffing our vehicles to the roof with coolers, suitcases, and other items – all to the detriment of the vehicle's handling and the driver's visibility. Bring only what's necessary and don't exceed your vehicle's payload limit.

- **Secure your cargo.** In vehicles where passengers and cargo share the same space, such as SUVs and minivans, occupants are only separated from the cargo by a row of seats rather than a solid partition as in vehicles with trunks. A sudden slam on the brakes is enough to cause the cargo to fly forward and cause serious injuries. ■

Supporting Our Community

Raising The Bar

Receptionist Crystal Phillips attended the Women's Foundation of Palm Beach County's 2nd Annual Raise the Bar Event. The firm sponsored the event where proceeds benefitted the Girls Leadership Institute aimed at developing the leadership skills of middle school and high school girls. For more information on the Women's Foundation visit www.womensfoundationpbc.org. ■



Canine Connections

Paralegal Patricia DeRamus, along with 4,000 other participants, walked in the 2012 Southeastern Guide Dog Walkathon in St. Petersburg, along with a 5-month-old Chocolate Lab puppy in training named Popi. The organization's mission is to create and nurture a partnership between a visually impaired individual and a guide dog, facilitating life's journey with mobility, independence and dignity. ■

Meet Office Manager & Senior Paralegal Tracy Vaspoli

Tracy joined the firm in 2005. In addition to being the firm's Office Manager, she is also the Senior Paralegal responsible for the firm's Pre-Litigation Department. She has more than 16 years of plaintiff experience and assists clients in a wide range of paralegal, insurance and office management issues. She served 5 years in the claims department of State Farm, one of the nation's largest insurance companies, and is a licensed insurance professional for all types of casualty and property insurance in Florida.



Tracy is also a two-time winner and defending champion of the Palm Beach County Bar Association's 2nd Annual Dessert Bake-Off Challenge. Last year she won with her "Coconut Carmel Cake" and in 2010 with her "White Chocolate Raspberry Truffle Cheesecake." ■

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Nosotros, tanto como usted, llamamos el Sur de Florida nuestro hogar. Practicamos la ley de herida personal en todas partes de la Florida y estamos orgullosos de ofrecer nuestros servicios en los condados de Palm Beach, Broward, Martin, y Treasure Coast. Tenemos más de 30 años de experiencia legal combinada. Le ofrecemos a los clientes el mejor servicio de 'bufete de firma grande de abogados' en manos de, 'el pequeño bufete de abogados'. Si usted tiene un caso de herida personal, llámenos al (561) 366-9099 o póngase en contacto con nosotros en el Internet en www.murrayguari.com. Estamos encantados de responder a sus preguntas. ■

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Our social media accounts allow us to connect with you in real-time and share the latest news and information regarding our practice, important safety information and legal updates. We look forward to being a part of your social network. ■



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Murray & Guari Trial Attorneys

How Can We Help



At Murray & Guari Trial Attorneys we represent victims throughout Florida who have suffered serious personal injuries due to the negligence of others. At

our firm, you will find a team that is truly concerned about your well-being and getting justice. We are proud that our clients come to us based on a personal recommendation from past clients and from other attorneys in the community who respect our reputation and the quality of our work. We would be honored to put our experience, skill and integrity to work for you. ■



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