



DTLA MONTHLY

VEHICLE UBER+LYFT DOG BITE DISCRIMINATION WRONGFUL DEATH MALPRACTICE PEDESTRIAN INJURY

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Tips on how to Have a Safe Vacation

summer edition 2018

SUMMER IS RIGHT AROUND THE CORNER, and as the weather becomes more appealing, you're going to want to take advantage of it, get out the house, and travel. But the season is also the time when accident rates increase and we see many people get hurt over preventable situations. So how do you stay safe during summer vacation? Importantly, you should take your time no matter where you go! Traffic will increase, and with it, so will tempers and aggressive driving. You don't need to rush anywhere. Avoiding the red light by going through the yellow isn't going to save you a lot of time. Swerving around the car in front of you and cutting off the person in the adjacent line is more dangerous than efficient. Instead, you should manage your time and plan alternate routes and shortcuts to minimize travel time and avoid the feeling of being late, which usually forces you to hurry. The more careful you are on the road, the more likely you are to avoid getting involved in any car accidents.

You should also be aware of your surroundings in stores, restaurants, bars, and other places of business. Many people will spill their drinks or leave ice packs lying around, while some places have condensation and leaks from air conditioning units. The high foot traffic can make it hard for you to move from place to place, and if you're not careful, you can easily slip and fall. Always take time to watch where you're going and avoid slippery areas, and be sure to use handrails and banisters when going down steps and stairs.

Summer is also a time when pet owners take their dogs out for long walks and hikes on trails and at the beach. It can be very tempting to go up and pet a dog that is enjoying itself in the sunshine, but this choice can be very dangerous. Dogs are protective of their owners and if you go up to one without any warning or introduction, you face the risk of being attacked and bitten. It's always best to check with the dog's owner and ask permission if you can pet the dog if it's friendly and sociable.

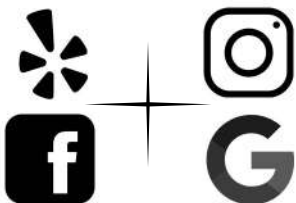
No matter where you are this summer, whether on the freeway trying to travel somewhere, in a restaurant enjoying a meal, or at the beach spending time in the sun, be sure to stay safe.

♦ ♦ ♦

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lawyers —
Free of Charge

855.385.2529

♦ ♦ ♦



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CALIFORNIA SWIMMING POOL ACCIDENT LIABILITY

The owner of property has a legal duty to use reasonable care to keep his property safe from dangerous conditions. A Home owner's liability is usually covered by home owners insurance. California Swimming Pool liability laws can be more complex if the property owners do not have home-owners insurance or is not the individual residing in the home.

Recently the States of California institutes the California Private and Public Swimming Pool Laws and Regulations and the Swimming pool safety act so as to increase the safety of swimming pools in the state. These laws also covered public spas, hot tubs, and Jacuzzis as well as private pools. For example land owners with exposes pools and hot tubs, whirlpools are required by California Law to the surrounding area and to place child proof gates blocking children from access to the facilities.

COMMON PRODUCT CLAIMS FOR SWIMMING POOLS

In numerous cases serious swimming pool injuries are caused by defects in Swimming Pool Pumps and Drainage Systems. Children are at most risk of suction entrapment, where a person in a swimming pool or a Jacuzzi is stuck to the pool drain and unable to release himself.

CALIFORNIA IS HOME to the largest collection of amusements parks in the west coast. Every year thousands of children and adults are injured due to negligent conditions at such facilities and many times leaving the injured party to bear the cost associated with the harm.

AMUSEMENT PARK AND ROLLER COASTER ACCIDENT AND INJURY STATISTICS:

According to published statistics there are between 10,000 and 12,000 amusement ride injuries every year.

The Majority of amusement park injuries take place during the summer months from May to August

There have been a reported 50 amusement park ride deaths over the past decade, 15 of them from roller coasters, 5 from water based rides, and 10 from whirling rides

Injuries at such theme parks can often times are serious which cause long term injuries, both physical and psychological. If you have suffered any injury at a theme park, amusement park, circus attraction or street fair, contact our amusement park injury attorneys for a free consultation and case evaluation of your claim.

Based on the type of harm suffered you can recover for lost wages, medical bills, pain and suffering and other related injuries. The statute of limitations in California varies for the type of injury so it is important to immediately file your case in order to preserve your rights.

CAUSES OF THEME PARK ACCIDENTS

Theme parks are not required by law to report injuries or fatalities

Under these circumstances the bather is unable to swim away from the drainage system and drowns. Drainage entrapment incontinent account for dozens of injuries each year. A successful product liability case usually involves one of three causes of actions (1) Defect in the design of the product (2) Defect in the manufacturing process (3) Labeling Defect: Failure to Warn of all known dangers associated with the use of the product.

COMMON CAUSES OF SWIMMING POOL ACCIDENTS

- Improper security and safety staff at pool parties
- Improper maintenance of swimming pools
- Un-gated pools and Jacuzzis, hot tubs
- Negligent supervision of children
- Overcrowding of public and private pools
- Improper installation of diving boards
- Lack of safety warning signs and safety equipment
- Slippery surfaces around pools leading to slip and fall accidents. ♦ ♦ ♦



which occur on their property to any single agency. While amusement parks are not considered to be dangerous there are a number of accidents which occur leaving the injured party with long term medical injuries. Whether it is operator negligence or a malfunctioning ride, serious injury are likely to occur. Our research shows that most injuries are related to operator negligence where the ride operator either suddenly stops the ride or fails to stop the ride appropriately. Such injuries generally cause mild to severe neck and spine injuries. Other related injuries include abrupt stopping, restraint malfunctioning or derailed rides.

COMMON INJURIES INCLUDE

- Spine and Neck Injuries;
- Patrons body hitting another person or an element inside the vehicle or ride;
- Pain from the ride's normal motion;
- Falls and ejection mid-ride;
- Getting into or out of the ride;
- Illness triggered by riding or restraint injury. ♦ ♦ ♦

Cruise Ship

Maritime Law Information

EVERY SINGLE YEAR MILLIONS OF PEOPLE STEP ONTO CRUISE SHIPS wanting to take a break from the real world and live on a giant floating paradise. The break from reality is not just a relaxing cognitive separation, it's also in many ways a legal one. The laws that are intended (supposedly) to keep order in our society, don't have much effect out in the seas. While this may sound like an ideal world to gamblers, it's the worst-case scenario for someone who is the victim of an onboard crime.

While the Golden Age of piracy is long gone, pirates still occupy the ocean. Back in 2005, a cruise ship off the coast of Somalia was hit with grenades. While the hijacking was ultimately unsuccessful, encountering pirates is rare and there are more crimes which are statistically more probable onboard a cruise ships. Things like theft, battery, and even sexual assault are possible. According to data that was provided by the largest cruise companies in the world, twenty-eight people have disappeared in the open sea (three of which have been found), and nearly 200 people have reported sexual misconduct and rape — and that's just in the past three years.

Maritime laws, the ambiguous and unclear regulations that rule the open seas, make it difficult to enforce the laws of the U.S. out at sea. Only a few of those cases have been investigated, let alone solved.

The issue is maritime law. Maritime law is the set of laws that apply to the international waters, and they are about as convoluted as can be. Maritime laws are so loose and unregulated, it does not require cruise ships who sail outside of the normal boundaries and traverse into international waters to divulge their crime statistics data to any governing body. And as to who is supposed to initiate the investigation is up in the air. So what happens when you are the victim of a crime in a cruise ship?

Here's what goes into consideration when attempting to parlay together a case for a crime committed on a cruise ship:

- **International Waters:** Areas like bays and ports are within the boundaries of a country. That means that the laws of the land in which the ship is docked apply to the ship, passengers, and its crew.
- **Territorial Waters:** Typically, a country's laws apply up to 12 miles out at sea. So a U.S. cruise ship cannot commence its gambling activities until after it sailed past the 12-mile mark.
- **Contiguous Zone:** It's within this area - 12 to 24 miles that a nation begins to lose jurisdiction, but not completely. For example, the U.S. Coast Guard is allowed to board any ship suspected of carrying drugs, regardless of its national origin.
- **High Seas:** Here, the law of the ship mirrors that of the ship's origin. So an American ship 25 miles off the coast of

China is subject to American law.

It can be a difficult legal process, but your best bet is to call a qualified legal attorney. We have the resources and the right legal team to help you with your case. We don't collect any upfront fees, and you only pay if we successfully try your case and get you the compensation you deserve. Contact us today. ♦ ♦ ♦



Ask an Attorney

with Sal Hendizadeh, Esq. Attorney at Law

Q: I'm a tourist from out of state visiting Los Angeles for the summer. I got into an Uber and my driver got into an accident which resulted in severe neck and back pain. Do I contact a lawyer from my hometown or a Californian lawyer?

A: If you are from out-of-state and are involved in an Uber accident anywhere in California, the lawyer you need to contact needs to be from California — the state where the accident took place. Because you are from out of state, it's imperative that you create a record of the accident. The best way to make an official record of the accident is to file a police report right after your accident. That way, even if you didn't seek legal advice right away, there's an official record of the accident and your insurance can't deny coverage (which, in the standard insurance company way, they will inevitably try to do). Contact our LA law offices today to see how we can help you. Even if you've gone back home, we can still help you get the compensation you rightly deserve for your damages.

Q: Is Uber safe to use in big cities during the busy and tourist-filled summer?

A: When requesting rides from Uber, one must always be vigilant to ensure that there are no obvious dangers. There have been cases wherein an imposter Uber driver coasts the tourist hot-spots and picks up unsuspecting and/or inebriated people. The driver then robs, assaults, kidnaps. When you order your Uber, make sure that the driver is rated well — 5 stars being the best. Then, before you get in the car, make sure that the license plate on the car matches that of the profile of the Uber driver on your phone. Never get into an Uber when you don't have a clear head. Even verified drivers may take advantage of you. If you are involved in anything like this, contact the Downtown L.A. Law Group. We are here to help and get you the compensation you deserve for the damages incurred. ♦ ♦ ♦



Most Recent 2018 Settlements

\$205,000

TOW TRUCK ACCIDENT

Our client was a passenger in a two truck rollover accident. The tow truck driver failed to properly fasten our client's vehicle. He suffered neck and back injuries requiring months of treatment.

\$100,000

AUTO ACCIDENT

Our client was t-boned and suffered severe lower back injuries. Our attorneys were able to receive the full policy limits.

\$100,000

AUTO ACCIDENT

Our client's vehicle was rear-ended resulting in back injury. We recovered the full policy from the at-fault driver's insurance company.

\$150,000

SLIP & FALL ACCIDENT

Our client slipped and fell in a nail salon. The owners failed to place warning signs after mopping the floor. Client suffered knee injuries that required treatment.



Editor-in-chief: Alexi De Mendoza



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