

The Road To Justice Starts Here

February 2020



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WINTER MOTORCYCLING CHALLENGES— more than snow and ice



Motorcyclists face unique circumstances under any weather conditions. They have only two points of contact with the road, are more vulnerable in a crash, and distracted or simply inattentive motorists are always an issue—problems magnified by winter conditions.

In regions that experience winter's full barrage, motorcyclists are more scarce. However, during unseasonably warm winter days like the ones we have been experiencing this year, more motorcyclists enjoy the roadway than usual! Still, other motorists may not be as alert

to the few who remain on the roads. The sun's low angle over winter complicates visibility, too, as do motorists who clear off frost and snow from only small portions of their vehicles' windows.

Cold tires have diminished traction compared to warm ones. Tire pressure will be affected, too—it's not a bad idea to check the tires prior to each outing. Freeze-and-thaw cycles can lead to potholes, cracks in the road, etc., which are even more threatening to motorcyclists. Road salt and chemical treatments can compromise traction, and a road's outer edges are more susceptible to ice buildup.

Sometimes temperatures fluctuate rapidly. Traveling through wooded/shaded areas or descending into low-lying areas may lead to a wet road suddenly becoming an icy one.

Dressing properly for the elements is critical. The cold can make a rider feel fatigued, diminishing alertness and reaction time, and cause muscles to stiffen, hampering maneuverability. Simply shivering can be distracting. Equipping a motorcycle with cold-weather wind guards and winter riding pegs can help combat winter conditions.

Finally, motorcyclists caught in a snowstorm need to employ commonsense measures like any other motorist: slow down, increase following distance, signal earlier, or pull over.

If you are injured in a motorcycle accident as the result of another driver's negligence, call us at (814) 833-7100 for a free evaluation of your case. For more information, download our consumer guide titled *The Ultimate Guide to Car Accidents in Pennsylvania* at www.YourErieLawyers.com. ■

double chocolate banana muffins

Surprise your sweetheart with a treat that's healthier than a box of chocolates (but still really tasty)!

Ingredients

- 3 medium-sized ripe bananas, mashed
- ¼ cup honey
- 1 tsp. vanilla extract
- 1 large egg
- 2 Tbsp. extra virgin olive oil
- ½ cup 2% or nonfat plain Greek yogurt
- 1 cup whole wheat pastry flour
- ½ cup unsweetened cocoa powder
- 1 tsp. baking soda
- ¼ tsp. salt
- ½ cup chocolate chips



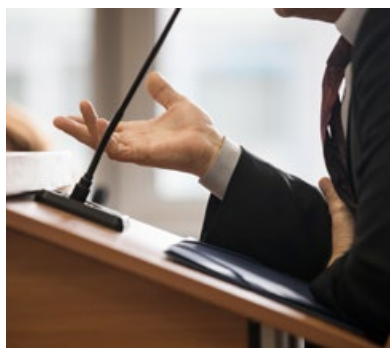
Preparation

- Preheat oven to 350 degrees F.
- Mix ripe bananas, honey, vanilla, egg, oil, and Greek yogurt until well combined.
- Add pastry flour, cocoa powder, baking soda, and salt to the mixture. Mix until combined, then stir in 1/3 cup of your chocolate chips.
- Pour batter into greased muffin cups. Sprinkle your remaining chocolate chips on top, then bake for 23-27 minutes until a toothpick inserted into the muffins comes out clean. ■

February 2020 – Mark Your Calendars

February 1 – National Serpent Day February 4 – National Homemade Soup Day
February 7 – National Bubble Gum Day February 15 – National Wisconsin Day
February 20 – National Love Your Pet Day February 24 – National Tortilla Chip Day
February 26 – National Tell a Fairy Tale Day February 28 – National Public Sleeping Day

not everyone's an expert



Most personal injury cases are settled out of court, but when a settlement cannot be reached, the stage is set for a trial. It is incumbent upon the injured party to prove that the defendant's actions caused their injury and that they deserve money. In some circumstances, the services of an expert witness may bolster their case. The defendant also has that tool at their disposal.

An expert witness is a professional who has special knowledge, training and experience in a particular subject area—for instance, medicine, mental health, auto accident reconstruction, economics, etc. Their job is to offer neutral, unbiased opinions on the matter for which they were retained. They are not to be advocates for one side or the other and are paid well for their time and services.

An expert witness may be a *testifying* or *consulting* witness. A testifying expert witness delivers testimony in the courtroom and is expected to skillfully communicate their opinions and information in understandable, accessible terms. They are also subject to the rules of discovery. The opposing party must be notified of their identity, field of expertise, subject matter of their testimony, opinions to which they will testify, and the basis of their opinions so they can prepare for rebuttal and cross-examination.

A consulting expert witness offers behind-the-scenes clarification and explanation of key issues to the lawyer involved in the case. Consulting expert witnesses do not testify in court and are not subject to the rules of discovery, but can be immensely helpful to lawyers who want to be knowledgeable about topics that are important in your case.

The stakes can be enormous in personal injury cases. Expert witnesses don't come cheap, but they may mean the difference between obtaining fair compensation and receiving no compensation at all. ■

the trouble with vaping

E-cigarettes and other vaping products have been touted as less unhealthy alternatives to traditional cigarettes for over a decade. But they contain volatile organic compounds, diacetyl, and heavy metals (e.g., nickel, tin, and lead)—all harmful substances.

Nicotine is already known to cause harm to unborn babies, as well as teens' still-developing brains. In addition, recent research published in the *American Journal of Preventive Medicine* indicates that vaping is linked to chronic lung conditions such as asthma, bronchitis, and emphysema.

Vaping products are also in vogue among teenagers. Health professionals are concerned that their cool/fun factor will “renormalize” smoking and eventually lead to tobacco usage. Smoking is at an all-time low (percentage-wise) in this country since statistics have been kept. Vaping may reverse these hard-fought gains.

Dangers distinct from tobacco smoking make vaping dangerous in other ways, too.

Defective vaping products have exploded in people's pockets, hands, and directly in the face, resulting in severe burns, fractures, visual injuries, and altered lives. One study spanning 2015 through 2017 reported 2,000+ visits to emergency rooms nationwide.

Last year, the harms associated with vaping made national news with an outbreak of lung injuries and fatalities caused by vaping. The Centers for Disease Control and Prevention (CDC) has stated that the vast majority of these lung injuries are currently believed to be derived from “black-market” vaping products. These are vaping products that are not FDA approved and can contain even more dangerous compounds than commercially-approved vaping products.

Until a definitive cause of the lung injuries can be determined, the CDC recommends refraining from vaping altogether. At the very least, avoid vaping products containing THC (tetrahydrocannabinol); don't buy vaping products from informal sources such as friends, online distributors, or off the streets; and don't modify or add substances to vaping products. ■



THE SHORT-LIVED BUT HISTORIC Pony Express

“Thank Your Mailman Day” on February 4 honors postal workers who brave obstacles and the elements to deliver our mail. Despite this special day, today's mail carriers likely have never received as much acclaim as those who rode for the Pony Express from April 1860 to October 1861.

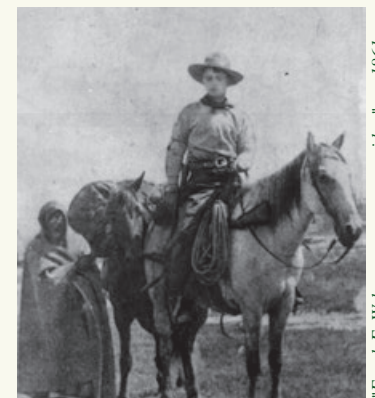
In the mid-1800s the burgeoning population in California (gold strikes will do that) and pioneer migration to the Northwest necessitated a longer, quicker postal reach. Rough terrain, harsh weather, and none-too-pleased American Indian tribes made stagecoach delivery from the eastern United States a hazardous venture that could take a month or more to complete. Travel-by-sea options took even longer.

Enter the Pony Express, a horse-and-rider relay system emanating from St. Joseph, Missouri. Roughly two hundred bare-bones relief stations were built along a route covering eight states. Individual riders rode at breakneck speed for 10 to 15 miles, then switched mounts at a relief station. Every 75 to 100 miles, they would hand off their payload to a new rider. Delivery time was cut by roughly two-thirds.

Mail was carried in a special saddlebag called a “mochila,” a leather cover draped over the saddle and held in place by the rider's weight. It contained four padlocked pockets for cargo and could be transferred from horse to horse simply and quickly.

The Pony Express was too expensive for the average person. It typically transported newspaper reports, government dispatches, and business documents. Rising North-South tensions and affiliated political developments made expediting important news to the West Coast imperative.

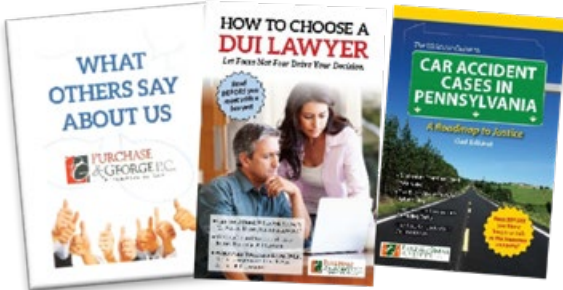
Although the Pony Express had financial issues from its inception, its fate was sealed by the completion of the transcontinental telegraph line. Its run was brief, but it played an important role in our nation's history. ■



"Frank E. Webner, pony express rider," ca. 1861



Free Books



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PA. LAWMAKERS PUSH TO BAN hand-held cellphone use while driving



A bill to ban certain uses of cellphones by Pennsylvania drivers has advanced in Harrisburg, and its sponsor believes motorists' confusion about laws when they cross state borders — is an argument for passing the new law.

State Rep. Rosemary Brown, a Monroe County Republican, early this year filed the bill to ban hand-held cellphone use by drivers. It received approval from the Pennsylvania House Transportation Committee and is awaiting action by the full House.

Brown's district borders the Pennsylvania-New Jersey state line. New Jersey, like four other states that border Pennsylvania — New York, Delaware, Maryland and West Virginia — has a ban in place.

"Consistency for drivers going state-to-state who do that on a daily basis" is important, Brown said, in addition to what she described as the commonsense knowledge that driving without holding a cellphone is safer.

Brown said her bill would still allow drivers to use hands-free devices.

"You are less distracted," Brown said of hands-free devices. "And it has been shown in states that implement these laws, cellphone use goes down."

Twenty states — including five of the six states that border Pennsylvania — have banned hand-held use by all drivers. Others have banned hand-held use by only young drivers.

Organizations including the Pennsylvania State Police and the AAA support a driver ban on using a hand-held cellphone. The Brown bill is one of at least two that seeks to accomplish that goal.

The other was filed by state Rep. Anthony DeLuca, an Allegheny County Democrat. He and Brown said the main pushback comes from independent-minded drivers. "The opposition comes from the people who say it is their right to do what they want to do," DeLuca said. So, stay tuned. ■