



# The Road to Justice Starts Here



## One of the Best Ways to Screw Up Your Accident Case

At some point in your life you've almost certainly heard the term, "honesty is the best policy." Well, truer words have never been spoken than when it comes to auto accident cases.

Fact is, if you lie or are deceptive to your attorney or to the insurance company about prior injuries, the extent of your current injuries, your medical history, your criminal record, or any other number of issues, at the very least you are going to significantly hurt your accident case...or you may completely ruin any chance you had of collecting damages for your injuries.

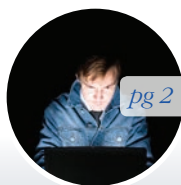
Here's the deal: insurance companies have access to tons of information about you – what injuries you've had in the past, any lawsuits you've filed, accidents, etc., and they are good at finding details that bolster their case and hurt yours. Plus, between the Internet and social media, insurance companies now have even more info at their disposal (yes, they can and do check sites like Facebook to see what you are up to!).

So, be up front with your attorney. Tell him or her about your past – warts and all – so that there can be a plan in place right from the start to deal with any problematic information that might exist about you. The last thing your attorney wants is a surprise.

Also, make sure that you are as accurate and truthful as possible when filling out any medical forms (like the ones you would fill out at your doctor's office). We've seen cases ruined because an accident victim forgot to disclose a prior injury or exaggerated their current plight. •



December 2015 News



# Catfishing...It's Not What You Think!

As the Internet, online dating sites, and social media have become part and parcel of our everyday lives, online scams and deceptions are becoming increasingly common. One such scam that has been around for a few years but has gained more attention recently is what's known as catfishing.

Catfishing occurs when a person – the catfish – creates a fake online persona and attempts to develop online relationships. Even though catfishing involves serious deception (catfish often steal photos, work history, education details, etc., and build elaborate back stories), the real impetus for the scam in many cases is simply to interact with someone anonymously because of low self-esteem issues or confidence problems.

Unfortunately, though, catfishing sometimes has a darker side in which scammers set up a fake profile and seek out unsuspecting victims in order to steal money or personal information. In fact, a few years ago, a mother and daughter teamed up to steal over \$1 million from victims by posing on online dating sites as military members serving in Afghanistan.

According to the Better Business Bureau, a possible catfisher:

- Only communicates through email, instant message, and cell phone.
- Is never able to physically meet you in person.
- Is charming, understanding, flattering, sensitive, caring.
- Has a career or life circumstances that takes him or her overseas (i.e. military).
- Is quick to develop the relationship and talk of love.
- Has a young child, typically a boy or girl between the ages of 5 and 12.
- Has a sudden emergency, often involving the child's health.
- Has a reason they cannot get their money and needs your help.



If you've been duped by a catfishing scheme, contact an experienced consumer protection attorney. •

## How to Select a Strong Assisted Living Facility

We often hear horror stories in the news about the mistreatment and abuse of assisted living residents. If you're making the decision to transition your parents into a new living situation, you need to know the keys to finding a good assisted living facility:

- **Appearance of the facility:** The facility should look and smell clean. The residents who need help should be assisted promptly and all staff members should be located in places accessible to the residents.
- **Proper nutrition:** Assisted living facilities must serve their residents at least three well-balanced meals per day, as well as additional snacks. The food must be prepared and served in a sanitary fashion and at the proper temperature. Accommodations should be made for residents who are on special diets, such as a no-salt diet. To monitor proper nutrition, the resident's weight should be recorded weekly.
- **Assistance with toileting and bathing:** Residents in need of additional help should be bathed regularly and should always have access to a staff member who can provide bathroom assistance.
- **Accommodations:** Each resident is unique and has different needs that need to be accommodated. For example, if a resident has had a stroke and his left arm is paralyzed, then he will need to be accommodated so that everything is within reach of his right arm.
- **Staffing:** Understaffing can be a huge problem in assisted living facilities. Without proper staffing, the residents' needs cannot all be met adequately and there is an increased chance for abuse. A facility with plenty of trained staff and nurses available is able to provide the best care.
- **It's all about the resident:** An easy way to tell if a resident is receiving proper care is to simply look at them. Look for signs of good health, such as clean skin, a healthy weight, and a smile on their face. If they have complaints, or you don't think that they are being taken good care of, then speak up for them. •

# A Simple But Tasty Recipe – Chocolate Holiday Pretzels

**SERVINGS:** 30    **YIELD:** 3 plates

## INGREDIENTS:

3 (10 ounce) bags of checkerboard or windowpane shaped pretzels  
1 (17 5/8 ounce) bag of holiday M&M's plain chocolate candy (red & green)  
3 (13 ounce) bags of Hershey's Hugs Chocolates  
3 (13 ounce) bags of Hershey's Chocolate Kisses

## DIRECTIONS:

Preheat oven to 170 degrees.

Open the bags of pretzels and remove all the unbroken pretzels.

Place them on waxed paper-lined cookie sheets in a single layer.

Unwrap Hugs, place one on each pretzel, repeat for an entire cookie sheet.

DO ONLY ONE TYPE OF CANDY PER SHEET, as the Hugs melt much quicker than the Kisses.

Repeat using the Hershey's Kisses.

Place cookie sheet/s in the preheated oven, bake for 4 minutes for the sheet of pretzels and Hugs, 5-6 minutes for the pretzels and Kisses.

Immediately upon removing from the oven, place one M&M on top of each pretzel/chocolate.

Place cookie sheet in freezer for 8-10 minutes, to allow chocolate to re-set. ●



December 2015 Important Dates

**December 6**  
Hanukkah (Start)

**December 10**  
Human Rights Day

**December 22**  
First Day of Winter

**December 25**  
Christmas Day

**December 32**  
Gamecock's Bowl Game

Source: Food.com and Family Fun magazine

## Legal Question of the Month



**Last year my ex-husband has tried to claim our daughter as a dependent on his income tax refund. I didn't know what to do, so I didn't claim her even though I have sole custody. It ended up costing me a \$1,000 tax refund. He says that he is going to claim her again this year. Can he do that? What are my rights?**

The general rule (called a "tie breaker") is that the parent with primary custody can claim the child as a dependent. When multiple parents claim the same child as a dependent in can trigger a tax audit. In your case, since you have sole custody, it sounds like that may result

in penalties or interest being applied against your e-husband. In extreme cases the IRS could even take the position that knowingly taking an improper deduction is a willful attempt to evade income tax (which is a criminal matter, not just a tax matter).

I'd suggest that prior to submitting your taxes that you meet with a CPA (not just a tax preparer) to review the entire situation. You likely have the right to amend your tax return from last year to claim your child as a dependent (and recoup the \$1,000 refund). At the same time, the CPA can give you definite advice as to whether or not you are likely to win an IRS "tie breaker" analysis. I'm recommending you consult with a CPA since they are usually very knowledgeable in this area and charge substantially lower fees than a tax attorney.

*Do you have a legal question that you'd like to see answered here? E-mail it to [jamesnell@snelllaw.com](mailto:jamesnell@snelllaw.com). If your question is used you will receive a \$25 Starbucks gift certificate. This month's question comes from Susan in Red Bank. ●*



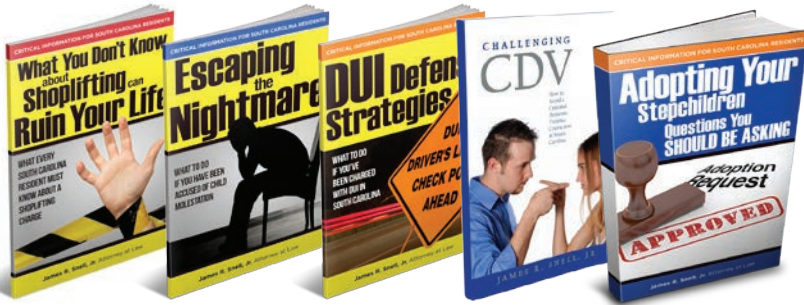
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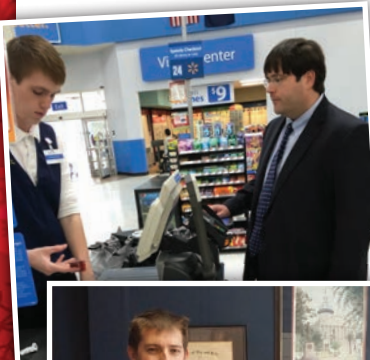


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## Christmas Gift Card Winners!

In last month's newsletter we told you how to enter to win a \$100 Wal-Mart gift certificate. Lots and lots of you entered. So many in fact that on the day of the drawing we added a \$25 "second chance" contest for a total of \$400 in prizes.

Here are some of our lucky winners:



Jim Snell went personally to Wal-Mart to buy the gift certificates.



John Snell held the bucket while attorney Hugh Rogers drew out our seven winners.

