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FA LAW

Celebrating our 27th year in 2001

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Asset Protection Trusts
Business Law
Civil/Criminal Law
Employment Law
Estate Planning and Administration
Family Law
Juvenile Law
Personal Injury
Traffic Law
Wills
Workers Compensation

“Like a Good Neighbor...”

....you loaned your automobile to the folks living next door. Unfortunately, the wonderfully appearing couple—he is an executive with a financial institution and she is a mother of a six-month-old baby—was not so perfect after all.

In fact, she was a crack cocaine addict who sold all her jewelry, the eighteen place sterling silver service, and all of their tangible personal assets that could be sold or pawned, to feed her addiction. On a beautiful day in June, she comes over to your house and knocks on the front door, telling you the baby is sick and she needs to borrow your car to pick up a prescription. The need appears real...she is one of the most attractive people on the block and her clothes are designer labels, clean and neat. She doesn't look like an addict. She doesn't tell you that the week before,

she loaned the couple's personal vehicle to her drug dealer so that he could make a drug buy and that the vehicle hasn't been returned to her yet.

As you think about loaning her your automobile, you ask her how long she will need the car and she tells you “thirty minutes”. Certainly, she'll be back in time for you to pick up the children and do other errands. So you loan her your car.

An hour later, the car is not yet returned.

First, you call her home and get the answering machine. You walk next door and ring her doorbell but no one comes to the door. Your automobile is not in her driveway. You wait another thirty minutes but get no responses to your repeated efforts.

You then call your spouse who suggests calling your insurance agent. The agent listens to

our account of the story and advises that if your neighbor is in an accident with your automobile, it will be covered because you gave her permission to use your car. Also, if the vehicle is stolen or vandalized, it is also covered. The agent further advises that if you need to make a claim, you must first

contact the police and obtain an incident report number.

At 9:30 p.m., you and your spouse decide to call the police and give them a report.

Several days go by and the police advise you that the automobile was found. It had been used in a drug buy that the authorities in another county were waiting to happen

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August 27, 2001, marks my 30th year living in Columbia, Maryland. Much has changed. During the 1970's, everyone seemed to know who lived here. During the 1980's and 1990's, a lot of change occurred—the community expanded—the price of housing soared and the population grew by leaps and bounds. The commute from home in

Thunderhill to the town center increased from four minutes to almost eight minutes.

For the past 30 years, Columbia has been my home. Whenever visiting other communities, I recognize that the wonderful people who live here, the planning, the covenants, and the services and facilities of this community far outpace other places.



Fredric G. Antenberg

Like a Good Neighbor
(continued from page 1)

under a surveillance effort. The vehicle has bullet holes on one side panel and a tire is deflated. The police have confiscated the car and they suggest you contact a lawyer to assist you in obtaining it back.

This factual account is similar to a recent case handled in our office. The neighbor who loaned the car was bright and not at all naïve. The outward appearance of the addicted neighbor would not have caused any reasonable person to suspect she was a crack cocaine addict.

Even though the "good neighbor's" car had \$1,800 in property damage done to it, she was not surcharged by her insurance carrier which the carrier may have sought to do. The lawyer's fee for obtaining the vehicle back was approximately \$900.

Next time, think of this example before loaning your car and learn to say "No". If you can't say "No", how about calling a taxicab and treating her to it. Certainly, the round trip taxi fare will be less costly than the mental distress, costs, and other damages you will suffer if the above scenario should happen to you.

**Call us before
making recorded
or written
statements**



Shopping—The Internet

Most of my clients are aware that I love to shop, especially looking for and finding bargains. In the past year, I have made a number of purchases that are clearly good or great bargains.

When I cruised the Caribbean on a Carnival ship, I purchased a 3.3 oz. bottle of Annick Goutal, a fruity, lemony cologne (toilette), for \$60. This cologne at Nordstroms costs \$28.52 per ounce. However, when I needed more, I found the 3.3 oz. size, being sold with a 4 oz. promotional after-shave, for \$95. Sometime later, on the Internet, I purchased a 15 oz. bottle of Annick Goutal for \$195, or \$13 per ounce - a savings of \$15.52 per ounce. The only problem is that now, because I have so much of the cologne and because I purchased it at such a bargain, I probably use twice as much as I should each time!

You may also remember I have purchased linens at extremely low prices, sometimes as low as 10% of retail. Remember the Ralph Lauren tablecloths from The Company Store that I purchased for \$7 and \$10 and the queen-size Royal Sateen sheets, 310 threads per inch, that I purchased from Gabriel Brothers in Bel Air, Maryland and in York, Pennsylvania for \$7? Well, here is a website and "800"



number for Revman bedding products. A number of designers such as Bill Blass and Laura Ashley are under the Revman label. Go to Halton Linen Outlet at www.haltonlinen.com and see if you see something you like; or call 1-800-430-7894. Typically, I will go to ValuCity and find something such as shams in a pattern I like. I will pay \$2 per sham, whether standard, European or king size (the king size can always be folded back to standard size). I may also find a neck roll for \$4. At that price, buy two!! I may also purchase rod pocket curtains at \$10 a set and display them around the canopy of my bed (you could display them on the headboard, if that is what you have). Then, I will check Halton Linen and see if the comforter is available. Halton is located in Canada The comforter I bought for \$115 Canadian wound up to be \$73 U.S. That is about 25% to 30% of retail. And when I called, Terry, who assisted me in Customer Service, told me of other websites to shop

for bargains!!!

In 1994, I converted two fireplaces to gas. Each gas log set produces BTU equivalent to a gas furnace. I was concerned about carbon monoxide and so I purchased two carbon monoxide alarms. One I have above the door to my bedroom and the other is in the family room. They cost me \$40 each. When the batteries got low and eventually died, I was advised that the replacement batteries were \$20 each. I searched and found, at www.walmart.com, that the replacement carbon monoxide alarms were only \$20 each. I could have purchased new alarms over the Internet and saved \$2 in sales tax but I would have paid \$7 in S/H charges. Instead, I picked up two new units at the WalMart in Ellicott City. I later saw the same units also in Target; but there they were \$35 each.

If you have made some great bargain purchases, let us know. If we print your bargain, we'll give you a blank-front Fruit of the Loom tee shirt - another great bargain!!!!

Dear Rosanna Anna Danna,

I was stopped the other night for drunk driving. I had attended a co-worker's retirement dinner. We all had lots to drink. I drank about six drinks in three hours. When I left the dinner, I felt pretty good! I had a slight buzz. The police officer stopped me because he said I made an unsafe lane change. He asked me to follow him to the front of my car and asked me to breath into a small object which he called a PBT breathalyzer. He would not tell me the results. He asked me as I was facing my headlights to raise my leg and count backward from 1060. He then asked me to recite the alphabet but not to sing it. Finally, he told me to walk a straight line, heel to toe. Then he arrested me for drunk driving, placed me in handcuffs and took me to the police station. He never gave me the Miranda rights. I was given another breathalyzer test at the police station. I scored a .14 BAC. I was then issued two citations, one for DWI and one for unsafe lane change. DO I NEED A LAWYER? WHAT SHOULD I DO?

Richard Felder,
Brooklyn, Maryland

Dear Mr. Felder:

Didn't you write several month's ago about a pre-nuptial agreement. Did you marry that "she isn't very pretty" woman? Our policy is that we will answer only one letter per year per person. However, your letter may interest many of our readers so we are willing to make an exception to our policy.

The police were correct in their actions. The unsafe lane change is probable cause for the officer to stop your vehicle. The use of a preliminary breath test is permitted but inadmissible as evidence for the State. It could be introduced into evidence by the Defendant if the blood alcohol content of the preliminary blood test is markedly lower than the breath test given at the police station. The PBT, if substantially lower at the time of driving is considered to be more indicative of the individual's blood alcohol content. If appreciably lower at the scene of the stop, this could create reasonable doubt about whether the individual was driving while intoxicated or under the influence of alcohol.

The decision an individual needs to make before going to a restaurant party or other social event is *not* to drink and drive. As in your example, you felt a buzz. One problem is alcohol affects your judgement to the point that you cannot make a rational judgement about driving. Another problem is that when you drink alcohol and then decide that you are capable of driving-you may not be affected by the alcohol at the time the decision to drive is made. However, later, during the drive, the alcohol begins to affect your neurological system and you are then intoxicated, or drunk.

Below is a chart providing consumption levels and

weight. Become familiar with them.

You definitely need a lawyer and I recommend Fredric G. Antenberg who recently obtained a dismissal of drunk driving charges for his client because he filed a Motion for Speedy Trial. Mr. Antenberg won the case when the prosecutors failed to provide a speedy trial.

DON'T DRINK AND DRIVE. Drink all you want at home. But also remember, most accidents happen at home.

Sincerely,

Rosanna Anna Danna

Rosanna Anna Danna will be glad to answer your letter in this column. Write to her. If your letter is selected, we will send you a plain Fruit of the Loom tee shirt suitable for imprinting with your own personally desired logo or for just wearing blank!! Remember to send your size along with your letter. Thanks.

KNOW WHEN TO STOP

		DRINKS	1	2	3	4	5	6	7	8
HOW MUCH IS TOO MUCH? APPROXIMATE BLOOD ALCOHOL PERCENTAGE SUBTRACT .01% FOR EACH 60 MINUTES	BODY WEIGHT IN POUNDS	100	.04	.09	.13	.18	.22	.26	.31	.35
		120	.04	.07	.11	.15	.18	.22	.26	.29
		140	.03	.06	.09	.13	.16	.19	.22	.25
		160	.03	.06	.08	.11	.14	.17	.19	.22
		180	.02	.05	.07	.10	.12	.15	.17	.20
		200	.02	.04	.07	.09	.11	.13	.15	.18
		220	.02	.04	.06	.08	.10	.12	.14	.16
		240	.02	.04	.06	.07	.09	.11	.13	.15

INFLUENCED RARELY PROBABLY DEFINITELY

The safest policy is not to drive after drinking. If you do drink and then drive, then know and stay safely within your own personal limits. Even this chart is only a guide, not a guarantee. Driving after excessive drinking is dangerous, and punishable by law. The operator of a motor vehicle is presumed by law to be impaired when the percent of alcohol in his blood is above the .07 level. Use the lower weight and the higher number of drinks if you are between values shown. The legal limit is not the same as your own personal limit.



FA LAW is published quarterly for clients and friends of The Law Offices of Fredric G. Antenberg, Chartered. We are here to answer your questions, so give us a call. (410) 730-4404

Remember, your initial consultation is free.

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Real Estate Contracts – A “Feeding Frenzy”

With low interest rates and a short supply of listings-homes available-Buyers have to act deliberately; otherwise, the potential purchase may be lost.

We are unable to change the environment yet there are a number of issues a Buyer should consider to help himself or herself successfully acquire a home. For example:

1. Does the home meet your needs?
2. Can you afford the home?
3. Have you been pre-qualified by a lender?
4. Since standard agreements are over 25 pages, does it make sense to read a standard agreement to become familiar with the terms one week before making a written offer?
5. Consider consulting an attorney who will explain the terms and conditions of the standard real estate contract.
6. Consider having the attorney draft addendums to the standard contract that meet your specific needs. For example, add the right to terminate within 72 hours after signing or add an inspection clause that permits you the right to terminate if you are dissatisfied with the report

\$\$\$ Dollars and “Sense” ccc

TRAVEL TIPS:

- Consider calling directly to the hotel/motel at your destination instead of calling the toll-free number. The call may be free but many local hotels/motels in a chain are individually owned. The owner may have an abundance of rooms and be willing to substantially reduce the rate given by “800” number reservationists.
- Car rental companies at the airports are convenient but local taxing authorities may charge you an additional \$30 to \$40 per week for picking up your vehicle at the airport. Consider renting “off-airport” at Enterprise and other chains several miles away. Airports have public shuttles for \$3-\$8 which can take you to rental companies outside of the airport.
- At the rental car desk, you will be offered a full tank of gas at 10¢ a gallon cheaper than local prices. If you accept this option and don’t return the vehicle “empty”, you have paid for gasoline you didn’t use! Let’s say, you return with 4 gallons left in the tank. At \$1.40 per gallon, you lost \$5.60. If you had purchased your own gas and returned the vehicle “full”, you have only paid for the gas you actually used!!!
- Gratuities — On cruise ships, there are recommendations for tips. Follow them if you receive good service. Don’t follow them when service is poor. The maitre d’ I never saw on one cruise and so I did not tip him.

