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October 2011

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Business Law
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ALONE IN COURT – IT'S A SCARY THING

There are many pitfalls for a person who chooses to represent himself in court. And if you realize you are ill prepared, the court room will quickly become a very scary place. Having not been in court before, you may not be as organized as you need to be or unable to establish what facts and points have the highest priority.

Prior to trial you may not know how to take advantage of discovery. Discovery often permits you to ask interrogatories (written questions), make requests for production of documents, and subpoena records. Most rules of discovery require specific timetables, and if you do not file the interrogatories within the specified time, you may wind up not getting the answers you want. Interrogatories are written

questions that the opposing party is supposed to answer. If the opposing party does not answer the questions properly, you may be unaware that the opposing party can be compelled to answer the questions fully and completely through a motion to compel.

Presumably, you're not familiar with the rules of evidence, so you may not be allowed to introduce all your evidence because you do not meet the standards of the rules of evidence. When you attempt to cross examine the opposing party, not having the experience of doing so in the past, may result in not being as effective.

Finding out during your trial that you can't prove your case may not only be scary but may cause you to lose the case.



Wishing everyone a spooky Halloween and a Happy Thanksgiving. We are thankful for your business and hope to stay in contact with you in the future!

- Fred



MEDIATION and BINDING ARBITRATION ARE FORMS OF ALTERNATIVE DISPUTE RESOLUTION – II

One of the best ways to avoid the high cost of litigation and delay of time is through “alternative dispute resolution”.

Alternative dispute resolution is an alternative to going to court. It is not necessary to file suit to have the benefit of alternative dispute resolution. An individual agreeable to both parties acts as a mediator. The mediator is a disinterested third party who is skilled in getting parties to resolve their differences and thereby brings about a resolution of the dispute.

Each party in the process is typically represented by an attorney and often the attorneys can agree as to the identification of the issues, including the damages that are being sought.

Typically, each party sets forth a summary of the facts and identifies the issues as well as the amount of damages being sought and the opposing party describes the defenses and set offs that may

exist. Then each party places this summary in writing and presents it to the mediator prior to the mediation session.

The mediator initially meets with both sides together and then works separately with each of the parties. Having a summary of information as well as direct contact with each party, the mediator can then utilize a number of techniques including an understanding of the case and of what is important to each party and the ability to assist both parties to find common ground to assist the parties in moving towards a settlement of their issues. Having first met with both parties together and then separately, the mediator then communicates with each opposing party and often the issues are resolved.

VISIT FGALAW.COM TO LEARN
MORE ABOUT BINDING
ARBITRATION AND
ALTERNATIVE DISPUTE
RESOLUTION.

LESS IS MORE: The Benefits of Trying Tort Claims (including automobile accidents) in the District Court for \$15,000.

The district court has jurisdiction over civil claims (including automobile accident) brought for

\$30,000 or less. However, if the party bringing the claim, who is called the plaintiff, brings that claim for \$15,000 there are at least two significant benefits:

A. *The defendant may not request a jury trial.* Juries in Howard County circuit courts, and in other jurisdictions throughout the state, often are very conservative in their assessments of the value of auto tort claims. Judges in the district court system are more responsive to plaintiffs and often provide better results.

B. *Evidence.* The rules of evidence often require experts and/or custodians of record to appear in court to establish that the plaintiff's injuries are causally related to the automobile accident that the medical treatment was reasonable and necessary, and that the cost of the medical treatment was also reasonable and necessary. All of the opinions of the medical expert must meet the following standard: that the above issues are true to a reasonable degree of medical certainty and/or probability.

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The Ravens had just finished their daily practice session when a large turkey came strutting onto the field. While the players gazed in amazement, the turkey walked up to the head coach and demanded a tryout. Everyone stared in silence as the turkey caught pass after pass and ran right through the defensive line. When the turkey returned to the sidelines, the coach shouted, "You're terrific!!! Sign up for the season, and I'll see to it that you get a huge bonus."
"Forget the bonus," the turkey said, "All I want to know is, does the season go past Thanksgiving Day?"

I'VE GOT A LEAD!

Approximately 2 months ago, I was invited to join the BNI leads group. The Columbia Tuesday lunch group is currently composed of 18 business persons who provide goods and/or services to the general public. The purpose of BNI is for the 18 business persons to become familiar with each of the member's goods/services and to refer persons in need of the other member's services. Thus far, I have received over eight quality referrals. On an annual basis, that is more than 48 new customers/clients.

I am impressed with the quality and commitment possessed by my fellow business members in this group and I have set forth below their names and a brief description of the goods and/or services that each member provides. BNI has high standards that each member pledges to meet and I encourage you to become familiar with what these folks have to offer.

On my website, I plan to link a connection so that when you visit my website you can place your cursor on the link and go directly to their website. Below is the name of each member and his/her contact information:

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A HOLIDAY RECIPE FOR YOU TO TRY

PUMPKIN SOUP

One thing you can always look forward during the holiday season is the delicious home cooking you will enjoy with family and friends.

Directions:

Pour broth into a large pot and bring to boil.

Stir in all vegetables except pumpkin.

Bring to a boil again. Reduce heat to med-low and cover. Simmer 20-25 minutes.

Stir in pumpkin. Cook until thoroughly heated.

Add salt and pepper to taste.

1 15-oz. can of pumpkin



1 potato, peeled and chopped

2 lg. carrots, peeled and sliced or

½ cup frozen carrots

1 celery stalk, chopped

½ onion, chopped

4 cups chicken or vegetable broth

Pepper and salt to taste

Serving idea:

Hollow out the pumpkin. Pour the soup into the cleaned out pumpkin and use it as a serving bowl. You can also do the same thing with gourds for individual servings.

Ingredients:

HAPPY HALLOWEEN!!!!

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