

FOR THE RECORD

INSIDE THIS ISSUE:

<i>Seven Tips to Follow After an Auto Accident</i>	1
<i>Does Actos Really Cause Bladder Cancer?</i>	2
<i>Risks of Transvaginal Mesh</i>	2
<i>107th General Assembly</i>	3
<i>Ease Stress to Improve Heart Health</i>	3
<i>Firm Information</i>	4

"I hired Bailey & Greer to handle my legal malpractice case because of Sadler Bailey's skill and reputation. The attorneys at Bailey & Greer believed in my case and made a total commitment to represent my best interests. The recovery that you won for me was beyond my wildest dreams!"

H.M. —Germantown, TN

SEVEN TIPS TO FOLLOW AFTER AN AUTO ACCIDENT

Get Medical Help Call 911 immediately if anyone appears hurt. Medical treatment within the first hour after an accident can be critical so do not hesitate to allow an ambulance to take you to the ER if needed. If you start to experience negative health symptoms hours of after the accident, have someone take you to the ER immediately and follow-up with any specialist to which you are referred. Delay in medical treatment can make it harder to get fair compensation for your case. More importantly, it can put your health at risk.

Notify the Police Do not just exchange information with the other driver and think that everything will work out. Call the police and be sure to get the officer's name and contact information. The police report can be crucial in determining who was at fault.

Gather Other Driver's Don't assume that the driver is insured or even legally able to operate a motor vehicle. Ask for his or her driver's license and insurance card. Write down the driver's name and license number. Also, jot down the driver's insurance company and the policy number. If the name on the insurance card is different than that of the driver, get the policy holder's name and telephone number too. Finally, be sure to find out the owner of the vehicle and relationship of the owner to the driver.

Take Pictures When you are involved in an accident, don't be afraid to take pictures at the scene. Most cell phones are now equipped with cameras. It might feel awkward snapping photos of the wreckage and even your injuries, but if you decide to file a personal injury claim later, these pictures will be invaluable.

Call Your Insurance Agent This action item applies to an uninsured (UM) or underinsured motorist (UIM)

claim. UM motorist coverage comes into play when the other driver does not have insurance to cover your injuries or doesn't have enough. It is a part of your policy, meaning you would be making a claim with your insurance company. While you are on the phone with your insurance company, ask about Med Pay coverage. If this coverage is part of your policy, it can be used to pay for your medical expenses associated with the accident.

**Do Not Speak to the Other Driver's Insurance Company**

By far, most mistakes happen when talking with the other driver's insurance company. The reason? Insurance adjusters have a way of making injury victims feel comfortable and can often get them to agree to a recorded statement. Things might be said during this recorded call that end up being used against you. You have to remember that the adjuster's job is to settle the claim for as little money as possible. This person's loyalty will be to his or her employer, not you.

Protect Your Rights Not every car accident case requires a lawyer. There are those simple fender benders where no one was hurt and fault is not an issue. On the other hand, there are those wrecks that result in serious injuries. Those are the circumstances in which you would want a lawyer. An attorney will be able to negotiate with the insurance company on your behalf and take your case to trial, if needed. Studies have shown that on average a person is likely to receive three times the amount of money with an attorney than without an attorney.





"The FDA informed the public that the use of Actos for more than a year may be linked to an increased risk of bladder cancer."

For answers to more frequently asked questions visit our website
www.baileygreer.com

Q: I TOOK/TAKE THE DIABETIS DRUG ACTOS. SHOULD I BE WORRIED?

Actos (pioglitazone) is an oral anti-diabetes drug which is used to increase the body's sensitivity to insulin. In September, 2010, the FDA stated that it was "reviewing data from an ongoing 10-year study designed to evaluate whether Actos is associated with bladder cancer." Later, in June, 2011, the FDA informed the public that the use of Actos for more than a year may be linked to an increased risk of bladder cancer. Several manufacturers of Actos are defendants in litigation filed in Louisiana and Illinois.



Bladder Cancer Bladders are particularly susceptible to the negative side effects of drugs, because of the way in which chemicals pass through our bodies. Sometimes it may be difficult to determine whether the cancer was caused by Actos or by other risk factors and demographics associated with an increased risk of bladder cancer.

Other Risk Factors of Bladder Cancer A risk factor is any factor associated with the risk of developing a disease. Several known factors that may increase a person's risk of bladder cancer are: smoking, industrial chemical exposure, chronic bladder irritations and infections, and chemotherapy and radiation therapy. If a person has any of these known risk factors in addition to having taken Actos, the pharmaceutical companies defending these lawsuits are arguing that Actos cannot be proven to have caused the cancer. However, this does not mean that person with

other risk factors of bladder can never prevail in an Actos bladder cancer lawsuit. You should consult an attorney experienced in dangerous drug cases to inform you of your rights.

Harm Caused by Bladder Cancer As with all cancers, the harm that can be done by bladder cancer primarily depends on the stage in which the cancer was discovered and treatment began. There are four stages of cancer. Stage I means the cancer is confined to the bladder and is the most treatable. Stage II indicates a flat tumor which may comprise of layers of cancer cells lining the bladder. Stage III means that the bladder wall has been invaded by the cancer, which could result in the loss of the bladder. Stage IV is the most advanced, indicating the presence of invasive metastatic disease through the bladder wall. The metastasis may extend to the organs and tissue adjoining the bladder wall and can cause death.

Treatment for Bladder Cancer Treatment options for bladder cancer will of course depend on the severity and extent of the cancer. If treatment is appropriate, options may include surgery, radiation therapy, chemotherapy or biologic therapy.

Common Name Brands:

- Actos
- Actoplus Met
- Actoplus Met XR
- Duetact

Q: WHAT ARE THE RISKS OF TRANSVAGINAL MESH DEVICES?

Transvaginal mesh support products are being linked to a dangerous and painful medical condition called "erosion" of the vaginal tissue, where the vaginal tissue splits and mesh protrudes into the vagina. Transvaginal mesh products are often times used in the treatment of stress urinary incontinence (SUI) and pelvic organ prolapse (POP). These conditions occur when the internal support structure of the vagina fail.

FDA Warning On July 13, 2011, the FDA released a comprehensive medical alert following more than 1000 reports where transvaginal mesh caused severe injuries to women. The FDA expressly warned physicians to:

- Get specialized training for each mesh placement technique, and be aware of all risks.

- Look closely for any adverse events from the mesh, especially erosion and infection.
- Inform patients that implantation of surgical mesh is permanent, and that some complications associated with the implanted mesh may require additional surgery that may or may not correct the complication.
- Inform patients about the potential for serious complications and their effect on quality of life, including pain during sexual intercourse, scarring, and narrowing of the vaginal wall (in POP repair).
- Provide patients with a written copy of the patient labeling from the surgical mesh manufacturer, if available

The Most Common Complications A study in the New England Journal of Medicine found that negative side effects increased when transvaginal mesh patches are used. Here are some of the most common negative side effects

- Erosion of the mesh through the vagina
- Infection
- Pain during intercourse
- Urinary problems
- Recurrence of SUI or POP
- Bowel, bladder and blood vessel perforation
- Vaginal scarring

107TH GENERAL ASSEMBLY BACK TO WORK IN NASHVILLE

The 2nd session of the 107th General Assembly resumed in Nashville on January 10, 2012. One of the first major issues addressed was redistricting which occurs every ten years after the federal census. During this process the state's legislative district maps are redrawn based on regional population shifts. Several changes were made to the previous maps and citizens should be aware of the new district lines. To view the maps and find your legislators go to www.capitol.tn.gov.

Governor Haslam recently introduced his annual legislative package. His proposal focused on two big tax cuts. The inheritance tax exemption would be raised from \$1 million to \$1.25 million, and the

states sales tax on food would decrease from 5.5 percent to 5.3 percent. An anti-crime package was also included as well as several proposals dealing with restructuring state agencies.

Several bills introduced by legislators adversely affect the civil justice system. One piece of legislation specifically allows hospitals and doctors to provide negligent medical care in Tennessee emergency rooms. Unless a patient could prove gross negligence, a standard just short of criminal behavior, there would be no protection.

Proposed legislation, known as "loser pays", forces those with legitimate claims and

serious injuries to abandon their legal rights or risk jeopardizing their financial futures. This bill makes the loser in a lawsuit pay the full legal costs and fees of both parties, including the exorbitant defense costs of big insurance companies. Small businesses and families with legitimate claims are prevented from holding wrongdoers accountable.

Several pieces of recently introduced legislation grant different types of immunity and propose changes to Tennessee's current workers compensation system.

For more information on legislation that affects your rights visit the Tennessee Association for Justice at www.tnaj.org.



Giving Back

We are proud to be able to sponsor two great events recently.

First, Bailey & Greer contributed to the St. Jude Red Carpet Bash. This fun and important event raises money for St. Jude Children's Research Hospital.

Second, in association with the Tennessee Association for Justice, we sponsored a free viewing of the documentary *Hot Coffee* at the University of Memphis Law School.

If you are a member of a club or organization that would like to arrange a free viewing of the movie, please call our office and ask to speak with Amy Mrva

EASE STRESS TO IMPROVE HEART HEALTH

February was Heart Month, sponsored by the American Heart Association.

Did you know that the heart and brain have a significant connection and impact on each other in your body?



Due to this, mental health can have a dramatic effect on

heart health, and vice versa.

When you experience stress, which is a response in your brain, the body responds by increasing:

- Blood pressure
- Respiratory rate
- Heart rate
- Oxygen consumption
- Blood flow to skeletal muscles

If you experience frequent stress, you are putting your body at an increased risk for heart disease.

How do you combat stress? There are many strategies and techniques for reducing stress in your life:

- Meditate. Try sitting down in a quiet, comfortable room, and focusing your attention on one

word, phrase or image in your mind. Repeat this thing over and over, refocusing if your mind wanders.

- Read a book or listen to calming music.
- Exercise. Getting your blood pumping is an excellent way to relieve stress, and is also great for your heart.
- Eat nutritiously—don't turn to junk food, alcohol or tobacco. Healthy food will energize you, while other options have negative effects on your body.
- Confide in a loved one.
- When feeling overwhelmed, plan and prioritize instead of trying to tackle everything at once. Also try taking a break from the situation.

Bailey & Greer
6256 Poplar Avenue
Memphis, TN 38119

FIRM INFORMATION

At Bailey & Greer, we take only a limited number of serious injury, wrongful death, and professional malpractice cases. While some law firms work to settle, we work to get the best possible result for you. We have the experience, expertise and financial resources to carry each and every case to court, and our track record speaks for itself.

When you choose us to represent you, you will always be able to speak to a lawyer and you will always be treated as a person, not just a case. In addition to our attorneys, we are also proud of our courteous, knowledgeable office team, which includes a full-time nurse.

Practice Areas:

- ◇ Medical Malpractice
- ◇ Birth Injuries
- ◇ Legal Malpractice
- ◇ Auto Accidents
- ◇ Trucking Accidents
- ◇ Nursing Home Abuse
- ◇ Wrongful Death
- ◇ Premises Liability
- ◇ Workers' Compensation
- ◇ Dangerous Drugs and Devices



BAILEY & GREER

6256 Poplar Avenue
Memphis, TN 38119
Phone: (901) 680-9777
Fax: (901) 680-0580
www.baileygreer.com

*The greatest compliment we
can receive is the referral of a
friend or family member*