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# **RIGHTS? WHAT RIGHTS?** HOW THE WAITING GAME WILL RUIN YOUR CASE

Not long ago, a case fell into my lap that I would have taken in a heartbeat. This guy, let's call him John Smith, brought in the exact kind of case we're equipped to handle. He was an older man who had severely injured his ankle while working at his manual-labor job, and his doctors were still advising him not to work because of his injuries. This case was basically a slam dunk. Unfortunately, when we spoke on the phone, John told me about a phenomenal mistake he made, and I was forced to tell him we couldn't take his case. No, he didn't quit his job. He did something much worse.

John hurt himself well over two years ago. In the time since, he's needed two surgeries and hasn't been able to go back to work. But he never called a lawyer or tried to file a claim because his employer was voluntarily paying him. Then, when two years passed, they cut him off suddenly. Why? In Virginia, where John worked, you have two years to file a workers' compensation claim. Once the statute of limitations expires, you are out of luck. It was only when he realized how much trouble he was in that John called our office. But by then, it was too late for us to do anything to help him.

Unfortunately, we hear John's story all the time. A worker gets hurt, and the employer tells them that they have taken care of

anything about it.

A lot of people think they're smarter than the insurance companies because they've heard an ad on TV telling them "not to sign anything." To be honest, even other, non-workers' comp attorneys might warn injured workers against signing anything their employer or the insurance company sends them. In personal injury or divorce cases, this makes sense. But workers' comp is complicated. If you want to have any shot

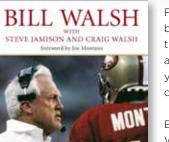
# 'THE SCORE TAKES CARE OF ITSELF'

Bill Walsh on What It Means to Be a Leader

The term "game changer" gets tossed around so much these days that it no longer seems to hold enough weight to describe a legendary coach like Bill Walsh. But how do you describe someone who quite literally changed the way football is played on the highest level? It takes incredible willpower to defy conventional wisdom and turn a struggling team into a powerhouse.

In Walsh's memoir on leadership, "The Score Takes Care of Itself." he explores the philosophy that guided him through his coaching career and led him to success. Working with award-winning author Steve Jamison, the two distill Walsh's decades of experience into a comprehensive guide that can be used by coaches and CEOs alike.

One theme throughout the book is the idea that sound fundamentals trump instincts. As Walsh aptly puts it, "Hearing someone described as being able to 'fly by the seat of his pants' always suggests to me a leader who hasn't prepared properly and whose pants may soon fall down." For long-term success, you have to have a game plan.



THE SCORE TAKES CARE OF ITSELF My Philosophy of Leadership For Walsh, preparation for leadership begins by bracing yourself for the worst. A mantra repeated throughout the book is "expect defeat." In business and in football, losses are just a fact of life. How you prepare for and respond to these crises will determine your team's success.

But the most valuable element of leadership in Walsh's eyes is how you treat the members of your team. You need to have the courage to let them know you believe in them. Using simple, earnest positive reinforcement, this legendary coach turned the 49ers into an incredible team, and the benefits show. Segments of the book contain anecdotes and reflections from players such as Joe Montana and

Randy Cross, whose deep admiration for their former leader speak volumes.

"The Score Takes Care of Itself" was published posthumously. Walsh's son, Craig, did much of the legwork to piece this definitive portrait together. What we are left with is a truly insightful read from one of the most innovative, inspiring minds in sports history. It will be a long time before a book like this comes around again.

everything. The employer even voluntarily starts writing them checks after the accident. It seems perfect without lawyers or messy hearings involved. But the employer is not required to do this. If they voluntarily pay an employee after an injury, then they can voluntarily stop at any time, and where will you be then? Without an order requiring the employer to pay you from the Virginia Workers Compensation Commission, you are at the mercy of an employer's good will. When it's gone, you're powerless to do

#### "If John had filed a claim, we'd probably be talking about a settlement with the insurance company right now."

of winning your case, you need to file a claim for benefits, and if you are sent an Award Agreement, you should sign it. If you let two years pass by without either filing your Claim for Benefits, or an Award Agreement signed by both parties is not filed, your case is dead and over, forever.

If John had filed a claim, we'd probably be talking about a settlement with the insurance company right now. There'd be a bunch of money on the table. Instead, I referred John to another attorney who specializes in Social Security, so he might get on disability, but that's not the equivalent of the workers' comp benefits he could have been entitled to, and what's more, he would still have the right to file for social security benefits, and get his lump sum settlement under workers comp - if only he had properly enforced his rights.

It's true that you shouldn't sign anything right away. You should always speak to a workers' comp attorney first. But if you called our office and said you have an Award Agreement in hand, we'd have you email, fax, or bring it down for us to read and probably recommend you sign it right that second. An Award Agreement is an official acknowledgement from the insurance

#### Continued on page 3 ...

If you belong to a union or other labor-related group and want to schedule my presentation at your group's speaking arrangement, you can do so by calling **888-694-7994**. The presentation is free of charge, offers important information for taking appropriate action in Virginia workers' compensation cases, and everyone in attendance gets a free copy of my book, "10 Traps and Lies That Can Ruin Your Virginia Workers' Compensation Case." Education is the best way to protect yourself from making a mistake. So call now, before it's too late.

# Live Long and Prosper

#### HOW LONGEVITY VITAMINS CAN HELP YOU LIVE A HEALTHIER, LONGER LIFE

New research suggests that you aren't getting the key vitamins and minerals you need to live a longer, healthier life.

A 10-year study published in October 2018 in the Proceedings of the National Academy of Sciences identified several "longevity vitamins" as necessary to living a healthier, longer life. These

are vitamins and minerals that can keep chronic diseases such as heart disease, certain types of cancer, and dementia at bay.

Researchers classified the following as "longevity vitamins": vitamin D, vitamin K, carotenoids (alpha carotene and beta carotene), astaxanthin, ergothioneine, pyrroloquinoline quinone, quinine, taurine, lutein, zeaxanthin, and lycopene.

Some of these vitamins and minerals may sound familiar. Lycopene, for example, is another carotenoid. It's found in tomatoes and other red fruits and is a powerful antioxidant. In fact, many longevity vitamins are found in fruits and vegetables, but we often don't eat enough of these foods.

"Survival vitamins" are even more critical to your health, and the symptoms are noticeable when you're deficient. For instance, the main symptom of vitamin C deficiency is scurvy, which causes weakness, soreness, and a number of skin issues, including bruising. It usually takes about a month of vitamin C deficiency before symptoms show.

> Vitamin K deficiency, on the other hand, can be tougher to diagnose. Vitamin K is essential in forming blood clots. When your body doesn't get enough vitamin K, excessive bleeding can occur. The vitamin is also needed to produce an enzyme that promotes better blood flow. Over time, low vitamin K levels in the body increase the risk of cardiovascular disease.

If you want to live a healthier and longer life, make sure your diet includes these longevity vitamins and minerals. They can give you a significant advantage when paired with a healthy diet and exercise so you can enjoy many more years with your loved ones.

# **Our Clients Say It Best**

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"My daughter's fiancé was horribly injured on the job in 2016. From day one, Lisa Hancock has gone above and beyond to help me with EVERYTHING I needed from beginning to end. She is outstanding. Her and Joe Miller make an awesome team. I have nothing but praise for them both."

#### - Gerri Orange

"I was directed to Joe Miller through a good attorney friend we knew in Va. My husband, George Clemons had just got hurt on his job. Mr. Miller, Lisa, and Fatimah was who I mostly dealt with. They were very punctual, kind and full of integrity. Joe Miller and his team really helped our family, during a rough time in our lives. We are 100% satisfied with our case in which was won."

#### -Angel Clemons



## **The Misconception That Ruins Your Case**

At our firm, we have received countless calls from injured workers who had a solid case on their hands before they blew it with one bad mistake. Workers' comp is a complicated process, and it's painfully easy to do something that will ruin your whole case. Far more troubling is the fact that most, if not all, of these cases could have been saved if the injured party called a workers' compensation attorney right after the injury occurred.

Though hiring a lawyer should be the first move you make when engaged in legal trouble, far too many workers wait until it's too late to make that call. Sometimes they're under

the misguided belief that they should be able to handle their case on their own. But more often than not, the reason someone fails to hire a workers' comp lawyer is because they didn't think they could afford one. This is never the case.



alwavs afford a workers' comp lawver. because unlike other attorneys, you do not have to pay your workers' comp lawyer

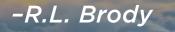
No matter the circumstances, you can

### Joe's Monthly **'SOUL SNACKS'**

Reach for the Heavens. Even if you don't get there, you'll be going higher all the time.

-R.L. Brody

Know that every "down" in life is a preparation for "up."



#### Yes, You Can Afford a Workers' Comp Attorney

up front. You don't have to write a check to put your workers' comp lawyer on retainer or pay them to file paperwork. Workers' comp lawyers don't get paid unless their client gets paid.

Workers' comp lawyers are entitled to a fee *if* they get their client an award, but that money never comes out of the client's pocket. Those fees are taken out of the workers' comp checks. And if you are under such hardships that you need every penny of that check, our firm will often waive those fees untill they can be afforded. For workers' comp attorneys, their payday comes when the insurance company starts talking about a settlement. When we get our client a

great, big check so they can put the case behind them, we're awarded a percentage of that recovery. The more money we win for our client, the more money we get in return. With this system, everyone wins.

If anyone says you can't afford to hire a workers' comp attorney to take care of your case, they are either misinformed or have ulterior motives and want to see vour case fail. Don't believe the lies. Give Joe Miller Law a call at 888-694-7994 and learn how you can afford to win your case.

### ... Cover article continued.

company that you are entitled to benefits. Once that agreement is filed with the Workers Comp Commission, it is converted into an Award Order. which means that you have won your case.

The bottom line: You can't do nothing and expect it all to work out. That fact is - as I say many times in videos on our website at TheWorkInjuryCenter.com – that under Virginia workers' comp law, you have no rights. Your employer owes you nothing. The Commission owes you nothing. You must enforce your rights to compensation yourself. I wish I could shout this from the mountain tops, because it really hurts when we have to tell someone, "My friend, you blew your case."

If you've been hurt at work and haven't called a lawyer yet, get on the phone now. And if you know a friend who's been hurt on the job, and that friend insisted the employer is paying for everything, or "took care of filing everything for me," ask them if they have an Award Agreement or if they are under an order. If they don't know what that is, please make them get on the phone with us. Nothing is worse than learning you've let your future slip through your fingers because you did not educate yourself.

Meanwhile, on behalf of everyone here at Joe Miller Law and the Work Injury Center, I want to wish you and your family a happy, healthy, safe, and prosperous new year!

- Joseph Miller