

FOR THE RECORD

INSIDE THIS ISSUE:

<i>Tips on How to Keep Your Family Safe</i>	1
<i>What is Aerotoxic Syndrome and What Causes it?</i>	2
<i>Why are Defective Drug Lawsuits So Common?</i>	2
<i>Legal Malpractice: Reporting Concerns and Protecting Your Rights</i>	3
<i>Seven Tips to Hiring the Right Attorney</i>	3
<i>Firm Information</i>	4

"The reason I hired Bailey & Greer is that I knew I was not just a number and a paycheck. This was very emotional for me and they made me feel that after each meeting and phone call, I had picked the right team.

Looking back, I know I wasn't the only client, but Bailey & Greer made me feel like I was. I felt like I was a part of the firm. They never refused a call or a sit down meeting. I have already recommended Bailey & Greer to a family friend and there will be no hesitation to use them again if I ever need help. I was very impressed."

J.M.R.—Memphis

100 DEADLIEST DAYS: TIPS ON HOW TO KEEP YOUR FAMILY SAFE

Kids love summer. School is out and the days are long and often spent enjoying outdoor activities. Summer also happens to be the most deadly time of the year, especially for children and teenagers. In fact, nearly half (42%) of all unintentional injury-related deaths occur from May to August. The greatest risks include drowning, auto accidents, bike crashes, and falls. We encourage you to keep these safety tips in mind while having fun this summer:

SWIM SAFE

- Always make sure children are supervised near water, including pools, spas, ponds, and lakes
- If you have a pool or spa, ensure that swimming areas are secured by locking child-proof doors or gates and equip pools and doors with safety alarms when possible
- Require personal flotation devices on boats and near open bodies of water

PLAY SAFE

- Require children to wear helmets when biking, skating, skateboarding, and when riding scooters
- Check your home playground for defects and wear and tear. Avoid concrete, asphalt, or similar hard surfaces. Opt instead for wood chips or mulch
- Stay back at least 500 feet from fireworks displays and never attend unauthorized fireworks shows

SUN AND HEAT SAFETY

- Children are more susceptible to heat related injuries. Avoid the outdoors during the

hottest part of the day and provide more fluids than usual.

- Wear sunscreen and when possible, a wide brimmed hat that shades the face
- Keep babies under six months old out of the sun completely



DRIVE SAFE

- No alcohol and drug use while operating a car
- Insist on seat belts at all times, no exceptions
- Ban the use of electronic devices, including cell phones
- Limit passengers and nighttime driving for teenagers
- Never leave children or animals in the car, even if for a short time

WORK SAFE

- Make sure that children are safely inside during yard mowing, weeding, and tree removal
- Always wear solid, sturdy work shoes and never work in sandals or flip-flops.
- Wear safety protection for eyes and ears when operating equipment.





“Many ‘aerotoxic syndrome’ victims are misdiagnosed with other conditions like chronic fatigue syndrome, chemical sensitivity, depression and viral disorders.”

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

Q. WHAT IS “AEROTOXIC SYNDROME” AND WHAT CAUSES IT?



By Austin Byrd

A new term, “aerotoxic syndrome,” is now being used unofficially to refer to the health effects of breathing toxic fumes on an airplane. It has been linked to chronic

and acute health problems including fatigue, breathing problems, vision disorders, and cognitive disabilities.

WHAT CAUSES EXPOSURE TO TOXIC FUMES?

Because commercial jets fly so high, the air thousands of feet above the earth is not breathable and it is necessary to pressurize and heat the air before circulating it throughout the cabin. The system used since the 1950s is called “bleed air”. It takes air from the plane engines, mixes it with the existing cabin air, and recirculates it. Unfortunately, this system sometimes fails and allows fumes to get into the cabin, making airline passengers sick.

IS TOXIC FUME EXPOSURE HARMFUL?

The symptoms of “aerotoxic syndrome” are many and may last a long time or go away quickly. Any of the following are indications that this syndrome may have affected you:



- Exhaustion, even when rested
- Eye, nose and airway irritation, coughing, shortness of breath, chest tightness and even respiratory failure
- Blurred or tunnel vision
- Tremors, shaking, vertigo, an intoxicated feeling, and seizures
- Memory, confusion, and cognitive problems
- Nausea, diarrhea, vomiting, headache, and tinnitus
- Loss of consciousness

It is important to note that the term “aerotoxic syndrome” has not been officially recognized in the airline industry, and not all medical experts can diagnose it. For this reason, many “aerotoxic syndrome” victims are misdiagnosed with other conditions like chronic fatigue syndrome, chemical sensitivity, depression, and viral disorders.

Q. Why Are Defective Drug Lawsuits So Common?



By Sadler Bailey

The most prominent commercials on TV today are drug commercials, followed closely by lawyer advertisements. Ironically, many of the lawyer advertisements pertain to defective drugs, like Actos, Pradaxa, and Avandia. So why do there continue to be so many lawsuits involving pharmaceutical companies?

DRUG APPROVAL = BIG MONEY

It is no secret that drug companies stand to make billions of dollars in profits if they can successfully develop a useful and popular drug. For instance, the cholesterol drug Lipitor averages nearly \$13 billion in sales every year. Given the financial incentives, drug companies aggressively push for quick approval for their products. The rush to approval can often lead companies to

downplay dangerous side effects or even fail to discover certain problems.

UNDUE INFLUENCE AND MISLEADING MARKETING

Pharmaceutical companies often exert undue influence on doctors and provide misleading information. For instance, Glaxo Smith Kline (“GSK”) recently agreed to pay \$3 billion in fines for fraud. This record setting fine stems from GSK’s marketing of Paxil to children, when it was actually approved for adults only. The fine also pertained to GSK’s marketing of Wellbutrin as a weight loss and sexual dysfunction drug, even though neither of these uses had FDA approval. The case revealed that GSK promoted these “off label” uses to doctors through misleading medical journals and by providing illegal kickbacks to doctors with free meals and spa treatments

FOOD AND DRUG ADMINISTRATION OVERSIGHT

The Food and Drug Administration (“FDA”) is charged with approving and overseeing the approval and use of pharmaceuticals. However, like many governmental agencies, the FDA simply does not have the resources and manpower to adequately regulate this multi-billion dollar industry. Moreover, many of the FDA advisors receive compensation directly from the drug companies, thus creating a conflict of interest. As a result, about half of the American public believes the FDA is doing a bad job.

WILL THERE BE FEWER LAWSUITS IN THE FUTURE?

Under our current system, major drug companies have factored fines and lawsuits into the cost of doing business. Until our current system is radically altered, expect to see defective and dangerous drugs enter the marketplace, leaving thousands of innocent patients seriously injured and killed.

LEGAL MALPRACTICE: REPORTING CONCERNS AND PROTECTING YOUR RIGHTS



By Thomas Greer

When you hire an attorney to handle a legal issue, you must be able to trust that he or she will represent your interests in a competent, diligent, and ethical manner. Unfortunately, this

does not always happen, and the consequences can be devastating, both financially and emotionally. If your lawyer fails to act ethically, there are steps you should take to protect yourself and to warn others about the unethical behavior.

COMMON COMPLAINTS ABOUT ATTORNEYS

- Poor communication with the client
- Handling the client’s property without safeguards
- Misrepresentation
- Keeping documents belonging to the client
- Conflicts of interest
- Mismanagement of client funds
- Missing deadlines, hearings, and other important matters

REPORTING ATTORNEY MISCONDUCT

To report a lawyer for violation of ethical codes in Tennessee, you can:

- Contact the Tennessee Bar Association online at www.tba.org or call 615-383-7421. The offices are located in Nashville.
- Contact the Tennessee Board of Professional Responsibility online at www.tbpr.org or call toll-free at 800-486-5714.

PROTECTING YOUR LEGAL RIGHTS

There are limits to what these organizations can provide. In order to fully protect yourself and to fully recover from the harm done by a negligent attorney, a lawsuit directly against the attorney is often necessary. An experienced legal malpractice attorney can help you:

- File a lawsuit against the negligent attorney and his or her employer
- Recover attorney fees paid to the negligent attorney
- Recover compensation for the damage caused by the negligent attorney



Firm News

Thomas Greer was recently elected by the Tennessee Association for Justice (“TAJ”) to serve as Vice President of the Western Grand Division. TAJ fights for the rights of ordinary citizens and for fairness and equality in the civil justice system.

Thomas Greer also obtained membership into *The National Trial Lawyers Top 40 Under 40*, which is an invitation-only, professional organization comprised of America’s top young trial attorneys. Membership is extended exclusively to those individuals who meet stringent qualifications, who demonstrate superior leadership skills, and who exert passion and personal conviction as a young trial attorney.

SEVEN STEPS TO HIRING THE RIGHT ATTORNEY

Hiring an attorney is always an important decision and can have long lasting consequences. A good experience with an attorney can leave the client feeling well cared for and satisfied, while a bad experience can leave the client feeling betrayed and often financially harmed. Follow these easy steps to find an attorney that’s right for you:

1. **Ask an Attorney you Already Know.** If you know an attorney, but he or she does not handle the type of legal issue you currently have, ask them to refer you to the right lawyer. Feel free to call our office to ask about our preferred list of attorneys practicing in areas of law we don’t handle.
2. **Experience is Crucial.** Your legal matter is no time for an experiment. Be sure your lawyer has experience not just in general, but with your type of case. Ask them for specific examples of similar cases, including results.
3. **Testimonials from Other Clients.** If the lawyer is experienced and competent, he or she will have no problem providing testimonials from satisfied clients.
4. **Trial Skills.** If you are hiring an attorney for litigation (e.g. auto accident, medical malpractice, legal malpractice, nursing home abuse), always make sure the attorney has experience going to trial and winning.
5. **Industry Recognition.** Good lawyers will often be recognized by their peers in professional organizations and be called upon to speak at educational seminars.
6. **Proof of Insurance.** Lawyers make mistakes. Make sure your lawyer is covered by liability insurance if he or she handles your case improperly.
7. **Understand the Cost.** Have the attorney fully explain the attorney fees and litigation costs and have them explain whether these rights are customary in the community.

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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 trial. We have been involved in numerous multi-million dollar verdicts and settlements, including birth injury, medical malpractice, premises liability and auto accident cases.

When you choose us as your attorneys, 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
- ◇ Aviation Litigation



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