



FINNEY INJURY LAW  
- TRIAL LAWYERS -

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## INSIDE THIS ISSUE

- 1 Walking the Walk to Justice
- 2 3 Outdoor Halloween Attractions Guaranteed to Spook
- 2 Tips for Safe Driving on Halloween
- 3 Age Is Just a Number
- 3 Pumpkin Pie Parfaits
- 4 Uplift the Traditions and Customs of Indigenous People

### RECOGNIZING INDIGENOUS PEOPLES' DAY PROTECTING CULTURE AND HISTORY

Oct. 10 is Indigenous Peoples' Day, dedicated to celebrating and honoring Native American people and commemorating their rich histories and culture. Their resilience and contributions to American society throughout history — even as they faced assimilation, discrimination, and genocide spanning generations — are something we should all recognize.

The idea was first proposed by Indigenous peoples at a United Nations conference in 1977, held to address the discrimination against Native peoples. Last year, President Biden issued the first presidential proclamation for Indigenous Peoples' Day. It serves as

one of the most significant efforts to refocus the federal holiday celebrating Christopher Columbus toward an appreciation of Native peoples.

When Missouri became a state in 1821, it had a Native American population estimated at about 20,000. The original Native peoples within the state included the Chickasaw, Illini, Ioway, Missouriia, Osage, Otoe, and Quapaw. Other groups pushed westward to Missouri due to encroachment include the Shawnee, Delaware, Kickapoo, Omaha, and Sac and Fox.

Currently, no federally recognized tribes reside in Missouri because most were forced to leave and resettle during the Indian Removal Act of 1830.

The state of Missouri and the Missouri River are both named after the Missouriia people, and it is estimated that Native peoples inhabited the state's land for at least 12,000 years. The territory of Osage — one of the biggest tribes — spreads across present-day

Missouri, Kansas, Oklahoma, and Arkansas. Today, the Osage remains the only federally recognized reservation in Oklahoma, where efforts are continued to protect and enhance the Osage culture, language, and lands.

The impacts of colonization and destruction of Indigenous peoples limited our understanding of their histories and led to the near erasure of their culture across the developing United States. However, Indigenous communities continue to work diligently to pass down their cultural elements and historical narratives from one generation to the next.

Celebrating Indigenous Peoples' Day can take many forms. You can attend Indigenous-led organization events, eat their traditional foods, and enjoy their dancing and singing. Spread the word about the importance of recognizing Indigenous people! Regardless of how you choose to observe, be sure to center and uplift the traditions and customs of Indigenous people as you celebrate!

## WALKING THE WALK — TO JUSTICE

As I promised in my previous column, this will be an update on the last case we tried. As I write this, we have another trial in five days. Walk the walk, right? I also have a surprise bonus — I will give an update on the trial where the defense lawyer showed his true colors.

Let's start with the last case we tried with my cousins, Toni and Craig. If you recall, a 19-year-old boy was killed by a semi-truck on Hwy I-70 in St. Charles County. At the time of the last column, the defense offered \$0 to settle. Well, the week before the trial, they upped it to \$250,000. Not even close. To make matters worse, they withdrew their offer of \$250,000 after our closing arguments. They apparently thought the case was going well. They were wrong. The final verdict: \$20,025,000. Yes, the final verdict was nearly 100x the only offer in the case.

We promised to give the jurors the information they needed to do their jobs. We did just that. The jurors who sat on this case were incredible. I honestly cannot find the words to convey what an awesome and dedicated group they were. They put in a nearly 70-hour week, working until 11 p.m. on a Friday night to render their verdict. They did it without any other interest in the case other than to see justice and fairness. Humbling isn't enough to describe it. Every time a jury renders a verdict, I am blown away. With no dog in the fight, they give of themselves to see the truth. How incredible and awe-inspiring.

And what about the family, the mom, dad, and two brothers who lost their oldest son and brother? They spent the trial outside the courtroom, unable to relive the trauma and loss. The mom sat for the verdict reading, but her second son could not, and neither could the dad. They sat outside the courtroom, praying justice would be done. As the verdict was read, the mom didn't understand the legalese. She looked at my cousin Craig and asked him what had happened. He said, "We won." She repeated it back — "We won?"

We won." She didn't even ask how much. She didn't care. She walked out of the courtroom and hugged her son and ex-husband. I am not a big picture-taking guy, but I snapped the best photo I could — here it is for you to see. The dad had been hugging them, and I just missed it. The silence outside the courtroom was thick. The heavy sobs of the mom, dad, and son were the only sounds that pierced it. Words could not fill that space.

The case was tough emotionally for me. At one point, after the police officer's body cam footage played showing the desperate attempts to revive the son, I was supposed to read off our next exhibit. I couldn't find the words. I swallowed hard. Still nothing. I could feel the emotion growing like a tidal wave coming from far out in the ocean, advancing on me with so much momentum, stealth, and speed. I started to cry. I quickly gave the sheet to Toni, who knew what only a cousin could know. She didn't say a word;

she took the sheet and read it aloud as I walked out to compose myself.

I still find myself battling emotions when I think about this case. I spent each morning driving to the courthouse with tears, hoping that would "clear me out" for the day. I did not want to be heavy-handed in this case. I wanted to let the jurors do their jobs without us tugging at their heartstrings. They did.

At the end of the day, I feel beyond fortunate to have had this experience. As I said in the last column, we will have other cases. We will be okay no matter the outcome. But this family had one shot. I am lucky to have been a part of the team that helped them with that shot. It is an experience I will never forget and one that can change the trajectory of your life. It was simply incredible.

Finally, on another note, I wrote about another case in our June and July editions where the court of appeals had taken our verdict, and we were forced to re-try the case. I hoped to catch lightning in a bottle twice. That second result was okay but not what we hoped for. However, the defense lawyer had taken some improper lengths in his closing argument. I wrote that we vowed to keep fighting. Well, I am happy to report the judge agreed with us and threw the verdict out because of the insurance lawyer's conduct. He gave us a new trial. Another chance to walk the walk.

Ch.



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# GET OUT OF THE (HAUNTED) HOUSE WITH THESE 3 OUTDOOR HALLOWEEN ATTRACTIONS

Halloween is just around the corner. You'll soon have trick-or-treaters approaching your door requesting a healthy share of candy. Before then, you may want to go out and feel the thrills of the season yourself, but maybe you're someone who doesn't enjoy the cramped spaces of haunted houses. You don't have to step indoors to experience a spooky attraction, though. There are plenty of outdoor Halloween attractions to check out, and here are three of the most thrilling.



### Zombie Paintball

We've all watched a scary movie and thought we could do better than some of the characters in these extreme situations. Now is your chance to prove it. There are zombie paintball courses throughout the country, and they can be a great time for everyone involved. You'll step aboard a bus or trailer outfitted with paintball

guns and proceed along a course full of zombies and creatures. Before long, your friends and family will get into the competitive spirit to see who can hit the most targets.

### Haunted Corn Maze

Haunted houses are great if you're trying to experience some jump scares. But if you want to get the haunted house experience in an outdoor setting, you should check out a haunted corn maze. You'll hear screams coming from all around to help amp up the fear. It's also a great way to get some exercise!

### Haunted Hayride

So, what if you want the best of both worlds? You may want to feel scared without walking through a maze or using a paintball gun. That's where haunted hayrides come in. On a haunted hayride, you'll hop aboard a platform that's being towed by a tractor or truck as they take you through a dark forest and possibly some barns. Performers will be woven throughout to provide scares at the perfect moments. It's a great way to get the classic Halloween experience without having to walk through a house or maze.

# THE MAN WHO FELT 20 YEARS YOUNGER

## Wanted to Legally Change His Age

We've all heard about people legally changing their name or gender, but have you ever heard about someone trying to change their legal age? In 2018, a 69-year-old Dutch man named Emile Ratelband petitioned a court for permission to change his age. He wanted to alter the year he was born on his birth certificate by 20 years so he could be 49 years old. So, how did this case end? Let's find out.

### What was his reasoning?

Ratelband wanted to change his age because he argued that he felt 20 years younger. He said his doctors told him that he had the body of a younger man, and his health was far better than most men his age.

He alleged that he experienced age discrimination because, being 69, he is limited in what he can do. If he were 49, he could buy a house and car and work more hours, and his chances on the dating app Tinder would improve if he were younger.

### What was the court's decision?

Ratelband's argument did not convince the district court in the Dutch city of Arnhem. The court said there was no evidence that Ratelband had experienced age discrimination. It stated that, unlike legally changing your name or gender,

changing your age causes many problems such as the many rights and duties related to age, such as voting, attending school, military obligations, and pension.

Although Ratelband has the freedom to feel 20 years younger, mentally and physically, he cannot legally change his age because of the legal and societal implications that would follow, the court added.

The district court rejected Ratelband's request, but he plans to appeal.

In the Netherlands, the public doesn't take Ratelband's claims seriously. They even make fun of his international exposure and willingness to provide interviews worldwide to justify his wishes. So what do you think of this legal case? Is age just a number? Let us know your thoughts!



# Let the Ghoul Times Roll

## ENSURE SAFE TRICK-OR-TREATING

Halloween night calls for great costumes, fun parties, and most importantly, lots of candy! However, many don't realize how dangerous it can be to go trick-or-treating, and we're not referring to the ghosts and goblins that go bump in the night.

Road safety is often overlooked on Halloween, so not only is it important to talk to your kids about road safety, but also to practice safe driving. Take a look at these Halloween safe driving tips to ensure a safer trick-or-treating experience this year!

### Be cautious.

Prime trick-or-treating time is typically between 5-9 p.m., so be especially careful during these hours as the sun sets. Once it sets completely, be sure to look out for adults and children wearing dark-colored costumes, masks, and face coverings.

Since more pedestrians will be on the road, drive below the speed limit and scan the roads where people may likely be or where sight distances are limited. Keep in mind that some people may come out of side yards, bushes, or between parked cars, so stop and wait for them to pass.

Pedestrians don't always cross in designated crossing zones, especially in neighborhoods, so it's good to anticipate them around every corner.

### Use your turn signals.

You can also communicate with pedestrians and other drivers with your turn signals and hazard lights. Even if you're in a neighborhood you're familiar with, or only driving a few blocks up the street, use those signals if you're making turns! If you have to stop to pick someone up or drop your kids off, use your hazard lights.

### Eliminate distractions.

While driving — as a general rule of thumb — put your phone away! Your attention always needs to be on the road, and there is no difference between handheld and handsfree. If you're not paying attention and a pedestrian isn't either, an accident is more likely to happen.

Even the simple task of changing the radio station can take your eyes off the road. Instead, have your passenger change the music for you, or wait until you're at a red light if you're driving alone.

Drivers need to remain vigilant and overly cautious because the scary reality is that Halloween is one of the deadliest nights for pedestrians. Remember, kids are excited about Halloween night and may not be as careful as they should be.



# Pumpkin Pie Parfaits

Inspired by Kenarry.com

These parfaits are an easy fall dessert everyone can make!

### INGREDIENTS

- 3.4 oz instant vanilla pudding mix
- 2 cups cold milk
- 15-oz can pumpkin purée
- 1/2 tsp cinnamon
- 1/4 tsp nutmeg
- 1/8 tsp ground cloves
- 1 cup vanilla sandwich cookies
- 8 oz whipped topping

### DIRECTIONS

- In a large bowl, whisk together pudding mix and milk. Let sit for 5 minutes, then stir in pumpkin purée, cinnamon, nutmeg, and ground cloves.
- In a blender or food processor, crush vanilla sandwich cookies into crumbs.
- In small jars or glasses, place cookie crumbs on bottom, then pumpkin mixture, then whipped topping. Repeat these layers twice and end with cookie crumbs.
- Chill until ready to serve!

## YOUR REFERRALS MEAN THE WORLD TO US

There is no greater compliment we can receive than a client telling a friend or loved one about us. If you know somebody who has been injured and needs an attorney who will fight on their behalf and give their case the attention it deserves, please pass along this newsletter and have them give us a call at 314-293-4222. Thank you for spreading the word about Finney Injury Law.