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FINNEY INJURY LAW
- TRIAL LAWYERS -

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THE REDBIRDS RETURN TO FORM? A 2019 CARDINALS PREVIEW

Since the turn of the century, the St. Louis Cardinals have experienced an era of sustained success. During that time, the Cards have posted a losing record just once (2007) while winning the World Series twice (2006, 2011). The team has also become overlord of the NL Central, topping the division standings nine times. At the beginning of last season, it looked as though the purple patch was ending.

When the Cardinals fired long-term manager Mike Matheny in July of 2018, the season looked like a complete loss. The Cardinals were struggling, the playoffs seemed an impossibility, and a change was desperately needed. When Matheny's term came to an end, the team replaced him with coach Mike Shildt. He was expected to be an interim placeholder until the team could find a marquee candidate to be their next full-time manager. Well, Shildt had other plans. While he couldn't lead the

Cardinals to another playoff berth, he did right the ship, and in short order. Some St. Louis fans were worried about having a meaningless string of games at the end of the season, but they were delighted to find a competitive team who didn't give up until the final game had been played.

Last year's turnaround has transpired to high hopes in 2019. The Cards added Paul Goldschmidt in the offseason, who will help both at first base and behind the plate. The team's rotation will surely be one of the most fearsome in baseball, with Carlos Martinez and Miles Mikolas among the favorites to win the NL Cy Young Award. The big question for the season is whether Shildt can continue to inspire his players and live up to the hype he created last season. If he does, the sky's the limit for the Cardinals this year.

Opening day always brings a sense of optimism and excitement. Whether or not that optimism lasts through the dog days of summer remains to be seen, but chances are good that the Cards will have a fighting chance come September. Who could ask for more than that?



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WHERE ELSE IS THIS OKAY?

UNBELIEVABLE TACTICS USED BY INSURANCE COMPANIES

A man is stationed outside a newly single woman's home for hours and hours each day in the back seat of a tinted minivan or in a nondescript compact car. Each time he's there, he has a camera rolling, pointed at the woman's house. Sometimes it's even focused on the inside of her house at night. Sometimes he follows her, filming her leaving her home in the morning for work. Sometimes he films her at home as late as 9:45 p.m. and as early as 5:45 a.m. Sometimes he's parked within a few feet of her property line, just to get a glimpse of her — anything, really.

If this was an ex-boyfriend, he would be arrested for stalking and harassment. There would be tremendous concern for the woman's safety. There would be outrage. If it were a neighbor, the same would happen. If it were a random peeping Tom, they'd be labeled a complete freak.

But when the woman is a plaintiff in a lawsuit, it is suddenly supposed to be okay — it's "expected" — like it comes with the territory of filing a lawsuit.



Here are the men who did all of the above. This was a real occurrence, and it happened to our client. All she did was file a lawsuit for her injuries after she was hit. AAA went after her. They hired these men to stake out her home. They only told us about one of them after they were legally compelled by the court to do so. We discovered the second man while cross-examining the first. These men worked for an international surveillance company whose client list includes the biggest insurers in the world. Their job is simple: Save the insurers money by "catching" the plaintiff doing something. By intimidating. By inducing fear.

These men were instructed to film our client, to sit outside her home for 12 hours at a time, to follow her if necessary, and to turn the camera on whenever they believed it was necessary. What did they catch after four days of doing this? They presented 17 minutes of our client cutting her own yard (a yard that took her two hours to cut). They could not tell us why they only had 17 minutes when it had in fact taken much longer for her to cut the grass, and everything they caught her doing was exactly what she testified

she could do before they took the video. There was no "gotcha" moment. There was nothing but pure intimidation and harassment.

Video surveillance is used to intimidate plaintiffs, to place them under such mental anguish that they constantly wonder who is outside and how their activities might be manipulated on film. It's a horrible way to live. Why do some of us think this okay or par for the course? It is a violation of privacy and against all social norms outside of a lawsuit. This conduct by insurance companies continues because we let it. These companies, which are really just huge conglomerations of capital, have perpetuated baseless standards that presume all plaintiffs and claimants are fakers. But this was never true. The only way to stop this behavior is to expose it for what it really is: intimidation, fearmongering, and manipulation.

We were able to show the motives behind this surveillance. The jury understood. They returned a verdict of \$1,500,000 when the defense lawyer said they should give \$2,500. That's how the jury system should work. These events need to be out in the open for all of us to see, not in the back seat of some tinted-window minivan in the dark of night.

Chi



PEANUTS AND CRACKER JACKS

THE BEST OPENING DAYS IN BASEBALL HISTORY

Baseball's opening day has been an American holiday of sorts since the Cincinnati Red Stockings threw out the first major league pitch in 1869. To celebrate the start of the 150th season of professional baseball, here are three of the best opening days in baseball history.

A NEW BEGINNING

On April 15, 1947, an opening-day game changed the course of Major League Baseball. On this day, Jackie Robinson started for the Brooklyn Dodgers, becoming the first African-American player to start for a major league baseball team. Robinson's historic showing was lackluster, going 0-for-3 at the plate and making a solid showing on the infield at first base, but his mere presence in a Dodgers

uniform had already broken history. Despite his nationally-recognized skills — Robinson was named MVP of the MLB farm team league in 1946 — the backlash that followed his rise to the pros, both from fans and teammates, was palpable. Still, as well-known sportscaster Howard Cosell said, "Suddenly, it was a new beginning."

LOU, COMBS, AND BABE — OH MY!

Considered one of the best teams in baseball history, the 1927 New York Yankees started their historic run and 25th season by dismantling the Philadelphia Athletics with a score of 8-3. The slugfest was true to form for the 1927 Yankees, whose players would go on to make up baseball's famous "Murderers' Row." With sluggers like Lou Gehrig, Earle Combs,

Babe Ruth, Mark Koenig, Bob Meusel, and Tony Lazzeri, it's no wonder this team went on to win its fifth championship that year.

THE HAMMER TIES BAMBINO

For decades, no one could match George Herman Ruth. The Great Bambino's all-time home run record seemed like an impossible feat of strength — that is, until Henry "Hammerin' Hank" Aaron came along. On opening day, April 4, 1974, Aaron smashed his 714th homer, tying Babe Ruth for the most home runs ever hit and extending the Atlanta Braves' shutout lead over the Cincinnati Reds. A few weeks later, Aaron surpassed Ruth's record, prompting a standing ovation from the crowd.

EXPLORING THE CRIMES OF ANTARCTIC WILDLIFE

LEGAL CASE STUDY: ADÉLIE THE ROCK THIEF



On an island off the coast of Antarctica, a BBC film crew caught footage of a naughty penguin engaging in criminal activity. In the video, as one male Adélie penguin leaves his nest to search for additional rocks to add to it, his neighbor waddles over, removes a rock from the nest, and carries it back to his own. When the first penguin returns from his search, his neighbor plays it cool, but at each opportunity, he repeats the crime and steals his neighbor's rocks.

While animals aren't actually subject to legal action, and the Adélie penguin was only behaving according to natural instinct, the fine writers for the blog Legal Grounds point out that the rock thief situation presents an interesting legal case study.

By taking his neighbor's rock and putting it in his own nest, the neighbor penguin committed an act of theft.

Theft is defined as "the taking of someone else's property with the intent to permanently deprive the victim of that property." In some places, when a thief leaves the scene of the crime, the theft is considered complete. If the thief returns and steals additional items, that could be considered a new crime and result in additional charges. So, since the neighbor penguin takes a rock, leaves the scene of the crime, and returns, he could be found guilty of multiple theft charges. If he'd decided to go big and take his neighbor's entire nest at once, he might've been charged with grand theft.

Now, if the penguin who was stolen from had used force to protect his precious nest rocks, the case would be complicated even further. Allowable force is generally limited in cases of theft. To prove self-defense, the victim penguin would have to show there was a threat of force against him, that he didn't provoke the neighbor penguin in any way, and that he didn't have the option to escape. From a legal perspective, it was probably best that the victim penguin didn't use force.

For now, we'll leave the Adélie penguins to their nest-building business and save the legal cases for the human world.

SWIMMING POOL SAFETY

ENJOY THE WATER WITHOUT FEAR

We probably don't need to tell you that this is the time of year when pools begin opening en masse. What you may not know, however, is just how dangerous they can be. According to the CDC, drowning is the No. 2 cause of death for children ages 1-4; only birth defects exceed it. In an average year, there are about 10 drownings per day. These are pretty scary stats, which is why it's so important to be safe when you head to the pool with the family.

The most important step in preventing pool injuries is to get your children swimming lessons before letting them splash into the water. You may think floaties and other devices are enough, but they aren't. Even a child tied with 1,000 buoys (don't do this!) should be monitored by a parent if they can't swim yet. Young children — even those adept in the water — should always be under parental supervision.

Another important risk-mitigation tactic is teaching proper pool behavior. Children should never fully submerge another swimmer, even if it's done playfully. The same goes for running

around the outside the pool. If a child falls on the pavement, suffers a concussion, and falls into the water, it's not going to matter if they're a mini-Michael Phelps. Sorry to paint a grisly picture, but that's just how high the stakes are.

Parents need to act with vigilance. Even if there is a lifeguard on duty, they can't watch everyone at once. If something happens to your child, you want to be able to jump into the water immediately. You can hang out poolside if you're confident in your child's swimming abilities, but don't drink or be otherwise distracted. It's also important to never leave the pool area without your child — and to check the water *first* in the event you can't find them. When it comes to drowning accidents and their impact, reaction time is everything.

Sadly, not all injuries are preventable. If you or a loved one have been injured in a pool accident through no fault of your own and want to learn about how you can get justice, call our office today. We'd love to dive into your case.

TAKE A BREAK

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			5				
	1					2	
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		9			2		
4		7			6		
2							
			6		9		1
6	7				5		4

(SOLUTION)

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5	6	7	8	9	1	2	3
4	5	6	7	8	9	1	2
3	4	5	6	7	8	9	1
2	3	4	5	6	7	8	9
1	2	3	4	5	6	7	8
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8	7	6	5	4	3	2	1
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1	9	8	7	6	5	4	3

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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.