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FINNEY INJURY LAW
- TRIAL LAWYERS -

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WILL THE NFL EVER RETURN TO ST. LOUIS? AND DOES THE CITY EVEN WANT A TEAM AGAIN?

The Los Angeles Rams' run to the Super Bowl last year was a bittersweet experience for football fans in St. Louis. While most fans were excited to see beloved players win a conference title and challenge for an NFL championship, rooting for the team that up and left the city was a bridge too far for many. In fact, some former Rams fans resorted to the unthinkable: cheering for Tom Brady and the Patriots. Given that the team only moved to LA in 2016, the wounds are still fresh.

The NFL has left and returned to St. Louis before, with the Cardinals leaving for Phoenix in 1987 before the Rams arrived in 1995. Last year, rumors of history repeating itself began to surface. As crazy as it sounds, some believe the NFL's other newly relocated team, the

Los Angeles Chargers, to be candidates to bring pro football back to St. Louis. Why would the league want to do that?

Money, of course. The league assumed that two teams could thrive in LA, but that projection may have been overly optimistic. The Chargers regularly play home games in stadiums where away fans outnumber the Bolts' faithful. Additionally, Chargers owner Dean Spanos seems to have a prickly relationship with Rams owner Stan Kroenke, and the two teams are supposed to share a mega-facility beginning in 2020. Spanos may be loath to pay rent to Kroenke, so it's possible the Chargers' exit will be beneficial for team and league alike.

If the NFL were to return to the city, the question remains whether residents would support them. Fool us once ... and so on. St. Louis, though, remains a major national market with a football-loving populace. As such, you can expect the NFL to at least entertain putting a team under the Gateway Arch again.

TEACHER APPRECIATION

HOW MR. MISSEY INSPIRED AN EPIC BATTLE

I have attended school for 21 years — or, at least, that was the best number I could count to. I've probably had well over 100 teachers, professors, instructors, coaches, etc., all of whom I consider teachers. I have tried for years to pinpoint the most influential teacher in my life, and it seems to be a moving target. Wherever I am in my life, I seem to have a new "most influential" teacher. I needed to come up with one for this column, and given the tremendous quality of education I've had, it was very difficult.

I finally narrowed it down to Steve Missey. Mr. Missey is an English teacher at St. Louis University High School, and he is also the English department chair. Here's why I chose him.

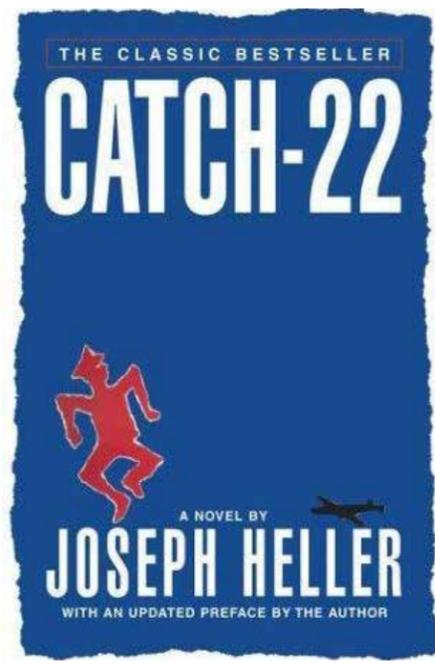
I must have been a junior at the time, and our class was reading "Catch-22." It is a dense read full of all sorts of symbolism and meaning. We were pushed hard in the class and had difficult reading assignments every night with a lot of pages to digest. Discussion the next day would be intense and very much like law school; if you were not prepared, you were left out, and that was not good.

Frequently, Mr. Missey would devise two sides of an argument or position based on the reading. The discussion would grow from there, and one side would argue their point and

vice versa. One day, it was my turn to lead the charge for a designated position. I was assigned one side of an argument, and a friend of mine who was an amazing pianist and with a brilliant mind, Grzegorz (Greg) Florek, had the other. I knew Greg was smart, and his deadpan deliveries could cut you down. Typically, I would never be able to hold my own against Greg.

But this day felt different. We turned our desks against each other. One side of the class facing the other. We went back and forth arguing certain points, citing support in the text, trying to one-up each other to prove our position was superior than our opponents'. Mr. Missey loved it. He called it an "epic battle between Finney and Florek" the next day. It still brings tears to my eyes thinking of it. I was very proud to make such a smart teacher think well of me. I cannot remember the substance of the debate nor much of "Catch-22," but I don't think that matters. It was the experience that mattered; the book was just the vehicle.

I have no idea if I held my own that day, but I felt like I did. I have Mr. Missey to thank for that feeling — the confidence that he sowed in me that day in his English class during a debate with Greg Florek. It reminds me of the incredible impact teachers have each and every day.



It also reminds me how important a good, committed teacher is for the development of your life.

Also, in case you were wondering, Greg became a lawyer as well. He is in Chicago the last I heard and is probably still a great guy.



Chi



STOP THE SPREAD

PREVENT COLDS AND THE FLU WITH KID-FRIENDLY TEACHING TOOLS

School is back in session, but your child may be bringing home more than just random facts. Germs and bacteria that spread the common cold and flu are most prevalent in schools, but while these illnesses are strong, prevention is simple. Teach your kids how to prevent the spread of bacteria this season with these helpful tips.

BUT MOMMY DOESN'T COVER HER NOSE!

Kids learn more by watching what you do rather than listening to what you *tell* them to do. Get in the habit of covering your nose and mouth when you cough or sneeze, and then wash your hands. Make hand sanitizer and facial tissues

readily available in your home and be sure to wash your hands before every meal. In addition, stick to healthy habits when you do feel sick. Drink fluids, get plenty of rest, and seek medical attention when it's warranted. If your children see you taking care of yourself, they will be more likely to do the same for themselves in the future.

AHH ... AHH ... ACHOO!

Hand washing and nose blowing are about as fun as ... well, just that. It's no wonder children don't want to take time out of their busy play schedules to combat nasty germs. Instead of making these important steps a chore, make basic hygiene fun. Use fun songs to teach the

proper way to cover a sneeze, or do a science experiment to teach your children about how the germs spread through just one sneeze. (According to research, sneezes can travel anywhere from 19-26 feet at 100 miles per hour!) For crafty kids, let them decorate tissue boxes or hand sanitizer containers to give hygiene some flair. Soon enough, you'll find them being smarter about their health.

As kids pack into classrooms this fall, germs will fly faster than this past summer did. Prevent the spread of the common cold and flu by learning more tips from the Centers for Disease Control and Prevention online at CDC.gov.

WHAT HAPPENED IN REED SPRINGS? HOW A SMALL TOWN WENT BANKRUPT OVER A POTHOLE

In 2002, the quaint town of Reed Springs, Missouri, declared bankruptcy. The hard decision came after the town was forced to pay \$100,000 to Sally Stewart, a woman who sued Reed Springs after she tripped over a pothole during a shopping trip. News of a greedy woman ruining a small village to make a quick buck sparked outrage across the country. But Stewart wasn't the real villain of this story. A little digging into this case reveals a much deeper conspiracy.

Stewart had been visiting Reed Springs in 1998 when she tripped on a pothole hidden beneath some overgrown grass on the sidewalk. But this was no small stumble. Stewart tore two ligaments in her ankle and had to undergo surgery. To help pay for the medical bills, Stewart, who'd never sued anyone before, initially filed a personal injury lawsuit against the owners of the store in front of the pothole. However, the Missouri Court of Appeals determined the city of Reed Springs was liable for Stewart's injuries.

The court ordered Reed Springs to pay Stewart \$100,000, over half the city's annual budget.

Despite the high price tag, in normal circumstances, this verdict wouldn't have forced Reed Springs to declare bankruptcy because the town's insurance would have covered the bill. Unfortunately, at the time of Stewart's accident, the mayor of Reed Springs was a corrupt man named Joe Dan Dwyer.

Dwyer left office while being investigated for insurance fraud, child pornography, statutory rape, witness bribery, and perjury, and he was later sentenced to seven years in federal prison. Among his many indiscretions, Dwyer also let the town's insurance policy lapse. Reed Springs didn't have insurance when Sally Stewart got hurt, which is why they had to write a check out of their own budget and ultimately declare bankruptcy.

In this case, what started as a simple pothole accident quickly unveiled the lasting damage of an unscrupulous politician. Perhaps this case serves as reminder about why it's important to vote in local elections.



COULD AN INJURY HAVE BEEN AVOIDED? INHERENT RISK AND OTHER SPORTS INJURY CONCERNS

The biggest fear of every parent of an athlete is their child getting hurt. Win or lose, a child walks off the field to play another day, but that's not always the case after a child is injured. In some cases, the injury is the result of the game itself and could not have been prevented. In others, though, liability can be placed with a school or business owner who bears responsibility for the event.

Many factors determine whether or not a sports-related injury can result in a valid case. One is the concept of inherent risk. Inherent risk applies to any activity with potential danger — a human target for a knife thrower has to consider the thrower may miss — and is relevant to many sports injuries. Injuries are a part of sports, so it's very difficult to argue that a football player's torn ACL is anyone's fault. However, inherent risk doesn't absolve schools and private sports facilities of all culpability for all injuries.

One scenario where a facility may be held liable involves injuries occurring outside of the field of play. These cases

fall under the purview of premises liability law. The fact that these injuries happened at a place where sports take place is incidental because an athletic facility has the same duty to provide a safe environment as a grocery store or restaurant. Equipment that could injure untrained spectators needs to be secured, and the premises cannot be kept in a condition hazardous to patrons and visitors.

When coaches and recreation facility employees are negligent in their care, you also have grounds to bring suit. Long gone are the days when a coach could be considered "tough" or "no-nonsense" for withholding water and pushing players past the brink of exhaustion. People who run ropes courses and the like need to be trained in and adhere to safety standards. Breaching these standards of conduct increases the likelihood a child will be injured.

If your child has been injured while playing sports or at a sports facility, we'd love to explore the details surrounding the injury and determine whether you have grounds for a case. Call us at 334-314-1814 for a free consultation.



BASIL BERRY SORBET

Inspired by Good Housekeeping

INGREDIENTS

- 1 cup sugar
- 6 cups frozen mixed berries
- 1 cup fresh basil leaves
- 3/4 cup fresh lemon juice

DIRECTIONS

1. In a saucepan over high heat, combine sugar with 1 cup of water, stirring occasionally until sugar dissolves, creating a syrup-like consistency.
2. Remove syrup from heat, add basil, cover, and let stand for 15 minutes. Strain syrup into bowl and refrigerate until cold.
3. In a blender, combine syrup with frozen berries and lemon juice. Purée until smooth.
4. Transfer to a square baking pan, cover in plastic wrap, and freeze until set, about 2 hours.
5. Scoop and 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.