



**FINNEY INJURY LAW**  
- TRIAL LAWYERS -

1600 S. BRENTWOOD BLVD.  
SUITE 220 • ST. LOUIS, MO 63144  
FINNEYINJURYLAW.COM // 314-293-4222



PRST STD  
US POSTAGE  
PAID  
BOISE, ID  
PERMIT 411

## INSIDE THIS ISSUE

- 1 The Truth Beyond Words
- 2 Meet Our New Paralegal
- 2 Playground Injuries: Accident or Negligence?
- 3 How a Cat Saved Her Humans' Lives
- 3 Finney Injury Law Scholarship
- 4 Train Your Brain to Be Optimistic



## Your Outlook on Life Matters HOW YOU CAN IMPROVE YOURS

Most people realize optimism tends to make you feel good, but fewer understand that optimism is also good for you. A surprisingly large volume of research on optimism demonstrates that the disposition is associated with multiple health benefits. And even people who gravitate toward doom and gloom can harness optimism's power for themselves.

Optimism seems to benefit our cardiovascular health the most. Many studies demonstrate a link between optimism and a lower risk of heart disease and hypertension. Other research has found that optimistic patients recover more fully from surgery and are less likely to experience repeated health problems. Finally, some studies suggest optimism is associated with a longer lifespan, even after controlling for existing medical conditions.

Why do some people gravitate toward optimism while others see situations in the worst light possible? Science shows it's partially inherited and affected by our life circumstances. But if you consider yourself a natural-born pessimist, all hope is not lost. It won't happen overnight, but anyone can learn to be an optimist.

Our brains have a lot to think about, so they take shortcuts. Our past perspective will likely influence how we see the future — unless we interrupt the pattern. Many experts recommend taking note of your thoughts, particularly when you are upset or stressed, and challenging them. For example, thinking "people are mean" is an opportunity to remember the many ways others have been kind to you. Eventually, new patterns will emerge, and positive thinking will become much less work.



Optimistic people also tend to spend their energy on things they can change and accept the things they can't. They still see the negative but don't let it define them or their actions. Instead of dwelling on things they can't control, optimistic people find ways to make the best of bad situations.

Being an optimist isn't about being constantly happy, and it's not even about finding the good in every scenario. Optimism is an outlook on the world that allows us to keep perspective, realize most problems are temporary, and cope with negative emotions when things go wrong. With a positive view on life, happiness and health both tend to follow.



1600 S. BRENTWOOD BLVD., SUITE 220 • ST. LOUIS, MO 63144 // FINNEYINJURYLAW.COM // 314-293-4222 // MARCH 2023

# THE TRUTH BEYOND WORDS WHEN ACTIONS SPEAK LOUDER

Last month, I told you all we would have at least one trial. We did have one in St. Louis County. It was a tough case for a couple of reasons. But it was a great case for a couple more. We tried it over three days. The last offer was \$70,000. The jury verdict was \$750,000.

The case involved a great man who was in what most would call a fender bender. These days, newer cars don't look too bad when struck at a lower speed. Our client's car didn't look so bad, and the defendant's car looked even better. But our client could not shake his persistent back pain. He had tried everything. After 10 months, he hired us. So, why did the jury give over 10 times the final offer and 37 times what the defense told the jury the case was actually worth?

We will never truly know. But in talking with the jurors afterward, it was clear they believed what they heard and saw from our client. The MRIs showed a change. His friends and family said there was a change in him, and the treating doctors said he was injured. In essence, that was it.

But the defense pulled out all the stops. They did eight days of covert surveillance at his house, sometimes arriving at 1:45 a.m. to sit outside. Despite being legally obligated to do so, they refused to turn over a large majority of the video footage. They hired a mechanical engineer to say that plopping into your chair at the end of a long day is 3 times the force our client felt in the crash. They hired a doctor to say he was a pill popper and was opioid dependent. Their words were not as strong at trial, but their actions were clear; they wanted the jury to believe our client was a liar, a cheat, and a fraud.

There was one problem with that approach. He isn't. He never has been. He never will be what they claimed he was. They never took the time to see what he was about, to see who he was, and to see if their claims were true. We spent time at his house, with his family, and talking with him. Alex spent time talking to his wife. We talked to his friends, his dad, his father-

in-law, and his coworkers. We saw there were many parts to our client. Interesting and incredible parts of who he was.

We knew what the defense was saying didn't make sense. So, we never engaged in settlement talks with them. We never responded to one of their offers. (They made three total: \$20K, \$50K, and \$70K.)

As I have gone through more trials and cases, one thing I have learned is that I am never going to convince a nameless, faceless insurance company of something they refuse to believe. Cases with not a lot of visible property damage are ones that insurance companies refuse to look at fairly. Everyone is a liar to them in those cases. It is no use even talking to them. So, we didn't.

The adjuster who sent me a letter originally offering \$20,000 with the threat that it would expire in July of 2021, who also enclosed surveillance photos of my client, watched the entire trial. I did not speak to him. He was the one who began the liar, cheat, and fraud defense. I had nothing nice to say, so why say anything at all?

Our client's best parts came out at trial. Because that is who he really is. The jurors saw the truth and worked hard to see beyond the deception. I don't know if they will ever know how grateful our client and our firm are for their work. They worked. Hard. Incredible people. I miss them already.

After the verdict, I hugged my client. We both could not find words, but we didn't need to. What comes from the heart goes to the heart. Sometimes, words just get in the way.

*Chi*





## INTRODUCING OUR NEW PARALEGAL CANDICE SUTER

Candice Suter is a highly dedicated and experienced litigation paralegal who has worked in the legal profession for over 15 years. She genuinely cares about her clients and works to lighten their load so that the attorneys at our firm can serve them more effectively. Candice enjoys helping people through the process and being there for them every step of the way. With her commitment to service and passion for helping others, Candice truly embodies our firm values.

After seeing the movie “Erin Brockovich,” she was inspired to help others and decided to pursue a career in law. Candice has worked as a paralegal for multiple firms. She has experience in many areas of law, including personal injury, collections, and criminal law.

In her free time, Candice enjoys spending time with her family and friends, watching health and science documentaries, and playing volleyball. She’s also a member of the St. Louis Elk’s Lodge #9, serving on the Entertainment Committee and Drug Awareness Committee.



## SCHNAUTZIE SAVES THE DAY FACING A GAS LEAK, SHE THOUGHT FAST

Besides a fire, a gas leak is one of the worst things that can happen in the middle of the night.

Fortunately for one Montana couple in 2007, Schnautzie the cat was on the case. She woke up her owners to alert them to the danger, preventing a deadly — and explosive — tragedy.

People magazine reported that Greg and Trudy Guy adopted Schnautzie from a local pet store in April 2007. They’d gone with hopes of adopting a puppy but instead fell in love with a tiny black kitten. The couple only intended to foster Schnautzie, but she proved herself a hero and became a permanent family member.

That October, Schnautzie climbed up on Trudy’s chest at 2 a.m. and started pawing at her nose. Since cats sometimes do strange (and annoying) things, Trudy didn’t think too much of it — until Schnautzie kept at it. Now, Schnautzie had her attention, especially when Trudy noticed her persistently sniffing the air around her.

Once fully awake, Trudy noticed a hissing sound somewhere in the house. Getting up to investigate, she found a broken

pipe outside her bathroom, pumping gas into the basement. “The gas was just fuming,” Trudy remembered. “Our house was saturated in a short time.”

The Guys quickly vacated the house with Schnautzie in tow and called the fire department. Only upon the rescue workers’ arrival did the Guys realize the extent of the danger they had faced. While the gas alone could have killed them, it was also an unseasonably frigid night in October. Had the heater or water tank turned on, it would have ignited the fumes and caused an explosion.

Schnautzie was a hero to the Guys, but extra treats and a permanent home were thanks enough for her. Still, she received a bit more than that in 2010. The Great Falls Animal Foundation learned how Schnautzie had saved the day and decided to honor her with the Purple Paw Award. While Schnautzie appreciated the thought, Greg said she didn’t enjoy the reception. “She’s shy around strangers,” he explained.

But there’s no doubt that Schnautzie deserved her award. Sally Cerny of the animal foundation told Catster.com that the Purple Paw is given to pets who uniquely demonstrate the bond between animals and humans. And, she concluded, “There’s no more special way to show that than to save your family.”

## It’s All Fun and Games Until ... *Understanding Liability in Playground Injuries*



Children are notoriously accident-prone. They roughhouse, run when they should walk, fail to obey instructions, and generally don’t foresee the consequences of their actions. Managing injuries due to kids’ impulsive urges is just part of being a parent — but faulty playground equipment shouldn’t be.

Playgrounds are a quintessential part of childhood. And like any form of physical play, they carry some inherent risks. Countless kids skin their knees or fall off monkey bars yearly, and they usually walk it off with a kiss and Band-Aid. Other children sustain more severe injuries like broken bones or concussions. But when they occur as a part of regular play, no one can be legally held liable.

Negligent playground injuries are another matter. Any area that invites children to play must take reasonable care to ensure the premises are safe for their use. Negligent playground injuries can occur due to broken equipment, rusted or sharp objects, improper signage, and other dangers from improper maintenance. In other words, you generally cannot sue if your child slips and falls off the jungle gym, but you may have a case if your child falls after a bar breaks.

When a child suffers a playground injury, you should speak to an attorney experienced in playground injuries. They can help determine the responsible party. Generally speaking, the playground owner is liable, but that’s not always the case. The team that designed, manufactured, constructed, or maintained the equipment may be responsible instead.

Parents also must understand the government has more protection against lawsuits than individuals. Before taking legal action against the government in Missouri, you must file a claim and allow them time to investigate the situation. A lawsuit is only possible if they reject your claim, and government entities typically benefit from legal limits on damages. Meanwhile, suing a private facility is usually more straightforward, and you should not be dissuaded from taking action even if you signed a liability waiver — you still have rights.

The attorneys at Finney Injury Law have extensive experience litigating playground injury cases. We would gladly set up a free consultation to discuss your case and outline your options. Let us worry about the legal hassles while you focus on helping your child recover.



### APPLY FOR THE FINNEY INJURY LAW SCHOLARSHIP!

Finney Injury Law is thrilled to announce the fourth year of our scholarship program! We’re offering five scholarships worth \$2,500 each to promote diversity and equity in higher education.

Recipients can use their funds for tuition fees, books, or housing expenses — even LSAT course reimbursement if needed. Our goal with this scholarship program is to provide opportunities for students who are often underrepresented within legal professions: empowering them as they pursue their goals and prepare themselves for a career in law.

To see the list of eligibility criteria and application requirements, scan the QR code or visit [FinneyInjuryLaw.com/the-finney-injury-law-scholarship](http://FinneyInjuryLaw.com/the-finney-injury-law-scholarship).

**Application Deadline**  
All applications must be submitted via the website above by July 1.



SCAN ME

### 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.