

MAXPOWER LAW

# ROAD & RUBBER



## IN THIS ISSUE

- Preparing your Garden for Winter 1
- Wildfires and your home 2
- September Events 2
- Pre-existing Injuries and Accidents 3
- Shelly's Recipe Corner 3
- What our clients are saying 4



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## IDEAS FOR PREPARING YOUR GARDEN FOR WINTER

Summer is coming to a close soon, and Winter is coming. Any Game of Thrones fans get flashbacks from that statement? It's time to get those summer vegetable and flower gardens ready for the long winter.

Here are a few basic ideas to prepare your garden for a long winter's nap.

### NOTE

First, make notes of how the garden did. Take photos throughout the summer so you can see what plants did well and where and what area of the garden got the most sun. This helps improve your garden each year.

### REMOVE

After your last harvest remove all dead plants, leaves, weeds, and any plant matter left behind. If the clippings are healthy, put it in your compost. If they appear diseased or infested with bugs discard or burn it.

### TILL

Now that you have a clean garden it is time to dig or till the garden. This helps clear out the soil of insects that like to hide in the soil until spring. This also helps prepare the soil for next spring which will give you a head start on your planting.

### COMPOST

Add a layer of compost, manure or other organic matter and then cover with a layer of straw or other material. No matter what you use there should be four to six inches. The organic matter will slowly decompose as it

protects the soil from freezing and unfreezing in the winter months.

### POTS

For flower pots we like to use fallen leaves to cover them. Move any pots into your garage or garden shed that you fear might crack or break if they freeze.

There are many ways for winterizing your garden and depending on how big and how extravagant your garden is, you may want to research other tips and techniques to ensure the best winterizing for your garden.



# WITH ALL THESE WILDFIRES, DO YOU KNOW IF YOUR HOME IS PROPERLY COVERED?

Shelly and I love to go to Maui for vacations as often as possible. We also have a family member that has a lake house close to Spokane. Maui and Spokane both have experienced devastating and deadly wildfires that destroyed lives and homes this year. These events prompted me to check our homeowner's insurance for proper fire coverage. You should as well!

**As a general rule fires are a covered event under most insurance policies, whether wildfire or otherwise. There are some coverages that are options that you should consider adding, if you don't have them.**

## LOSS OF USE AND RENTAL COVERAGE

Most policies have this, but you may want to have higher limits. This coverage pays for a place to live while your house is repaired or rebuilt. The length of time is limited depending on the type of fire. It's usually limited to 1 year, unless it's a wildfire declared to be a Federal disaster, then you get 2 years. **Make sure the amount would cover rent in your area for that time.**

## DWELLING COVERAGE

This is the amount covered to repair or rebuild your home. **If you have an older home, it often does not cover upgrades to meet current building codes. If your repair or rebuild requires you to upgrade to current building codes you can get "Building Code Upgrade" added in.** You may also want to add an option to pay up to 125% or more in case the cost is higher than expected. You can also get "guaranteed replacement cost" coverage with some insurance companies that make sure you get your house back as it was without having to pay out of pocket.

## PERSONAL PROPERTY COVERAGE

This covers all your belongings in the house. How much would it cost to replace everything in your house? This amount needs to be high enough to cover that. If you don't know, it's time to do a little work. **You should add in "replacement cost" coverage here. This covers the cost of buying a new replacement item. If you don't have this you will only be paid the value of the used item ("Actual Cash Value" is the insurance term for used items or belongings) in your house.**

The most important and time-consuming step is to document everything you own in your house. Best practice is to write everything down in an excel spreadsheet, item by item. Each item should have a description (brand, model, etc.), date purchased, and purchase cost. You should also photograph everything. If you have receipts, make sure to keep them, especially if you only have Actual Cash Value coverage. **This process takes many hours, but will be well worth it if needed. Make sure these items are kept in a fire safe location as well!**

There are other coverages as well but these are the most important in my opinion. If you're a VIP member of Max Meyers Law, you can get a free insurance policy review to make sure you have these coverages. If not a VIP, you can sign up for free on our website. I know reading an insurance policy can be challenging and I'm happy to help translate any confusing language for you.

## September 1 - 24 Washington State Fair (Puyallup Fair)

Amusement rides, Live Concerts, farm animals, every kind of fair food imaginable, and loads of exhibits with crafts and gadgets galore. Puyallup, WA. Cost is \$15-18

Visit [www.thefair.com](http://www.thefair.com) for details and event schedules.

## September 9 - 10 Electric Vehicle Festival

Electrify Expo offers "test drives and demo opportunities" of electric cars, motorcycles, bikes, scooters, and skateboards at Marymoor Park, 6046 West Lake Sammamish Pkwy NE in Redmond. Tickets are \$10-20, plus \$5 for parking.

Visit [www.universe.com/events/electrify-expo-2023-seatle-wa-tickets-YMHTFJ](http://www.universe.com/events/electrify-expo-2023-seatle-wa-tickets-YMHTFJ) for details.

## September 15 - 16 Oktoberfest in Edmonds

Edmonds Oktoberfest features local breweries, bands, and food outdoors beginning Friday (3 to 10 p.m.) on Saturday (1 to 10 p.m.) Located near Frances Anderson Center, 700 Main St. in Edmonds. Free.

Visit [www.edmondsoktoberfest.com](http://www.edmondsoktoberfest.com) for details.

## September 22 - 24 Oktoberfests in Fremont & Kirkland

Fremont Oktoberfest offers 100 kinds of beer and cider, food vendors, and bands for age 21+. Sunday adds free admission for leashed dogs. The festival entrance is at Bold Hat Productions, 3503 Phinney Ave. in Seattle.

Visit [www.fremontoktoberfest.com](http://www.fremontoktoberfest.com) for details.

Kirkland Oktoberfest - Enjoy beer, sauerkraut, bratwurst, costume contests, games, and live music at Marina Park, 25 Lakeshore Plaza in Kirkland. This event is for age 21+, but all ages can watch the race.

Visit [www.kirklandoktoberfest.com](http://www.kirklandoktoberfest.com) for details.

## Sept 29 - Oct 14 Oktoberfests in Leavenworth & Wenatchee

Oktoberfest Leavenworth has live music, dancers, arts and crafts, German food, and beer!

Visit [www.leavenworth.org/oktoberfest](http://www.leavenworth.org/oktoberfest) for details.

Wenatchee Oktoberfest features live music, dancers, arts and crafts, German food, and beer! Minors younger than age 21 must leave at 9 p.m. Located at Town Toyota Center, 1300 Walla Walla Ave. in Wenatchee. No pets. Free.

Visit [www.oktoberfestprojektbayern.com](http://www.oktoberfestprojektbayern.com) for details.



# September Events

# Will A Pre-Existing Condition Ruin My Accident Claim?

If you had an injury or medical condition before the accident, the claim gets a bit more complicated. If the crash made your injuries worse and contributed to the treatment you need, you can still be compensated.

An at-fault driver is still responsible for the medical expenses of the person they harmed, even if that person already had an injury. What matters is if the crash caused further harm by aggravating or exacerbating the problem—in other words, making it worse. Victims can't make a claim for their original injury or condition. However, damages can be collected for any additional treatment that is necessary after the incident.

Proving liability for accident injuries can be harder when the victim has a pre-existing condition or injury. The insurance company, judge, or jury must decide if the accident truly caused the problem to get worse, or if it would have worsened anyway.

## PROOF INJURY WAS CAUSED BY ACCIDENT IS REQUIRED

You must prove that your injuries or worsening of pre-existing injuries was the result of the accident. When it comes to injuries only a qualified doctor is permitted to give opinions on causation that we can use in a legal claim. We rely on your doctor to tell us what injuries were and were not caused by the accident.

With a pre-existing injury, you must show that the accident was the cause of the aggravation of the preexisting condition. It must be proven that without the accident, the pre-existing condition would not have gotten worse like it did thus, requiring more treatment.

Proving causation can be a difficult task. It is not as clear as the example of a crash causing

a broken leg. The defense might claim that the plaintiff's condition, to begin with, was much worse than they're claiming. Or that they would eventually need additional treatment anyway. But if the injury victim can show that their injuries are worse because of the accident, they will be able to collect the compensation that is rightfully owed to them.

## WHAT MATTERS WITH A PRE-EXISTING INJURY—AND WHAT DOESN'T

Some things don't factor into whether or not a victim can be compensated for their exacerbated injuries. For example, it doesn't matter how long they have had a pre-existing condition or injury. It could be a decades-old injury or the result of a recent incident.

What's more important is the severity of the pre-existing injury. If there is a baseline showing how bad the original injury or condition was before the incident, it will be easier to determine exactly how much new damage was done.

The opinions of your treating doctors make a difference in a personal injury claim. For example, a doctor may tell a patient they are nearly recovered from a previous injury and will avoid needing surgery. An accident may set back their progress considerably, requiring extra therapy, new treatments, or surgery to repair the additional damage. The doctor's testimony will most likely be needed to prove the case.

## MAKING A CLAIM FOR AN AGGRAVATED PRE-EXISTING INJURY

There are some things that can make proving a personal injury difficult when there is a pre-existing condition. First, the victim should be honest and upfront about their condition

from the start; in the ER or at the first doctor visit after the accident. Trying to hide that you had prior issues such as neck pain, joint injuries, or conditions like sciatica could hurt your chances of being compensated.

There are times when a treating doctor has told a client the accident caused the worsening of a condition. However, when we call the doctor and ask them to testify to the same in the legal case they sometimes won't do it. Some doctors simply refuse to get involved in an accident case. It's important to ask your doctor to put any such causation statements in your chart note from the visit to help you to get the insurance company to pay for your medical care.

Most medical providers have online access to your medical records. You should check your chart notes after a visit to make sure important statements like that from your doctor were put in your medical records. Doing this will really go a long way to improving the success of your accident injury claim.

The insurance company will have to be provided copies of your prior medical records. Without them they often refuse to make a fair settlement offer, especially if the accident treatment records have any reference to a prior injury, which most records do these days, in the medical history section of a visit chart note. Medical records that include a doctor's assessment of previous conditions are extremely helpful. When documents show what stage a patient is in, recovering from a prior condition or injury, a setback will be easy to identify.

Another convincing piece of information is

cont. on page 4

## Shelly's RECIPE CORNER

# GINGER APPLE MOSCOW MULE

THIS COCKTAIL IS A NICE TWIST FOR THE FALL ON THE CLASSIC MOSCOW MULE.

### Ingredients:

- 2 ounces vodka
- juice from 1/2 of a lime
- 1/3 cup apple cider
- 1 tablespoon apple butter
- 1-2 teaspoons fresh grated ginger
- ginger beer, for topping
- pomegranate arils and cinnamon sticks

### Directions:

Fill a cocktail glass with ice.

Combine the vodka, lime juice, apple cider, apple butter, and ginger in a cocktail shaker.

Fill with ice and shake until combined, about 1 minute. Strain into your prepared glass. Top with ginger beer and garnish with apple slices, pomegranate arils, and cinnamon sticks.



Recipe compliments of [www.halfbakedharvest.com](http://www.halfbakedharvest.com)



**IN THIS ISSUE**

- Preparing your Garden for Winter
- Wildfires and your home
- September Events
- Pre-existing Injuries and Accidents
- Shelly's Recipe Corner
- What our clients are saying

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This newsletter is intended to educate the general public about personal injury, insurance claims and small business issues. It is not intended as legal advice. Every case is different. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

# WHAT CLIENTS ARE SAYING ABOUT US

Even when folks call and they don't have a case we handle, we do our best to help them and provide relevant information they can use.

"Max was great with my consultation. He was a good listener, respectful, understood my problem, and was able to give me solid and useful advice about my situation. Would recommend."  
- Julie Sebag

"Fast response and very helpful info! Thank you so much!"  
- James Mekeel



## Will A Pre-Existing Condition Ruin My Accident Claim?

cont. from page 3

how a victim's abilities or lifestyle have changed since the incident. For example, someone who used a cane occasionally when knee-pain flared up, but after an accident is confined to a wheelchair or can no longer go to work.

### GETTING HELP WITH PRE-EXISTING CONDITION ACCIDENT CLAIMS

Accident claims are more complicated when the victim has a pre-existing injury or medical condition. Insurance companies will not treat you fairly without an experienced accident attorney on your side. If you're in an accident that was not your fault, and you had pre-existing injuries that were made worse, hire an attorney as soon after the accident as possible.

We are happy to help, just give us a call at **425-276-7105**.



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