



# DIG Disparti Law Group

SUMMER 2007

Brought to you by  
Disparti Law Group

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## PERSONAL INJURY PRACTICE

- Free consultation
- Home appointments available
- 24-hour emergency service
- No recovery. No fee. We do not get paid unless you do.
- Trial attorneys

## Referrals

*Thanks to all of you who have recommended our firm to your relatives, friends, and neighbors. We appreciate your vote of confidence and pledge to care for these "VIPs" as well as we care for you.*



## Social Security backlogs at devastating level

Every Social Security office in the country is facing increasing backlogs in processing claims, and the situation will not get better anytime soon. Television networks and local newspapers across the country are running articles about the **devastating effects on disabled people**, some of whom have lost housing or even die waiting for benefits ([www.disability-links.com/blog/](http://www.disability-links.com/blog/)). Over half of initial applications are denied, and people who appeal to the hearing level will wait **one to three years**, and several years longer if the case is appealed to federal court.

Nationally, the average case now in the system takes **524 days to conclude**, and in 2008 it will increase to 541 days. Nationwide, there will be 768,000 pending cases just at the hearing level this year. At the other end of the pipeline, new applications are expected to increase as baby boomers age and develop illnesses and injuries. The agency had hoped that its new electronic file process would cut the processing times, but the influx of new claims has outpaced the improvements. Delays are worse.

New SSA Commissioner Michael Astrue testified before Congress that the service to the American people will "diminish" due to the backlog, and that staff is understandably demoralized. There are increased workloads and reduced resources. There is a hiring freeze because of inadequate funding, and over 4,000 positions have been dropped.

We here at the **Disparti Law Group, P.A.**, are consistently lobbying Congress and the administration to help our clients. Our advice to our clients is to get active and contact your local congressman and voice your concerns and problems. Together in this fight, we will be able to make a difference.

## FIRED? Disparti Law Group now accepts all employment-law cases

Employment law covers the relationships between employers and their employees, as well as their potential employees and former employees. Both federal and state laws control various aspects of the employer/employee relationship, and each side's rights and obligations. Because of the complexity of the employment relationship, this area of law involves issues as diverse as discrimination claims and recordkeeping, taxation, and workplace safety.

There are also different types of employment relationships. Employment relationships can be based on a contract, or they can be "at-will." If the employment relationship is based on a valid contract entered into by the employer and the employee, the terms of that contract will govern the relationship. By contrast, an at-will employment arrangement can be terminated at any time, with or without reason, by either the employer (as long as the reason does not constitute illegal discrimination) or the employee.

With all these variations to consider, it's clear that employment law is a very complex area. If you have an employment-law concern, it makes sense to involve an experienced employment-law attorney who can guide you through your case.

If you or someone you know has been fired or thinks they may be fired, call the **Disparti Law Group, P.A.**, today for a free consultation before it is too late.

*We take your family's safety and security personally.*

# Racial discrimination

America's civil justice system is often the last recourse for those seeking to protect their civil rights and stop discrimination.

Throughout the 1990s, San Francisco's Interstate Brands Corporation (IBC) bakery, makers of Wonder® Bread and Hostess® snack pastries, discriminated against its African-American employees. Management refused to promote African-Americans to supervisory positions, gave poorly maintained vehicles to African-American drivers, and set aside restrooms and lunchrooms meant only for whites. IBC also denied or refused to investigate racial bias and harassment claims.

When two dozen African-American employees filed a lawsuit in 2000, IBC filed 21 motions to dismiss their case as frivolous. A judge and jury awarded a \$121 million verdict, the largest in the history of racial-discrimination cases, sending a message to corporate America that racism in the workplace would not be tolerated.

## Workplace discrimination

Over 26,700 workplace racial-discrimination complaints were filed with the Equal Employment Opportunity Commission in 2005. Twenty-six percent of African-Americans report being subjected to workplace discrimination.

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Interstate Brands Corporation



## Warring neighbors

Most minor disagreements about noise or trespass between neighbors can be handled with a face-to-face negotiation, a handshake, and a smile. Sometimes, though, a community's mediation center can help if neighbors seriously dispute trespass or property damage. However, when clashes become rancorous, our civil justice system can provide remedy.

### A very angry neighbor

A California resident filed suit against a neighbor whose crusade was to intimidate the plaintiff into fleeing from the neighborhood. The resident's

attorney showed that the angry neighbor poisoned landscape planting, chain-sawed shrubs and trees, and sabotaged door and window locks to keep the plaintiff from getting into his own home. The angry neighbor's behavior further escalated to painting graffiti on a garage and even attempting arson. At trial, the judge awarded damages to the plaintiff, but the parties agreed to a higher settlement during the punitive-damages portion of the trial.



## Client service Guiding values

Our pledge to each client is always to do our best every time you call on us for legal assistance.

Here are several guiding values that our firm holds dear:

### Client interest—

Whether we are representing someone injured in an auto accident or managing complicated commercial matters, we always focus on the best interests of our clients.

### Flexibility—

Our years of counsel and trial experience tell us when it may be best for a client to litigate or to settle.

### Forward thinking—

Anticipating what may happen next in each phase of a case and constantly foreseeing the final step—a trial—help us stay ahead of the curve.

### Hard work—

Diligence, to us, means committing all of our experience, creativity, and energy to each client's case

### Hope—

Clients often ask for our assistance after they have tried several other approaches that failed to deliver results.

### Passion—

We will struggle on behalf of the little guy facing powerful adversaries.

**We hope that the quality of our service always pleases you.**

**Caution!**

## Online resume scams

Identity thieves are at it again. This time, they're defrauding online job seekers.

Wrongdoers troll services such as GettingHired.com, Jobs.AOL.com, Monster.com, and others, looking for information such as names, addresses, phones, and more to build false identities. They even post fake job ads in the hope of getting applicants to return Social Security, credit card, and even banking account numbers.

### Protect yourself

- Use the "hide information" option on job-site postings, if possible.
- Never provide your SSN.
- Even information such as eye or hair color or marital status can be used to establish a false driver's-license identity.

### Anticipate outcomes

- Your current employer may locate your posted resume.
- Employment recruiters may contact you.
- You may get spammed with computer viruses.



## FOR YOUR SAFETY

### Recalled product roundup

Here are some recently recalled products you may have in your home or at work:

- ✓ **Scubapro®, USA**, has requested scuba divers to return 48,500 Scubapro® MK 20 First Stage Regulators. Overtightening the yoke or din retainer during annual servicing may result in regulator stress cracks and failure, posing a drowning hazard.
- ✓ **Wal-Mart Stores, Inc.**, has asked buyers to return 165,000 Home Trends Wood Footstools, which can collapse and harm consumers.
- ✓ **DeWalt Industrial Tool Company** has voluntarily recalled 97,000 framing saws and 37,000 circular saws. The lower blade guard may fail to close, leaving the blade exposed and presenting a laceration hazard.
- ✓ **Atico International USA, Inc.**, recalled 54,000 Espresso Express™ Espresso Makers with faulty heating elements that can separate from bases and burn users.
- ✓ **Black & Decker, Inc.**, is recalling 272,000 Black & Decker BV4000 Type 1 Blower/Vacs with a loose cord connection that can overheat and cause burns or a fire.
- ✓ **Weil-McLain** recalled 16,000 Weil-McLain Ultra Series Gas Boilers with incorrect installation instructions. Connecting boilers to LP gas without installing a propane conversion kit may result in carbon monoxide poisoning.

## Contingency legal fees

### Study refutes critics' claims

Opponents of America's civil justice system often claim that when trial attorneys represent clients on the basis of contingent fees—handling claims in exchange for a percentage of the recoveries clients receive—excessive and frivolous lawsuits result.

Critics commonly argue that contingency-fee caps will resolve their alleged problem. However, a study by two economics professors, Alexander Tabarrok and Eric Helland, has found quite the opposite. The professors analyzed completed cases in 16 states—8 states with caps and 8 states without caps—and reported that contingent fees...

- provide lawyers with strong stimulus to preview cases carefully and eliminate frivolous petitions.
- motivate attorneys to work hard to win fair cases for plaintiffs.
- enhance court access for low-income plaintiffs who can't afford lawsuits and who do not pay legal fees if they lose.
- help spread the cost of risk since contingency-fee legal counsel is a business endeavor that trial attorneys take on voluntarily.



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The information included in this newsletter is not intended as a substitute for consultation with an attorney. Specific conditions always require consultation with appropriate legal professionals.

**SPOTLIGHT—**  
**Robert “Bo” Michael**

The **Disparti Law Group, P.A.**, welcomes the addition of former judicial candidate for the Sixth Judicial Circuit, **Robert “Bo” Michael**. Bo will be focusing his practice on employee-rights litigation, real estate law, and personal injury and brings a wealth of experience to the firm.

Prior to joining Disparti Law Group, P.A., Bo practiced in the litigation department of a large firm in Tampa. During his 22 years as an attorney, he has acquired extensive expertise in both civil and criminal litigation. He was one of the first attorneys in the state of Florida to become involved in the silicone implant class-action litigation. He served as a public defender in Hillsborough County and also served as an Assistant Attorney General under Governor Charlie Crist. Bo has extensive experience representing those who have suffered serious injuries in automobile accidents. He has helped many individuals who have been terminated from their places of employment or threatened with termination.

**Disparti Law Group, P.A., highly recommends...**

**Angela Haskell—**  
**Mary Kay representative**  
**727-992-0077**

**Angela** is an expert in helping people put together a program that fits not only your needs, but also their pocketbooks. The staff here at **Disparti Law Group** highly recommends calling her for any product needs. Also contact her for career opportunities!

**Jessica Wolin—**  
**Photography**  
**727-505-7377**

**Jessica** has created some true masterpiece moments through her photography. She is available for weddings, graduations, holidays, parties—almost any event. She is very skilled at what she does, and the staff here at **Disparti Law Group** highly recommends her services.

As many of our loyal clients know, we hardly ever go out on a limb recommending nonlegal services, but these two professionals are so good at what they do, they make it easy to recommend them.

**Real estate law**

The **Disparti Law Group, P.A.**, has announced the opening of its real estate litigation department, helping our clients and future clients in the following areas:

- Buy/sell agreements
- Real estate sales transactions
- Closings/settlements
- Condemnation matters
- Eminent-domain matters
- Land use and zoning
- Development agreements
- Tax-free exchanges
- Real estate tax protests
- Leases
- Easements
- Mortgage-based financing transactions
- Mechanic’s liens
- Foreclosures
- Title issues
- Title insurance matters

