



# LANNOM & WILLIAMS

PLLC

## TRIAL ATTORNEYS

### ATTORNEYS

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## THE PEOPLE'S VOICE

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### KEITH WILLIAMS "BEST LAWYERS OF AMERICA"

I am pleased to announce that Keith Williams, my law partner of 16 years and long-time friend, has been recognized by Best Lawyers of America as Lawyer of the Year for 2013 in the field of Product Liability Law. He was selected among hundreds of attorneys by his peers and it is a great honor in our industry. He will be included in the 19th Edition of *Best Lawyers in America* as well.

In all the time I've known him, Keith has been a tireless campaigner for folks like me and you. People who work hard but, through no fault of

their own, are injured and need help to pay their medical bills, help for living expenses if unable to work, and help to provide for their families. His areas of practice are listed on this page and he is knowledgeable and capable in every one of them.

Keith has always said that he gets the most satisfaction practicing law when he sees the relief his clients feel when he obtains a just and fair verdict or settlement for them. He shows immense dedication to his clients and the effort he puts into protecting their rights sets a high standard for other attorneys in his field.

I am proud to practice law with Keith and also to call him my friend. I hope you, your friends, nor your family ever need him; but, if you ever find yourself in a situation where you do, I hope you won't hesitate to call on him.

*Congratulations, Keith!*

—Frank Lannom

**"There is no substitute for hard work"**  
**Thomas Edison**

### 14TH AMENDMENT VIOLATION

Most of us, as citizens of the United States and of Tennessee, believe we are protected by the Constitution from unreasonable intrusions on our privacy. The 4<sup>th</sup> Amendment to the U.S. Constitution affirms this belief by stating *"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated..."* The Tennessee Constitution further affirms it by stating in Article 1, Section 7 *"That the people shall be secure in their persons, houses, papers and possessions, from unreasonable searches and seizures..."*

Notwithstanding the protections provided by our revered Constitutions, in each legislative session our representatives pass laws providing police officers the authority, without a warrant, to invade the very bodies of citizens and remove their blood to be analyzed in any way the government, via the Tennessee Bureau of Investigations, sees fit. The police can force this action on a citizen, prior to obtaining a warrant for their arrest and prior to obtaining a search warrant from a judge, on the following



groups of people charged with DUI: if the driver has been convicted of a prior DUI, if a passenger under the age of 16 is in the vehicle, or if there has been an accident causing injury or death. The injury justifying the intrusion can be as small as a bruise.

We must all remain vigilant to intrusions of our individual liberty. While we all desire to reduce impaired driving, we must ensure that the laws designed to protect are not used to intrude on our freedoms.

—Frank Lannom

#### PRACTICE AREAS

- Auto Accidents
- Aviation Accidents
- Dangerous Products
- Motorcycle Accidents
- Personal Injury
- Trucking Accidents
- Workers' Compensation
- Wrongful Death

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## RECALLS—RECENT ITEMS RECALLED

**W**hile this is not a complete list, here are a number of the most recent items that have been recalled in the last several months for various reasons.

**Michelin North America BF Goodrich and Uniroyal Tires** sold at authorized dealers from April 2010 through July 2012, due to tread loss and air loss problems posing hazards to consumers.

**LG Electronics Kenmore Dehumidifiers** sold exclusively through Sears and K-Mart from 2003 to 2005 due to units

overheating causing them to melt and catch fire, posing a burn hazard to consumers.

**GE Dishwashers** sold between March 2006 and August 2009 through authorized dealers, due to heating element failure with potential of fire, posing hazards to consumers and property damage.

**Kawasaki Motors Teryxl 4 Off Highway Recreational Vehicle** sold by Kawasaki from October 2011 through July 2012, due to the risk of the steering gear and front brakes failing, causing loss of steering and braking capability and resulting in injury or death to consumer.

**LG Electronics and Kenmore**

**Gas Dryers** sold at Sears from November 2009 to August 2010 due to the gas valve not shutting off causing the dryer to overheat posing damage to property and burns to consumers.

**Sunbeam Products, Inc. Mr. Coffee Single Cup Brewers** sold through several distributors from September 2010 through August 2012 due to steam building up in the reservoir causing the brewing chamber to spontaneously open posing a burn and scalding danger to the consumer.

**Zen Magnets** sold by Zen Magnets and Maxfield & Ober-ton sold by mail order and online by Zen Magnets. The

You can visit  
[www.cpsc.gov](http://www.cpsc.gov) for more  
specific information  
about these and other re-  
called items.

CPSC requested that all distributors of the magnets, which are marketed to young adults and children, stop making them available for sale. All but two have complied. The magnets have caused intestinal blockage resulting in infection and death. In order to force the two remaining distributors to stop selling the magnets, the CPSC has filed suit.



## 2012 FUNGAL MENINGITIS OUTBREAK

**G**round zero for the deadly outbreak of fungal meningitis may have been the State of Massachusetts, but Tennessee has borne the brunt of the explosion of cases. We have the most cases of infection and deaths due to it. Fungal Meningitis is one of four strains of meningitis, all of which have the potential to cause long-term disability and death. Fungal Meningitis is caused by a yeast cell entering into the infected person's body and attacking the lining of their brain and spinal cord. Early symptoms are headache, nausea, dizziness, and confusion. Untreated, these progress rapidly to seizures, loss of hearing or sight, strokes and even death. The only treatment for fungal meningitis is IV anti-fungal

medication. After leaving the hospital, patients may still face months of anti-fungal treatment and the potential of debilitating side effects from the disease, such as seizures, loss of hearing or sight, paralysis or tremors.

While most fungal meningitis infections happen when a person inhales infected material (such as old moldy leaf spores), this infection happened in an entirely different and alarming way. The New England Compounding Center in Massachusetts is a "specialty drug" pharmacy. It does not make drugs, it takes combinations of drugs and mixes them for medical facilities to use. In this case, they mixed a batch of about 18,000 vials of methylprednisolone acetate and sent it to hospitals and clinics across the country.

The steroid was used to treat chronic pain and was injected into spine, knee, shoulder, or other areas on the patient's body causing them pain. The drug was tainted with at least two types of fungus and can cause some patients to fall ill with fungal meningitis. The largest number of doses given were through the Howell Allen Neurology Outpatient Center at St. Thomas Hospital.

These "specialty drug" compounding pharmacies are not governed by the same strict FDA guidelines to which drug manufacturers are held. Their role as drug providers is considered a "grey area" in the field and many medical professionals point out this outbreak, while widespread and deadly, is not the only one to have been traced to these facilities.

Even though the company behind this particular outbreak appears to have closed down, there are hundreds more "specialty drug" pharmacies still in business. We have every right to expect them to be as rigorously governed as our drug manufacturers are. We also have every right to expect them to provide clean uncontaminated drugs to our healthcare providers.

If you or a loved one have been exposed to fungal meningitis by receiving a tainted steroid injection, you need experienced legal advice to protect your rights and your recovery.

— Keith Williams

## WORKERS' COMPENSATION CHECKLIST

**I**t's coming up on the fall back part of the "Spring Forward, Fall Back" time change. It's a good time to remember to check your smoke detector batteries, but I thought I'd take a minute to remind you that your rights as an injured employee are protected in Tennessee.

While there are exemptions for some employers, most employers who have over five full-time employees must participate in the Workers' Compensation program. This program is specifically designed to ensure that, if you are injured on the job, you receive a supplemental income during your time off work and that you get the medical care you need. There are two types of job-related injuries: those that occur and require immediate or prompt medical attention (you have 30 days to report an injury to your employer from the day it happened), and those that build up over time, or "cumulative", such as carpal tunnel syn-

drome. You should notify your employer of your injury as soon as possible. In return, they should provide you with a panel of three doctors for you to choose from soon after your notification of the injury.

During this time, you should be documenting everything, such as when, where, how and why the accident occurred. Be sure to get your co-workers or any witnesses' written statements as soon as possible. If you wait too long after the incident, their willingness to help a friend and co-worker may cool due to fear of being penalized at work. Keep records of your doctors visits, medications, conversations with your supervisors or your boss, expenses that you incur due to the injury (mileage, for example), and any other information you feel is important. You may think you will remember all the little details, but they get vague a few weeks or months down the road, and the details may be vitally important.

Your injury will either be a temporary or a permanent one. It will be up to you to make sure that you are getting the best possible treatment for your injury. Remember that the purpose of workers' compensation is not only to provide you with a supplemental income while you are out of work and to compensate you for any permanent injury, it is also to ensure that you receive proper and adequate medical care for your injury.

If you feel uncomfortable with how your workers' compensation claim is being handled, or if your injury is severe, you should contact an attorney who specializes in Workers' Compensation law to help you make the right choices.

— Jim Stocks

*Are you interested in serving on a mock jury? See page 4!*



## WHERE EXACTLY IS THE BATTLEFIELD IN LEBANON?

**I**t was pouring rain early on the morning of May 5, 1862 when Confederate soldier Pleasant Whitlow was standing picket in a barn on Cainsville Road south of Lebanon. Suddenly, Union General Ebenezer Dumont's soldiers appeared making quick time toward Lebanon. Whitlow mounted his horse and threaded unnoticed through the Union Calvary. He made it to the front and spurred his horse to a gallop attempting to get to Lebanon first and warn Colonel John Hunt Morgan's troops encamped there, but the Union soldiers noticed his Confederate uniform and shot him dead. Whitlow was the first soldier to die in the Battle of Lebanon.

Soon after, the Confederate soldiers sleeping at Cumberland

University, which was located at the corner of East Spring Street and South College Street (you can still see foundation stones from the original building under several houses in the area) were startled by the sudden appearance of the Union forces. Grabbing their weapons, the Confederates made a desperate dash for their horses sheltering in the livery stables located on the west side of the square (approximately where the Bank of America building is now). A running gun battle erupted as both the Yankees and Confederates raced toward the square. Gunfire, also aimed at the Union soldiers, burst from private houses. It was never determined if private citizens

fired on the Union troops or if it was from Confederates hiding in the houses.

Several Confederate soldiers took shelter in the Courthouse on the Square and a fierce battle raged for almost an hour. During that time, Colonel Morgan determined he was outnumbered and outgunned and decided to escape with as many soldiers as he could. He massed his troops on the northeast side of town and made a break for the ferry at Rome. He and his men were able to escape across the river, but he was forced to leave his beloved horse, Brown Bess, behind and she was "captured" as a highly prized war trophy.

The Confederates took heavy losses at the Battle of Lebanon

and the dead are buried at the Cedar Grove Cemetery in Lebanon. As punishment for the gunfire received from private houses, General Dumont briefly considered burning Lebanon. He settled instead for letting his soldiers plunder the town and they stole the people's food supplies stored for winter. Diaries kept by Lebanon residents speak to their fear of starvation the following winter.

The next time you travel around the square in Lebanon, remember a brief but fierce battle once raged there!

— Jim Stocks



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### WE'RE ON THE WEB!

WWW.LANNOMWILLIAMS.COM  
OR KEITHWILLIAMSLAWGROUP.COM



IF YOU, OR SOMEONE YOU KNOW, WOULD BE INTERESTED IN VOLUNTEERING FOR A **MOCK JURY TRIAL** AT OUR OFFICE, PLEASE EMAIL TAMMY AT [TAMMY-GREENE@LANNOMWILLIAMS.COM](mailto:TAMMY-GREENE@LANNOMWILLIAMS.COM) WITH YOUR NAME, ADDRESS AND PHONE NUMBER. THANKS!

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## CHARITY SPOTLIGHT — POSSOMTOWN OUTREACH

**D**o you ever think about how our geographic location helps us? Our location opens us up to so many possibilities, from farming to building to transportation to employment.

Location for the people of Hancock County, Tennessee, affords them no such benefits. They straddle the wide and shallow Clinch River, with tall mountains and steep valleys on each side. The hills were mined out and the timber logged long ago and there is no reliable way in and out of most of the county during the harsh winter months. Jobs are scarce and Hancock County consistently ranks high among the poorest counties in Tennessee. Hunger is prevalent in the county from children to the elderly.

Over the past several years, the locally run charity Possomtown Outreach, a Tennessee certified non-profit organization, has been helping to meet the needs of the people in that area. They collect donations and purchase large pallets of healthy food, enough to completely fill a tractor trailer, to deliver it to Sneedville in Hancock County. The local rescue squad distributes the food to those in need based on recommendations from the Hancock County Health Department. Possomtown Outreach also collects clothes, food items, toys, and personal hygiene items and delivers them at Christmas. The past few years, they have partnered with the students at Friendship Christian School. Together, they have dug freshwater wells for those living without clean water and provided free glasses to those in

need. FCS students and teachers have traveled to Sneedville several times a year to mentor local students and encourage them to stay in school. Without an education, it is all too easy for these children in Appalachia to fall prey to the same dangers that lurk in inner cities such as drugs and alcohol abuse, teen pregnancy, and violence.

This year, Possomtown Outreach and Friendship Christian School will again be working to provide a Merry Christmas to those in Hancock County. If you want to help them with their mission, please call (615) 330-8474 or [www.facebook.com/PossomtownOutreach](http://www.facebook.com/PossomtownOutreach).

*An early Merry Christmas to you and yours!*

“Doing nothing for others is the undoing of ourselves.” ~ Horace Mann