



The Road to Justice Starts Here...

BenGlassLaw.com

Malpractice - Accidents - Insurance Disputes

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This newsletter is published by the Law Offices of Benjamin W. Glass, III & Associates, P.C. It is for informational purposes only and no legal advice is intended.

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Ben today



Ben Glass and Terry Patterson, circa 1965



Terry today

You Put Up With Him For How Long? Most readers of this newsletter have spoken to Ben's assistant, Terry Patterson, at some time. Bet you didn't know that they are brother and sister. This month they celebrate 13 years of working together as a legal team! Next time you talk to Terry, tell her "good job for putting up with Ben all those years."

Did Patient Die Because Doctor Hung Up Phone in Frustration?

The Virginia Supreme Court has ruled that one of our firm's clients is entitled to a new trial in a medical malpractice case in which a mother of two died from a blood clot in her lungs.

Tawanda Williams was sent by her primary care doctor to a local radiologist for a sonogram of her calf. She had pain and the doctor wanted to make sure that she did not have a blood clot in her calf.

The radiologist did find the blood clot and testified at trial that he knew this was a medical emergency. A blood clot in the calf is very dangerous because it can travel to the lungs and kill you. "Deep vein thrombosis," however, is a very treatable condition.

The radiologist called the office of the primary care physician to report his findings, but after being put on hold for a few minutes, he hung up the phone and faxed over his report. The report never made it to the primary care physician. Neither the patient nor her doctor was aware that she had a critically life threatening condition. Six days later, she died.

Ben Glass and his co-counsel, Washington, D.C., attorney Frank Kearney, sued the primary care doctor (who had failed to read his faxes) and the radiologist. The claim was that the radiologist should have called back, told the operator that he had an emergency on his hands, and made sure he talked to some doctor in this (very large) office. We also claimed that he should have called the patient (he had her cell phone number) and told her to get to an emergency department right away.

We settled with the primary care doctor before trial. At the trial against the radiologist, the judge allowed the radiologist to cast all of the blame for this woman's death on the primary care doctor. The Supreme Court of Virginia ruled that in a medical malpractice case, the fact that another doctor may also have been negligent after the radiologist failed to do his job is not a valid defense.

The new trial will be held in 2009.





Perfection is for Dummies

My son, Brian, is studying to take the bar exam this summer. That's right, after three grueling years of law school, a new lawyer-to-be must pass a test in order to get a license. He's taking bar review classes now.

Here's what I told him about the 'mindset' of preparing for the test:

You only have to get a "70" to pass. You don't get any points for perfection.

The bar exam tests many, many different subjects. What this means for Brian is that once he's scoring around 75 and above in the practice test for a particular subject, he should move on and study a subject he's not yet as proficient in.

What does this mean for you?

Too many people delay getting something accomplished in life because they either wait until conditions are perfect to start a project ("one day, when I make enough money, I'll start saving some") or they wait until the project they are doing is completed perfectly until they release it to the world. How many of you have ever though, "oh, I'd like to write a book sometime, but I just don't have the time to get it all done."

I've written seven books now. You know what? They all had typos and other errors in them the first time we pushed them out the door. You know what else? Errors are fixable. Much better to take on a project and get it completed, than to delay completion until perfection is achieved. Just ask Bill Gates and Microsoft. The world is full of good ideas that have never seen the light of day because the "owner" of the idea was waiting for "perfect conditions" to act on the idea. All successful people that I know have a bias for action.

What's holding you back?

College Student Health Insurance Not Enough To Cover Big Expenses

Students are rarely sick and basic college health insurance is usually enough, but basic student insurance won't cover big expenses.

Representatives for the plan say it is enough for most student illnesses, but not enough for all illnesses or injuries.

Typically, student insurance covers up to \$30,000. Some plans cover less than that amount, according to the General Accounting Office, and many have further limits.

When considering a student health plan, parents should read the terms of coverage carefully.

Some students have health insurance under a parent's employer. But with rising insurance costs, some parents have opted to use the school's coverage, which is not always a good idea. A college plan can cost \$1,000 and have limited coverage. With only a college plan, students and parents are vulnerable for huge costs in the case of a serious illness or accident.

A student at Ross University was on the university's \$100,000 maximum plan. But the per-day cap for hospital room, board and miscellaneous expenses was only \$2,500 per day. That turned out to be much less than the \$24,098 the student was charged for a 48-hour hospital stay and treatment.

At Rutgers University, the maximum was raised from \$50,000 to at least \$100,000 after finding that several students exceeded the old

Colleges and universities look for plans that are affordable. Buying their health insurance, however, is a big gamble for the student and the student's family.



Ben's daughter Emma is third from the left, front row



Jinan kids and some of their American siblings

Reunion of Jinan, China, Children

What an amazing weekend Ben and Sandi and several of their children had recently! Their daughter Emma (8 years old) was reunited with some of her friends from her orphanage in China. Five families with children from Jinan traveled to Hillsville, VA, to a small campground there. Emma got to see and catch up with "Ruby" her very best friend who she had last seen two years ago in China. The children taught some of their American siblings how to play some of the Chinese kids' games they had played growing up. The adults got to meet each other and share "adoption stories" as well.

Shift Your Thinking About Real Estate Today and Cash In

If you've turned on the news or picked up a paper in the last year, you probably have some ideas about the state of real estate in America today. Water coolers across the country are buzzing with talk of foreclosures and mortgage troubles.

When the conversation turns to real estate, there are three words you should be using to describe the current market, and I'll bet they are not the words you are thinking.

If I were a gambling man, I'd say two of the words that immediately pop into your mind when someone says real estate are *Crisis* and *Crash*. The third word is not one I can type without blushing. Am I right? I was close; wasn't I?

Truth of the matter is, negative news sells. Even when reporting positive news, the media often will put a negative spin on the events. They'll publish a headline that reads, "Things Are Better Than They've Ever Been . . . But How Long Will It Last?"

Making important real estate decisions based on the headlines is like typing with mittens on: The process can be difficult and frustrating and at the end you'll look back and wish you'd done things differently.

Let me shine some light on Real Estate in America today and share with you three words you should be using when considering your next move.

The words you should be using are **Challenge, Correction and Opportunity**.

The mortgage markets are not in crisis, they've run into a **Challenge**. Less than 2% of the total amount of mortgage debt in

America is in jeopardy of foreclosure. That's right - over 98% of American mortgages are fine. We have a **Challenge** with a small percentage of the loans.

The real estate market was on fire in the mid-2000's. We saw double-digit growth for years in a row and could not keep up this pace. The market has **corrected** itself. Nationwide, we have seen a 12.8% downward market **Correction**. Not a crash, but a necessary adjustment.

All this means that there is **Opportunity** in the market right now. Lots of inventory, discounted prices and low interest rates equal a chance to invest in one of the most stable and lucrative markets in the history of investments! What will you do with the Opportunity?

FREE Giveaway Items For *The Road to Justice Starts Here* Readers:

10 Deadly Mistakes Buyers Make When Purchasing a Home

44 Home Seller Fix Up Tips That Can Add Thousands to Your Bottom Line

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- **Certified Residential Specialist**- less than 3% of Realtors hold this designation
- **Graduate Realtor Institute**
- **Senior Real Estate Specialist** – certified to work with 55+ community

- Associate Real Estate Broker, the highest level of real estate licensing in Virginia
- Practicing Real Estate in Northern Virginia 14 years
- Personally mentored over 25 real estate agents to help them build their businesses
- Actively mentoring 5 real estate agents in 2008

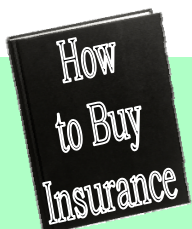
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Ben's son, Brian, bought his own car insurance recently. He asked for coverage from GEICO in the amount of \$1,000,000. That's what Ben recommends. The difference in price for "super-duper-coverage" and "below average" coverage of \$300,000 was **\$30 every six months!** Check your insurance policy today. Call the office (703-591-9829) and order Ben's Guide to Buying Car Insurance in Virginia.



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Inside—A Little Family Secret



Ben Glass congratulates Maria Costantino on her win.

Client of the Month

Our client of the month is Maria Costantino. Maria was referred to us by a local judge to take one of the biggest insurance companies in the world. We were successful!

We love Maria because she works in the child care center for children at Fair Oaks Hospital. (We also love the delicious baked goods that she brought by from time to time.) We wish Maria the best of luck.



"Graduate" Kevin Glass

One More Graduate

My youngest son, Kevin, was looking through last month's newsletter and wanted to know where his picture was. After all, he told me, "I graduated, too." So here's Kevin, graduating from kindergarten at Living Savior school. In the fall, Kevin will be continuing his studies at Fairview Elementary School!

Reminder About Our Firm's Communication Policy

Our promise to you is that while we are working on your case, we don't take inbound phone calls, faxes or emails. Ben Glass takes no inbound unscheduled phone calls whatsoever. It makes him much more productive and helps get your case resolved faster. You can always call Ben's Assistant, Terry Patterson (703) 591-9829, and schedule an in-person or phone appointment, usually with 24-48 hours. This is a lot better than the endless game of "phone tag" played by most businesses today. Remember, too, that email is "quick," but is checked no more than twice a day. Replies are then scheduled into the calendar. So if it's really important, don't email – call Terry instead.