



WARNER
LAW OFFICES, PLLC

A Warner Law Offices
2011 quarterly newsletter

304 **345-6789**
New, easy-to-remember number

spring



News and tips
to keep your family
safe this season.

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QUESTIONS?

Call today for a free and
prompt evaluation of your
case. Totally confidential!

Warner Receives Recognition

Warner Law Offices is proud to announce that Bobby Warner was selected as a 2012 Super Lawyer for the state of West Virginia. The objective of the Super Lawyers selection process is to create a credible, comprehensive and diverse listing of outstanding attorneys that can be used as a resource to assist attorneys and consumers in the search for legal counsel. No other legal publisher goes through the unique multi-step process that Super Lawyers employs to select those who will be recognized.

Super Lawyers is a listing of superb lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement.

Super Lawyers is published as a special supplement in leading newspapers and city and regional magazines across the country. Super Lawyers magazine, featuring articles about attorneys named to the Super Lawyers list, is distributed to all attorneys in the state or region, the lead corporate counsel of Russell 3000 companies and the ABA-approved law school libraries. Polling, research and selection are performed by Law & Politics, a publication of Key Professional Media, Inc. Law & Politics has been publishing legal magazines since 1990 and Super Lawyers since 1991. Warner Law Offices would like to thank all of the attorneys who voted for Bobby to be selected as a 2012 Super Lawyer.



Qui Tam Lawsuits

Qui tam is a key part of a long-standing law called the False Claims Act (31 U.S.C. §3729, et.seq.) The lawsuit allows the informed private citizen, whether affiliated with the government or not, to bring a lawsuit on the government's behalf, when he or she has first-hand knowledge that someone who does business with the United States knowingly filed false or fraudulent claims to the government. The citizen who brings a Qui Tam action does not need to have been personally harmed by the wrongdoer's conduct nor have a relationship with the wrongdoer before a lawsuit is filed. Once a Qui Tam action is filed, the whistleblower cannot be the target of retaliation, harassment, or fired, Qui Tam cases are lawsuits filed on behalf of the government by private citizens for false claims or fraud. False claims generally include not delivering goods that were sold, overcharging for goods or services, making false statements about the quality of a product, improperly testing a product or any other scheme that is designed to defraud the government.

Most Qui Tam lawsuits involved defrauding the defense industry. Fraud involving Medicare, Medicaid, employment law, environmental law and billing practices are the most common forms of Qui Tam cases today. Qui Tam cases generally take years to settle or litigate and due to the complexity of these cases, retaining an attorney with experience in these matters is recommended.

Some recent Qui Tam settlements include: Bayer: \$257 Million, Office Max / Office Depot: \$14 Million, Medco Health: \$155 Million, Pfizer: \$49 Million, Amerigroup: \$334 Million, AstraZeneca: \$355 Million and Key West Pharmacy: \$26 Million.

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Tucker's Tips

Bicycling safety tips

The single most effective safety device available to reduce head injury and death from bicycle crashes is a helmet. Learn the rules of the road, and obey all traffic laws. Children should not ride a bicycle when it's dark, in the fog or in other low-visibility conditions.

Helmet fit is important

Make it a rule: every time you and your child ride a bike, wear a bicycle helmet that meets the safety standards developed by the U.S. Consumer Product Safety Commission. If your child is reluctant to wear a helmet, try letting him or her choose his own. Make sure the helmet fits and your child knows how to put it on correctly.

Eyes, Ears and Mouth Test

- **EYES check:** Position the helmet on your head. Look up and you should see the bottom rim of the helmet. The rim should be one to two finger-widths above the eyebrows.
- **EARS check:** Make sure the straps of the helmet form a "V" under your ears when buckled. The strap should be snug but comfortable.
- **MOUTH check:** Open your mouth as wide as you can. Do you feel the helmet hug your head? If not, tighten those straps and make sure the buckle is flat against your skin.



Call today for a free evaluation of your case.



Around the Community

The Brain Injury Association of West Virginia (BIAWV) will be hosting the first ever, statewide, and all sports concussion conference on March 27-28, 2012 at the Charleston Civic Center. Nationally known and statewide recognized experts in brain injuries and sports concussions will highlight presentations over a two day seminar.

This conference is intended for anyone interested in sports concussion injuries as related to any contact sport including football, basketball, baseball, soccer, cheerleading, etc. We invite physicians, educators, coaches, athletic trainers, principals, nurses, social workers, psychologists, case managers, physical therapists, occupational therapists, speech/language pathologists and of course, most importantly, parents.

To register, please go to www.biausa.org/WViregina/ or call BIAWV at 304-400-4506 for a registration brochure.

Warner Law Offices is proud to sponsor this great conference. Bobby Warner takes pride in the safety of our children in the community.



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Recent Verdicts & Settlements

Skiing Accident

A skier at Snowshoe Mountain Resort was permanently injured when she was struck by a snowboarder who was skiing behind her. The crash forced the skier to undergo both knee and shoulder surgery, as well as extensive physical therapy. By making a claim on the alleged negligent snowboarder's homeowners insurance, Warner Law Offices was able to reach a confidential settlement prior to filing a formal law suit.

Workplace Accident

A construction worker was permanently injured when a beam kicked out and struck the worker in the face while he was on a man lift. This caused severe injuries to his face, jaws, cheek, orbital sockets, and nose. His injuries included complex nasal & facial fractures requiring internal fixation surgery, complex cheek laceration, right eyelid laceration, and right and left nasal lacerations also requiring surgery. A confidential settlement was reached prior to trial.



For more information, please visit wvpersonalinjury.com.





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Robert B. Warner, Attorney



PRACTICE AREAS

- Workplace injuries
- Mining & industrial accidents
- Wrongful deaths
- Auto accidents
- Personal injuries
- Motorcycle accidents
- Trucking accidents
- Employment matters
- Brain & spinal cord injuries
- Burn injuries
- Amputation
- Other catastrophic injuries

ADVERTISING MATERIAL

Around Warner Law Offices



Lynnette Simon Marshall

Warner Law Offices would like to welcome our new attorney, Lynnette Simon Marshall. Lynnette received a Bachelor of Arts degree in Philosophy and Political Science from WVU in 1996. In 1999, she earned her law degree from West Virginia University, College of Law. After her admission to the West Virginia Bar in 1999, she served as a Judicial Law Clerk for the three Circuit Judges of the 10th Judicial Circuit in Beckley, Raleigh County, West Virginia.

Her practice areas include insurance coverage and bad faith, premises liability, products liability, construction law and work place injury cases. Among her many interests, Lynnette enjoys cooking and spending time with her daughter, Michele.



Alexander Truman Griffith

Warner Law Offices is happy to announce that on February 9, 2012, Truman Griffith and his wife Lindsay welcomed their 1st born son. His name is Alexander Truman Griffith and he weighed 8 pounds and 4 ounces at birth. We are pleased to report that the baby is healthy and doing great. Truman is an attorney at Warner Law Offices. Congratulations to Truman, Lindsay and big sister Madison!