



FINNEY INJURY LAW  
- TRIAL LAWYERS -

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### *The Issues We Face* CRASH INVESTIGATION — A COMMERCIAL MOTOR VEHICLE PERSPECTIVE



I have written in the past about our firm's use of the Bosch Crash Data Retrieval (CDR) system. This valuable tool is a real difference-maker for us in accident investigations because it enables us to retrieve data from a vehicle's airbag control module (ACM), or "black box," after a crash.

One of the interesting nuances is the difference between crashes involving a commercial vehicle versus a passenger car. The data in that black box is objective and time-stamped, and it is a key tool accident reconstruction experts use to re-create a crash. It is the silent eyewitness to an often horrific and life-changing event for our clients and their families.

The event data recorder system in commercial vehicles, such as a semitruck, dump truck, or box truck, is known as a heavy vehicle EDR, or HVEDR. HVEDR systems are typically triggered to record data for analysis every time the truck experiences a "hard brake" event.

In every investigation, time is of the essence. Because commercial vehicles often drive long distances, most HVEDR systems overwrite quickly. Simply turning the key, known as an ignition cycle, can cause the onboard computer to overwrite the data.

In addition to the EDR data, most commercial motor vehicles use a telematics system. Think of telematics as the "brain" of the truck. It integrates with the truck's onboard computer systems and typically sends operations data back to fleet managers.

Telematics help maintain hours-of-service logs for drivers and monitor fuel efficiency, dispatch commands, GPS location, and even driver behavior, such as speed and seatbelt use. Telematics also integrate video data from driver-facing cameras or roadway-facing dash cameras. Lastly, telematic systems can also provide maintenance data reflecting the vehicle's mechanical soundness.

When clients and their families come to us after a crash involving a commercial vehicle, we pride ourselves on our swift and intelligent effort. We have a network of trained commercial motor vehicle experts across the country to assist us. Using our Bosch CDR to gather data on accidents is just one more way we ensure the best possible investigative support for our clients.



# TRIALS & THEIR TALES

- NEWSLETTER -

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## BUILDING WITH PURPOSE

### *Kicking Off a Busy Summer of Trial Work*

We are looking forward to a frantic summer — at least the first part. We have a couple of trials in the works that look as if they will actually go. "Go" is what we say when it appears that we will have an actual trial.

I am looking forward to that. More and more, I see trial work as a muscle that needs routine training and practice. Basically, it's a "use it or lose it" skill. No attorney can expect to hop in there every other year and do great. You won't have the intangibles, the feel and awareness, that regular trial work teaches.

Additionally, our team is starting to take shape and rise successfully to their roles. We hired David as our prelit paralegal, and he will gather evidence and information when a case comes through the door, among other things. While it is crucial to get these roles filled, it is more crucial to get the roles clearly defined.

That is a transition we are making now. I was talking recently to my cousin, who runs a fairly decent-size apparel business. We were discussing managing teams and who does what. He said a real shift takes place after an organization reaches about 10 employees. The first few employees are easy to handle. You have daily interactions with them, the business is small, and there is constant communication. Meetings are not necessary because everyone is right there all the time. Once you hit about 10 people, however, that starts to fade, he said. All team members are no longer interacting on a daily basis. Roles need to be more structured and better defined.

He is right. We need all of that here, and we are accomplishing that. The firm feels like it is starting to come together. That is a good feeling.

So, what does that mean for our clients? It means more clarity, more ownership of our roles, and better service to you. When each of us has well-defined assignments and responsibilities, objectives are better understood. When

we have a certain, clear-eyed understanding of what we need to do, we can take the risks and the initiative to get it done. In contrast, if we are walking with an unsteady gait, we are just trying not to fall. Confidence breeds competence. Confidence leads to job satisfaction.

We have been spending more time in our executive meetings on refining our core values. I used to regard core values as abstract ideas that sound good, and that we aspire to. We had something like seven of them for a while. Then, we got rid of them and tore down that structure in preparation for rebuilding them. We need core values that are simple enough to implement on a daily basis, that we can use in every decision-making process. The values we had were wordy, impossible to recall, and clunky. Yes, they sounded great — but they didn't fit us. They felt like someone else's values we were trying to wear.

I plan on rolling out our new core values in next month's column. But that whole effort reminded me of trial work. In both processes, you try things on, you take some chances — but you never copy somebody else's work. You have to own everything you do, or there is no authenticity. No one is attracted to or admires "fake" — especially in the courtroom. You cannot fake *anything*. The stench will give you away immediately. Jurors know better.

So, as summer begins, I am enjoying the seasonal change. As our days get longer and busier, here's to putting in the focused work for our clients! I look forward to sharing our core values with you next time — and, hopefully, reporting some positive trial results.

*Ch.*





*Make a Splash!*  
WATER FUN FOR  
THE WHOLE FAMILY

Few outdoor activities are more fun to do as a family than beating the heat in the water. A facility as simple as a community pool can offer fun for all ages, including wading, diving, and lap swimming.

As summer gets underway, consider making plans to try more complex aquatic sports as a family. Here are four exciting options that will inspire the whole family to take the plunge.

**Stand-Up Paddleboarding**  
This sport originated among Hawaiian surfers and began gaining momentum nationwide about a decade ago. Participants stand upright on a flat, buoyant board and propel themselves over lakes, rivers, and oceans with a single paddle. Paddleboards are bigger than surfboards and are stable enough to hold a picnic in a waterproof bag!

**Snorkeling**  
Snorkeling is a great family activity for all ages if you're vacationing near an ocean. Flippers, watertight goggles, and snorkels are easy to rent or buy. Exploring the wonders beneath the waves is as easy as floating on the surface and paddling your flippers. While any clear ocean waters can be fun to explore, consider trekking to Hawaii or Cozumel to see spectacular schools of fish and rock formations.

**Canoeing and Kayaking**  
Few aquatic activities offer more opportunities for reflection and quiet conversation than paddling a canoe

or kayak. These watercraft are usually available to rent near lakes and rivers, and, barring rough weather, navigating with them is relatively safe and easy. Pack a picnic, explore, and see what you can find along a river or lakeshore.

**Waterskiing**  
While this sport requires access to a speedboat and a skilled operator, arranging to try it can offer unforgettable thrills. Nothing can compare to the exhilaration as you first rise above the waves and stand on your skis; participants also get a full-body workout! Waterskiing poses a challenge for beginners when crossing the wake and keeping their legs beneath them, but the rewards are worth the effort!

This summer, consider vacationing near a body of water to explore these aquatic activities or others, such as sailing or bodyboarding. You will create lasting memories and may ignite passions your kids will enjoy for years!



# A HISTORIC TINY HOME BUILT ON SPITE

Tiny homes may be all the rage for budget-conscious house hunters these days. But none has as engaging a history as the diminutive Alexandria Spite House in Virginia.

Brickmaker John Hollensbury built this 7-foot-wide rowhouse nearly 200 years ago — not to live in, but to fill up the alley next to his splendid two-story brick home in what is now the Old Town district of Alexandria. Hollensbury was bothered by horse-drawn carriages trying to squeeze through the alley, scraping against the brick walls of his and his neighbor's houses, and loiterers gathering in the area.

Hollensbury decided to close the alley forever by building a house in it — not to create living space, but to block the alley — thus its name, the Spite House. The little dwelling is squeezed in so tightly that its neighbors' exterior walls serve as its interior. Its 25-by-7-foot area is spread over two floors, producing a total floor space of 325 square feet. The little home is comfy enough that one couple lived there for 25 years. Its most recent owner bought it in 1990 for \$130,000 and used it occasionally.

The Spite House at 523 Queen St. is Alexandria's best-known tiny home, but it isn't the only one. Three other tiny houses, all 1-3 feet wider, were also built in alleys during the 19th century.

This may seem like a cheap way to build since all that is needed is a roof and rear and front walls. Nevertheless, based on the latest available sales data from 2014, one of these alley houses sold for a cool \$424,000!

# Avoid These Mistakes!

## Staying Safe Around Heavy Trucks in Missouri

Any driver knows the feeling: Rolling down the highway in the shadow of a looming 18-wheeler in the next lane can leave you feeling vulnerable — and a little uncomfortable.

Missouri's central location and numerous interstate and state highways make it a national crossroads for the nation's heavy truck traffic. Our state has the sixth-highest percentage of truck traffic on rural interstate highways in the nation, at just under 32%, and the 10th-highest on urban interstates at about 16%, federal data show.

The combination of extremely large and much smaller vehicles, coupled with trucks' multiple blind spots, make sharing the road a risky undertaking. Here are a few of the most common mistakes to avoid.

**Ignoring Blind Spots**  
Truck drivers have large blind spots on all four sides — directly in front of and behind the vehicle, stretching across the adjacent lane to the right of the cab, and across the lane to the left just behind the cab. Drivers who hover in those blind spots risk a collision if the driver has to stop, speed up, or change lanes suddenly. While a growing number of trucks have video cameras to help drivers see traffic around them, it's always best to assume the driver can't see you.

**Merging Too Closely**  
Large trucks need a distance as long as two football fields to stop. Be aware of any big semis that are following more closely than that. Take care when merging ahead of a truck to allow a longer gap than you would with a car. Also, stay at least 4-5 seconds behind



big trucks to ensure you have time to brake in case they slow down or stop.

**Crowding on Turns**  
Trucks and buses cannot turn on a dime, as many cars can. They must swing wide to execute a turn. If you are following a large truck on the left, be aware that a driver making a right turn may need to swerve out into your lane.

If you are involved in an accident with a heavy truck, you don't have to fight the battle alone. Contact us for a consultation with an experienced truck accident lawyer, and we will work together toward securing the compensation you deserve.



Inspired by TheKitchn.com

### INGREDIENTS

- 4 cups cherry tomatoes, halved
- 4 cloves garlic, minced
- 1/2 cup extra virgin olive oil
- 1 tsp red pepper flakes (optional, to taste)
- 1 tsp kosher salt
- 1/2 tsp black pepper
- 1 lb angel hair pasta
- 1 cup fresh basil
- 2 cups freshly grated Parmesan cheese
- Cooked, chopped chicken for serving (optional)

### DIRECTIONS

1. In a large bowl, combine tomatoes, garlic, olive oil, red pepper flakes, salt, and black pepper and toss until well coated.
2. Cover and let the mixture sit at room temperature while the pasta cooks.
3. Add pasta to a pot of boiling water and cook per package directions until al dente.
4. Drain the pasta, reserving 1/4 cup of the pasta water to add to the tomato mixture.
5. Coarsely chop the basil leaves.
6. Add the pasta, Parmesan cheese, and chopped basil to the tomato mixture and toss again until combined.

*Serving suggestion: Add cooked, chopped chicken for more protein!*

## YOUR REFERRALS MEAN THE WORLD TO US

There is no greater compliment we can receive than a client telling a friend or loved one about us. If you know somebody who has been injured and needs an attorney who will fight on their behalf and give their case the attention it deserves, please pass along this newsletter and have them call us at 314-293-4222. Thank you for spreading the word about Finney Injury Law.