



## A Real Case Story: Injured Worker Needed Our Help

At NB&A, we often talk to people who have not been treated fairly after a work-related accident, and we do everything we can to right the wrong. Recently, Attorney Ted Roberts, who handles Workers' Compensation claims, stood up for an injured construction worker after his company denied his claim, and made the employer do the right thing.

In May 2009, Jeff was working as a construction worker in South Louisiana. With a family depending on his pay check, Jeff worked hard and loved his job. One day at a job site, Jeff was hit by a plumb bob, a weight with a pointed tip, that fell over 50 feet, devastating his shoulder. It would be over a year before Jeff was able to fully recover from his serious injuries and return to work. However, Jeff's company denied his workers' compensation claim, saying that the injury wasn't job related, even though Jeff's co-workers actually witnessed the weight falling onto Jeff. Jeff was without a pay check and without coverage to see a doctor. That's when he called Ted Roberts.

Ted worked hard for Jeff and his family. He held the company accountable for the accident, and got Jeff to a doctor who was able to prove that his injury was work-related. With Ted on his side, Jeff was able to receive workers' compensation payments and the back pay that was owed to him.

We are proud of Ted's recent accomplishment for Jeff and happy to share it with you, but please remember that past success does not guarantee a similar outcome in all cases. The name of our client was changed to protect his family's privacy.

## Legal *Brief*



**Richard J.  
Arsenault  
Makes  
National  
Headlines**

NB&A senior partner, **Richard Arsenault**, was interviewed in the New York Times. Arsenault was featured in a story about KABA, the lock industry leader, whose expensive keyless locks can easily be bypassed by an intruder with a \$50 magnet. These locks are commonly used in college dormitories, hotels/motels, homes, businesses, airports and high security areas throughout the country because they were thought to provide safety and security.

Richard has been contacted by distraught business and homeowners, who are concerned about the safety of their property and their family. He is taking on KABA and holding them accountable. Richard was recently appointed by a US Federal Judge to lead the national litigation against KABA. In this executive leadership position, he will work on behalf of clients throughout the country. Richard's interview about the lawsuits appeared in print in the Sunday, March 27th issue. Call us for a copy, or for more information on the KABA keyless lock litigation.

## Out With the Old, In With the New: Copier Give-a-Ways

In order to provide our clients with the best legal service possible, NB&A recently invested in two new, state-of-the-art photo copiers with advanced digital technology that integrates with the Firm's Case Management Software.

So, what did we do with the old ones? We contacted local schools and donated our old copiers to them. Cherokee Elementary School and Pineville High School immediately took us up on our offer, and have already begun using the donated copiers at their schools!



# Parent /Teen Safe Driving Contract



This year's prom night was a little bit safer thanks to the good work of NB&A partner, JR Whaley. Along with the Student Council Association of Louisiana, JR helped distribute over 300 "Parent/Teen Safe Driving Contracts",

where high school students made the pledge to themselves and their parents to practice responsibility behind the wheel, to arrange safe and sober transportation and observe the rules of the road.

Since motor vehicle crashes are the number one killer of youth aged 15-20, it is crucial to stress the importance of safe driving with our teens. JR's contract, which includes a helpful, step-by-step guide of what to do if involved in an auto accident, has teens promise not to mix driving with drugs and alcohol, texting, chatting on cell phones, smoking and other distracting activities. It also makes them aware of the responsibility they have to their parents, passengers, pedestrians and others sharing the roadway to be safe, alert and attentive drivers.

If you want your child or school to take the pledge, contact our offices today at 1-800-256-1050. We will send you the contracts and other materials free of charge. With your help, we can keep our roadways safe on prom night and every other night!

## Wes Gralapp's

### *Almost Famous Shrimp & Sausage Jambalaya*

(Serves 6)

#### Ingredients:

- 1 Ten oz. can of Ro-tel original diced spicy tomatoes
- 2 medium yellow onions
- 1 bell pepper
- 1 tablespoon minced garlic
- 1 green onion
- 3 pounds peeled shrimp
- 1 pound hot smoked pork sausage, sliced
- 2 cups rice
- 4 cups water
- 1 oz Kitchen Bouquet Browning & Seasoning Sauce
- Dried shrimp or shrimp powder (secret ingredient)
- Salt, to taste
- Louisiana Hot Sauce, to taste



In five quart Dutch oven, brown sliced sausage, then remove and set aside. Add chopped onions, pepper and garlic, then sauté. Add tomatoes and simmer for five minutes. Add water, and when returning to a boil, add shrimp, sausage, chopped green onion and seasoning. Then, stir in the secret ingredient, dried shrimp or shrimp powder. Once at a boil, stir in rice. Reduce to a simmer and cook covered for 15-20 minutes. Remove lid and let stand for five minutes. For a Creole jambalaya, add two heaping tablespoons of tomato paste. Bon Appétit!

# Firm News

Senior partner **Richard Arsenault** recently chaired a Darvon/ Hip Implant Litigation Conference in San Diego, California. The event attracted over 100 attorneys from across the country. Mr. Arsenault has also been invited to serve as a featured speaker at the upcoming DePuy Pinnacle Hip Implant Litigation Conference in Louisville, Kentucky and recently accepted an invitation to chair a conference on emerging litigation topics in San Francisco this July.

In March, NB&A served as the **Platinum sponsor for the VA's Freedom 5K** to benefit the Wounded Warriors program. Attorneys and staff participated in the Walk/Run and manned a booth at the event, where we distributed information on the free services we are offering to active troops, veterans and their families. We are proud to support the brave men and women that put their lives on the line to protect our freedom!

We were also proud to sponsor the Louisiana Probation and Parole Annual Conference Cook Off in New Iberia. Partner **Wes Gralapp** spoke at the convention, which attracted over 200 probation and parole officers from across Louisiana. He also served as an official "Judge" for the Cook Off Competition. This is the second year we've sponsored the event, and we're proud to assist the brave men and women of Louisiana's Probation and Parole Association in their mission to keep our communities safe!

NB&A celebrated this year's **Administrative Professional's Day** with a cookout at our Alexandria office. To show appreciation for our dedicated staff, our attorneys cooked and served up fried catfish, shrimp and sausage jambalaya and all the fixings. The staff was treated to a great lunch, gifts and door prizes, while our attorneys cooked, cleaned and served the meal. What a great way to celebrate the day! Relive some of the fun with Wes' jambalaya recipe!

# Welcome Aboard!

NB&A is proud to announce that **Ramsey T. Marcello** has joined our Firm as an Associate Attorney!

A native of New Orleans, Ramsey is a graduate of Vanderbilt University and Tulane University School of Law. Ramsey comes to the firm with a wealth of legal experience that runs the gamut from personal injury law and criminal defense to corporate transactions for Fortune 500 companies. He has already taken an active role in the firm's growing personal injury and complex litigation.



Ramsey T. Marcello

**Congratulations, Ramsey, and welcome aboard!**

# Workers' Compensation

Each year, over 4 million American workers are hurt on the job or face a work-related injury or illness. When you or a family member faces a workplace accident or injury, you may not know what to do. How will you get medical care? What about lost wages? Will I still have my job? These are just some of the questions that injured workers ask our attorneys every day. **Here are some helpful tips about a workers' compensation claim:**



## *Q: What should I do if I have a job injury?*

A: The steps you take immediately after your accident are crucial:

1. Report your accident! Failure to do so could destroy your comp claim!
2. Tell your supervisor immediately. Or, if your injuries have occurred gradually over a period of time, inform him or her as soon as you learn that your injury or illness is related to your job. You can also tell a trusted co-worker.
3. Get emergency medical treatment, if necessary.
4. Complete an accident report within one working day after your injury or accident or as soon as you find out that your injury is work-related.
5. Get proper medical care, and inform your doctor of the specifics of how the injury occurred, all of your symptoms and explain your job duties and workplace environment.
6. You should also contact an experienced workers' compensation attorney. He or she knows about the special set of laws that govern workers' rights, and can help to make sure that you are receiving your maximum benefits.

## *Q: What is Workers' Compensation?*

A: It is a state required insurance program that provides compensation to employees who suffer work-related injuries and illnesses. Under workers' compensation, you are entitled to receive 2/3 of your average weekly wage up to a maximum amount that changes yearly, and payment for medical bills while your doctor says you are disabled. You are not entitled to pain and suffering.

## *Q: Is workers' comp just for work place accidents?*

A: Workers' comp is for more than just accidents. In fact, many comp claims are for injuries caused by overuse or misuse over the course of time, like carpal tunnel syndrome or chronic back problems. It can also cover some illnesses and diseases that are the gradual result of working conditions, like heart conditions, lung problems, hearing loss, stress-related disorders and other issues.

## *Q: Are All On-the-Job Injuries Covered?*

A: There are certain exceptions to what is covered by workers' comp. For example, employees who have suffered harm from being under the influence of drugs or alcohol, injuries incurred as a result of criminal conduct and injuries that occurred while the employee was not on the job are not covered.

## *Q: May I See My Own Doctor While on Comp?*

A: Yes, you have the right to see your own doctor. However, you must also visit the doctor that your employer arranges for you. The reports from your doctors are a major component in whether you'll be eligible to receive benefits, and it is important to go to every appointment. Remember, the company's doctor is working for your employer, not you. So, he or she may try to minimize the severity of your injuries or attribute them to a pre-existing condition. When you visit the company doctor be honest, and limit the conversation to significant previous injuries and your workplace injury.

## *Q: Can I Sue My Employer for My Work Accident or Injury?*

A: In most cases, NO. Workers' compensation is your only remedy for a workplace accident, injury or illness. However, in certain, limited circumstances, you may be able to file a lawsuit against your employer or third-party agent that contributed to your injury.

## *Q: Will I Get Fired if I Report My Accident or Apply for Comp?*

A: It is against the law for your employer to fire or punish you due to the fact that you had a work-acquired illness, injury or accident. Don't let yourself be intimidated or threatened. Contact a qualified workers' compensation attorney to find out your rights.

**When most people think about workers' compensation, they picture a construction worker, a machine operator or laborer at a dangerous jobsite. However, work place injuries affect all workers, and we are seeing an increased number of office workers, nurses, and others applying for these benefits. If you have questions about a workplace accident or about workers' compensation benefits, call our attorneys today.**

 **Cut this page out & save it!**

# NB&A Practice Areas

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# ATTENTION!

## *Hip / Knee Implant Patients*



When your doctor told you that you needed joint replacement surgery, you thought the operation would bring you freedom from joint pain. However, some patients nationwide are experiencing problems with their hip and knee implants, and many are facing revision surgery and a long, painful healing process. You may not have known that your implant was going to fail and cause you pain, but you should know your legal rights.

The medical device attorneys at Neblett, Beard & Arsenaault are currently investigating claims on behalf of victims who believe their hip and knee implant devices are defective.

## *Ford Diesel Owners*



Class action lawsuits have alleged that the engines of some Ford Super Duty trucks and Excursion vehicles may be defective, leaving Ford owners facing thousands of dollars in repair bills, loss of use of their vehicles and diminished resale value. The lawsuits have been filed against Ford Motor Company and Navistar, the makers of the engines, across the United States.

Owners of Ford vehicles with 2003-2007 Ford 6L Power Stroke Diesel Engines may be eligible for compensation under the law.

## *Fosamax Patients*



After being diagnosed with osteoporosis, you probably feared the worst. Then, you started taking Fosamax (alendronate sodium), believing that it would help prevent bone mass loss and reduce the risk of broken bones. However, for some women, this may not be the case. Lawsuits have been filed against the makers of Fosamax after victims have come forward with reports of devastating femur fractures they believe are linked to taking Fosamax.

You didn't ask for the harm Fosamax caused, but you should ask for compensation.