



Kalfus & Nachman



INJURY AND DISABILITY LAWYERS

NEWSLETTER

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Page 1

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In This Issue...

- ✔ Surgical Errors – An All-Too Frequent Reality
- ✔ How Social Media can harm your lawsuit during a pending suit –
Written by K&N
- ✔ Kalfus & Nachman Celebrates 35th
- ✔ Referrals Mean the World to Us

Surgical Errors – An All-Too Frequent Reality

All surgeries, from a seemingly simple knee arthroscopy to open-heart surgery, carry elements of risk. But unexpected mistakes in the operating room go beyond any predictable risk.



Surgical errors can result in serious health complications and even death – and are costly. In 2013, the American Medical News reported that **80 operating room errors occur each week** – leading to \$1.3 billion in medical liability payouts over the last 20 years.

Types of Surgical Errors

A surgical error is an unexpected mistake that is preventable. Some examples include:

- Operating on the wrong body part or even the wrong patient
- Administering too little or too much anesthesia
- Injuring a nerve
- Leaving a piece of surgical equipment like an instrument or sponge inside the patient
- Making the incision at the wrong location
- Damaging neighboring organs
- Plastic surgery problems
- Blood type mismatch

....continued on page 2

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....continued from page 1 **Surgical Errors – An All-Too....**

Why Do Surgical Errors Occur?

Just as no two surgeries are alike, every surgical error has its own unique scenario. Here are some of the most common reasons for these types of mistakes:

- Incompetence of the surgeon due to lack of skill or inexperience.
- Inadequate preoperative planning by anyone involved in the procedure, including the surgeon, anesthesiologist, nurses and other assistants.
- Lack of supervision.
- Taking shortcuts and avoiding necessary steps.
- Fatigue from long work shifts.
- Operating under the influence of drugs or alcohol.
- Inadequate communication between patient and surgeon, or between the surgeon and others involved in the surgery.
- Neglect such as using defective surgical equipment or non-sterile instruments.

Surgical Errors Can Have Far-Reaching Effects

If you or a family member is a victim of a surgical error, you may experience life-altering complications, some of which may be permanent. Your ability to work and take care of a family, and even mobility may be permanently damaged.

However, not all surgical errors signify medical malpractice liability. Any medical treatment like surgery may be deemed medical malpractice if a mistake was made that fell below medical care standards **and** by which you were harmed.

If you or a family member have suffered damages as a result of surgical error or other personal injury, it's important to get an attorney experienced in these types of cases involved immediately. Call **800-361-0430** for your initial free consultation. Kalfus & Nachman PC, Personal Injury attorney in Norfolk, can help you determine whether you need a lawyer for any personal injury case.

How Social Media can harm your lawsuit during a pending suit – Written by K&N

Using social media without thinking is becoming the best way to wreck your personal injury case. In order for you to be compensated for the injuries you sustained in a negligence case, you must be able to prove that the injuries you suffer from are caused by the accident. The insurance company will try to show that your injuries were either preexisting (before the accident) or related to something other than the accident. If it is not related to the accident, you will not be compensated for it.



....continued on page 3

Our Attorneys



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**Ask an Attorney
a Question**

....continued from page 2 **How Social Media can harm your lawsuit during a....**

That is why most insurance companies search all your social media feeds for pictures or comments that show either you are not as injured as you claim to be or evidence that you are doing things you say you cannot do. They will look for prior or current risky behavior like sky diving, motorcycle riding, horseback riding, heavy lifting, or excessive alcohol consumption. Does every post on your Facebook page have you or a friend with an alcoholic drink?

In a recent case, a client testified that his back injury was caused by an automobile accident. He went to the emergency room on the day of the accident. He next went to his family doctor 20 days later complaining of low back pain for the first time. At his deposition he was asked if he raced motocross (motorcycles) between the date of the accident and his first visit to his family doctor. He said he had not. The insurance company lawyer then showed him pictures from his Facebook page showing him racing a motorcycle and jumping moguls three days before the doctor visit where he complained of back pain. Now the client was caught in a lie and it is nearly impossible to prove the back injury is related to the accident as opposed to the motorcycle jumping.

So how do you protect yourself?

- Set your privacy settings so only friends can see your social media pages (not insurance adjusters).
- Only accept friend requests from people you actually know.
- Go through all your friends and de-friend people you do not really know.
- Following your injury, do not post any photos of you doing anything. Do not talk about your accident at all. Do not post any photos of the accident or your injuries. Do not post any photos of vacations. Do not post any photos of alcohol or unflattering poses. If you have any questions, call your attorney.

Kalfus & Nachman Celebrates 35th

Kalfus & Nachman PC are proud to announce they are celebrating 35 years in business. Abe Kalfus & Stuart Nachman, the two founding partners are still practicing lawyers at the renowned firm, located at its original office on 870 N. Military Highway, Norfolk, VA 23502.

Since being incorporated on December 7, 1979, Kalfus & Nachman have dedicated themselves to helping victims and their loved ones get the compensation they deserve. They have grown from a small firm, to leaders in their community capable of handling complex legal matters with multi-million dollar resolutions.

"It's hard to believe it's already been 35 years," said Norfolk accident attorney Abe Kalfus. "We have had the unique advantage of growing with our community members and helping them in their time of need. We focus on giving back and educating our community, and we look forward to what each year has to offer."

Over the last 35 years Kalfus & Nachman has prided itself in not only representing victims, but also giving back to their community including:

- Making regular appearances on the Hampton Roads Show "Legal Matters" segment
- Partnering in projects with local high schools in the Hampton Roads Area to build awareness to "End Distracted Driving Amongst Teens"
- Partnering with the Making Strides for Breast Cancer on the Peninsula
- Partnering with ForKids in Norfolk, VA adopting students for the back to school program
- Donating candy for 1,000 kids at Safety Town for Safe Halloween in Portsmouth, VA
- Currently, (2) two attorneys are serving as appointed members of Governor McAuliffe's Administration.
- The law office is a 2014 Choice Awards Recipient



....continued on page 4

....continued from page 3 **Kalfus & Nachman Celebrates 35th**



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Happy Valentine's Day from the Team at Kalfus & Nachman, PC

Tell us on Facebook or Twitter @Kalfusnachman and post your funniest Valentine Photo. Win a \$25.00 Gift.
(Must 18 years or older to participate; one entry per person; all entries must be received no later than 2/21/2015)



As Seen On WAVY TV

Tune in for New Legal Matter Segments on

Feb 12, 2015 on WAVY TV at 11:00 AM

Feb 26, 2015 on WAVY TV at 11:00 AM