



Kalfus & Nachman



INJURY AND DISABILITY LAWYERS

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Diet Aids – Helpful or Harmful?

It’s a fact that Americans are growing every day – but not in a healthy way. The American Heart Association reports that 78.4 million adults and 12.7 million children ages 2-19 are obese (meaning a body mass index of 30.0+).



Diet product ads that proclaim “Lose 15 pounds in a week!” mislead consumers and promote drugs with unknown side effects. The safest way to shed those extra pounds is **slowly** by controlling portion sizes, eating healthy foods and getting regular physical exercise.

Prescription Diet Aids

Some prescription diet pills act as appetite suppressants; one example is phentermine which is marketed as Belviq. Others like Qsymia are calorie burning intensifiers or fat absorption inhibitors like orlistat.

When paired with a sensible eating plan, these drugs can achieve weight loss in the short-term. However, long-term success rates are still unknown, and reported side effects range from headache and anxiety to increased blood pressure and even liver and kidney failure.

Over-the-Counter Diet Aids

These diet pills do not have to meet the same stringent testing and manufacturing standards as prescription drugs. Here are some trendy diet aids available without a prescription:

- Alli claims to decrease fat absorption. Side effects include changes in bowel habits and, rarely, liver damage.
 - Manufacturers say that green tea extract increases fat and calorie metabolism while decreasing appetite, but can result in dizziness, insomnia, nausea, gas and bloating.
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- Bitter orange purportedly burns more calories but may elevate heart rate and blood pressure.
- Hoodia claims to decrease appetite, but there is little information on either effectiveness or side effects.
- Guar gum professes to block fat absorption and make you feel full. Side effects include abdominal pain, gas and diarrhea.

Are they effective? The jury is still out. You can find information on these and other diet aids at this FDA <http://www.fda.gov/Drugs/ResourcesForYou/Consumers/BuyingUsingMedicineSafely/MedicationHealthFraud/ucm243756.htm>.

Consult with Your Doctor

Always consult with your doctor before taking any prescription or over-the-counter diet aids to review potentially dangerous interactions with other medications and over the counter products.

Wrong-Way Drivers – A Fatal Error

Driving the wrong way on a one-way street can result in a head-on vehicle accident, but these most commonly occur on controlled-access highways including entrance and exit ramps. Although these types of accidents account for only 3% of all crashes on high-speed divided highways, the fatality rate is **27 times** that of other types of accidents, as reported by the Virginia Highway Research Council.



Causes of Wrong-Way Accidents

- **Alcohol or drug impairment** is one of the leading causes.
- **Driver fatigue** can reduce attention to the road and signage, as can other distractions like cellphone use.
- **Elderly drivers** may become confused and disoriented, and unable to follow travel directions.
- **Confusing ramp designs** can mislead drivers into entering the wrong ramp.
- **Inexperienced drivers**, or drivers with psychiatric or mental problems, can misinterpret on-ramp signage.

Be Alert for Wrong-Way Drivers

Drivers should try to remain in the right-most highway lanes. A driver entering a highway going the wrong way will usually stay in what they believe is the right lane, which will be the left lane for drivers moving in the correct direction.

If you encounter a wrong-way driver and have enough time to react, try to:

- Pull over and stop on the right shoulder immediately.
- After stopping on the shoulder, blow the car horn and flash headlights to try to get the driver's attention.
- Call 911 as soon as driver has passed.
- Never turn around to follow and alert the driver. Let the police handle this.

New Wrong-Way Alert Technology

Some car manufacturers like Nissan, Toyota and BMW are building wrong-way alert systems into newer models. These products use GPS data to warn drivers that the vehicle is going the wrong way at controlled-access highway ramps or interchanges.

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**Ask an Attorney
a Question**

Have You Made a New Year's Resolution to Join a Fitness Gym?

Physical injuries from over exerting your body or pulling a muscle are not the only physical injuries that you can encounter at the gym. Injuries at the gym can occur from malfunctioning equipment to a slip and fall in the locker room. Do you know if your gym membership allows you to recover damages for personal injuries that are no fault of your own?

Before you sign your membership contract understand your gym's **liability waiver**.

Most gyms require you sign a liability waiver before you start, this allows the gym to protect themselves from lawsuits by enforcing liability waiver. However, depending on the type of liability waiver found in your contract, you may still be able to sue if you're injured at the gym.

Examples of Fitness Center liability waivers:

- Total waiver of liability. This means that the gym is free of all liability for any injury that occurs there. However, these types of agreements can be held unenforceable in court if they're overly broad.
- Waiver for negligence. This prevents gym members from suing for injuries caused by the gym or its employees' own negligence (i.e., accidents). These waivers are usually enforceable in court.
- Waiver of liability for intentional acts. In general, it's unconscionable or against public policy for courts to enforce waivers for intentional or reckless conduct that injures someone.

Potential Premises Liability Claims

Remember your fitness center is a business and the owner has a duty to ensure that the facility is reasonably safe for your use. Under premises liability laws, gym owners are responsible for inspecting the facility for defects and potential dangers. Even if the gym employees or owner didn't know about a dangerous condition, they may be liable if a proper inspection would've revealed it.

Deadline for GM Ignition Recall approaching 1/31/2015

Since February of 2014, General Motors (GM) has recalled more than 30 million vehicles for various malfunctioning parts. The recalls have been for everything from malfunctioning hoods to suspensions; fuel pumps to electrical problems. However, the main focus of the GM recall has been faulty ignition switches.

The faulty ignition switches can cause a vehicle to lose its power steering and power breaking abilities. It can also cause the airbag to fail to deploy in the case of an accident. When the ignition switches fail, the driver is unable to steer the vehicle properly which has caused hundreds of injuries and upwards of 30 deaths.

To date, the vehicles being recalled due to faulty ignition switches include the following:

- 2005-2007 Chevrolet Cobalt
- 2006-2007 Chevrolet HHR
- 2005-2006 Pontiac G4
- 2007 Pontiac G5
- 2005-2006 Pontiac Pursuit
- 2006-2007 Pontiac Solstice
- 2003-2007 Saturn Ion
- 2007 Saturn Sky

For a full list of all GM recalls, you can visit this website <https://recalls.gm.com/#/> and enter your VIN number. If you discover your vehicle is under a recall and have suffered any type of injury or your vehicle was damaged, you may be entitled to a settlement, so please contact the Norfolk defective product attorneys at Kalfus & Nachman today.



Attorney Spotlight

Colin P. O'Dawe Appointment – NORFOLK, VA, November, 16, 2014 – The law office of Kalfus & Nachman, PC is honored to have a member of its legal team appointed to Governor Terry McAuliffe's Administration for a four-year term. Colin P. O'Dawe, Esquire has been appointed to the Virginia Board of Corrections, a nine-member, policy-making Board appointed by the Governor of Virginia. The Board's mission is to enhance public safety by controlling and supervising sentenced offenders in a humane, cost-efficient manner, consistent with sound correctional principles and constitutional standards (Code Section 53.1-2). "We are honored to have Colin P. O'Dawe on our legal team and wish him much success as he serves the citizens of the Commonwealth of Virginia, on the Board of Corrections," said Norfolk attorney Abe Kalfus.



Win a House, Help Save Kids' Lives

Kalfus & Nachman- Proud Sponsor of the St. Jude Dream Home Giveaway

<https://www.stjude.org/dhgreaterhamptonroads>

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For more information please go to the St. Jude Dream Home website for the giveaway in Hampton Roads. We are busy finalizing plans for our upcoming giveaway scheduled for April of 2015. Tickets will be available for this giveaway beginning in January.



Happy New Year from the team at
Kalfus & Nachman

HAPPY NEW YEAR



As Seen On WAVY TV