

Page 1

- Darlene Russell to Staff New Ches Crosbie Barristers Office in Bay Roberts
- Avoid an Accident on Cruise Control

Page 2

- Dog Bite Epidemic: Do I Have A Claim?
- Moose Vehicle Collisions to be Election Issue?

Page 3

- Contest to Caption Moose Man Cartoon
- Frequently Asked Question
- Key Return Program

This newsletter is published by Ches Crosbie Barristers. It is for information purposes only and no legal advice is intended.

169 Water Street  
St. John's, NL A1C 1B1

(709) 579-4000 PH  
(709) 579-9671 FX  
Toll Free (888) 579-3262  
email - [ccb@chescrosbie.com](mailto:ccb@chescrosbie.com)

Visit our website  
for more information

[www.ChesCrosbie.com](http://www.ChesCrosbie.com)

To unsubscribe to this newsletter, please  
call 1-888-579-3262.

## Darlene Russell to Staff New Ches Crosbie Barristers Office in Bay Roberts

Ches Crosbie Barristers has opened a new branch office to better serve clients in the Conception Bay North area.

The office will be staffed by Bay Roberts native Darlene Russell, who lives around the corner from our temporary office located at the Town Council Office in Clarke's Beach. A more permanent office will be opened in the fall.

Darlene will be dividing her time between Conception Bay North and St. John's.

Darlene has been practicing in the field of personal injury law with Ches Crosbie Barristers in St. John's for 17 years. She grew up in Bay Roberts and currently resides in Clarke's Beach, and looks forward to spending more time in the area.

Over the years, she has represented many people from Conception Bay North, particularly those with auto accident injuries. She will now be offering the convenience of a nearby location for existing and new clients.



To request your free consultation with Darlene, call 1-888-579-3262.

## Avoid an Accident on Cruise Control

My mother passed something on to me recently involving the following potentially life-saving driving tip: **never drive in the rain with your cruise control on!**

The reason is if your car begins to hydroplane, your tires have lost contact with the pavement and will accelerate to a higher rate of speed. Not good!

Aware of the take-off phenomenon, some vehicle manufacturers disable the cruise control when the windshield wipers are on.

This safety point is all the more important in Newfoundland, with our water-filled ruts on the highways.

# Dog Bite Epidemic: Do I Have A Claim?

Yes, there is an epidemic of dog bites, certainly in the United States. According to the Centre for Disease Control and Prevention (CDCP), two percent of the population of the United States is bitten annually! One out of every six bites is serious. The rising number of dog bites is linked to the increasing dog population. I don't have statistics on dog bites for Canada, but as in most things, there is reason to believe that dog bites in Canada cannot be far behind.

And yes, you can make a legal claim for injuries suffered in a dog attack. In Newfoundland and Labrador we have a *Dog Act*. The *Dog Act* effectively imposes what amounts to strict liability on the owner of a dog which causes injury, with no proof of negligence necessary. The challenge then becomes identifying insurance or other assets that can respond to and pay a claim, but the good news is that most people have mortgages, and banks require home owner insurance to be carried. Home owner insurance typically covers personally injuries caused by the owner, including by dogs.

And yes, we handle dog bite cases.

If you are the victim of a serious dog bite, talk to one of our experienced lawyers. Here are some tips which may help you avoid being bitten by a dog:

- When approaching a dog that does not know you, you should first ask the owner for permission. Then hold your hand out palm up with your fingers closed, and walk slowly towards the dog. Allow the dog to come to you and smell you.
- If you encounter an aggressive dog, stand still and do not make eye contact because this can initiate a challenge of power with the dog. Do not smile because showing teeth is an instant trigger for a dog to be aggressive.
- In the unfortunate event that you are attacked by an aggressive dog do not move. A still target is boring to a dog and they will usually walk away. Do not run. You

cannot out run a dog and running will only further excite the dog. Do not look the dog in the eyes. Use a soothing voice to talk to the dog no matter how difficult. Keep your fingers curled in to protect them and arms down. Do not pull away if the dog bites you. Do not hit the dog. If you are on the ground, curl into the fetal position to protect your head and face.

## Referrals

We appreciate your referrals of family and friends ... show them you care enough to help.

1-888-579-3262

# Moose Vehicle Collisions to be Election Issue?

There is no question that moose vehicle collisions on the highways of Newfoundland is an emotional issue. The government has tried to insulate itself from criticism generated by the Moose Vehicle Class Action by

dramatically increasing the number of hunting licences for moose, and by announcing \$5 million in spending on moose fencing and moose warning pilot projects.

Nobody would disagree that were it not for

the class action, government would have remained with its head firmly stuck in the sand, doing nothing at all.

The irony is that in their press releases announcing these measures, ministers have expressly acknowledged moose over-population and the lack of fencing as contributing to the high collision rate! The members of the class action say that

this realization comes 10 or 15 years too late.

Left out of the announcements, of course, is any commitment to enter talks with the members of the class action aimed at settling their claims. Remember, we are talking about only 75 people here, who were admitted as inpatients to hospital, and in many cases their injuries are devastating. Had government not tried to ignore the moose issue all these years, many of these injuries would not have happened.

Government is trying to ignore the vulnerable—those who acquired devastating injuries due to years of government neglect.

The election must be called in mid-September, and voting day is October 11. Has the moose issue gone away? Stay tuned!



I saw these imposing bulls at the American Museum of Natural History, on a business trip to New York last week. The bull on the right has the largest rack ever measured, I think it said 77 inches. No motor vehicle is coming out a winner in a clash with those guys!

# Contest to Caption Moose Man Cartoon

Send in your best shot at a humorous byline for the cartoon of Ches in courtroom gear with the bull moose, and we will send the winner a Keg gift certificate to the value of \$100 (or if you prefer, a Visa gift card in the same amount).

Contest closes **October 31, 2011**, so get your entries in! Entries should be sent by email to [ccb@chescrosbie.com](mailto:ccb@chescrosbie.com).



## Frequently Asked Question

**Q.** I took out a \$500 payday loan, repaid it a couple of times at outrageous rates and then lost my job. I couldn't repay the last time so now a lawyer representing the payday loan company is threatening to sue for \$4,500 in damages. Definitely need some legal advice here please.

**A.** You have a valid defence in that (presumably) you have been paying a criminal interest rate, which is anything greater than 60% per annum including fees. In addition, the government of this province has decided not to regulate payday lending and has instructed the police to investigate. I have been contacted by the police myself in connection with payday lenders we have files on, and I think they will take an interest in the matter if you were to complain..

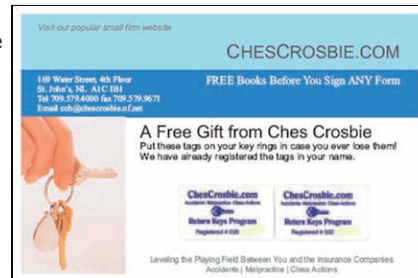
## Key Return Program

Ches Crosbie Barristers' popular Key Return Program saves

our friends and clients headache and hassle. The way it works is that before we send them to you, we record the unique keytag number

along with your name and address in our database. If your keys are ever

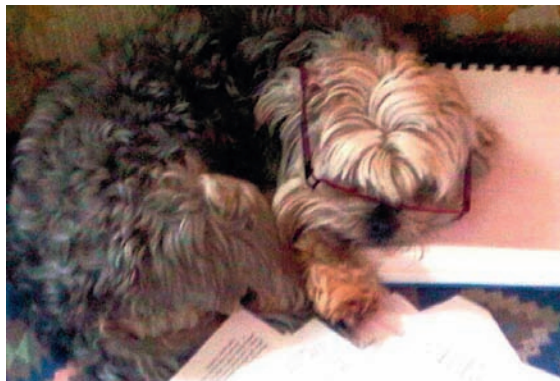
found, the finder can call a toll-free number and report the keytag number to us. We then arrange for



the return of the keys to US (not you, the finder will NEVER learn your identity) and we arrange for the reward.

If you don't have a Ches Crosbie Barristers keytag on your keys, contact us at [ccb@chescrosbie.com](mailto:ccb@chescrosbie.com) and we'll rush a set right out to you.

There is no reason to not be a part of this FREE BENEFIT provided by Ches Crosbie Barristers.■



Charlotte Crosbie's Riley (above) helps her study for the bar exam, but Dermot Flight might have been a better choice, he looks a lot more studious—and awake!



**CHES CROSBIE**

BARRISTERS

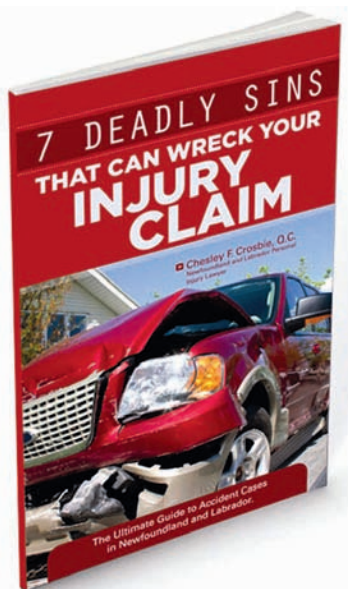
Accidents | Malpractice | Class Actions

169 Water Street, 4th Floor  
St. John's, NL A1C 1B1

## FREE Information for Accident Victims

Think most lawyer ads aren't helpful?

So do we.



**7 Deadly Sins That Can Wreck Your Injury Claim** covers a wide array of accident claims topics such as, who should pay your medical bills and lost wages. The book also details how to work with a claims adjuster, medical treatment considerations, and how to determine if you really need the assistance of a lawyer.

Visit

[www.ChesCrosbie.com](http://www.ChesCrosbie.com)  
to order your free copy.

Find us on

**facebook** [www.facebook.com/chescrosbiebarristers](http://www.facebook.com/chescrosbiebarristers)

This publication is intended to educate the general public about personal injury, medical malpractice, insurance, and small business issues. It is not intended to be legal advice. Every case is different. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.