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HAVE NO FEAR, WE ARE HERE

Overcoming Fears of Lawsuits and Depositions

A common theme around Halloween time is fear. Haunted houses, horror movies, scary costumes, and spooky decorations all play a part in making the end of October eerie. Halloween always leads me to think of common fears that clients may have surrounding their case and what I can do to help alleviate their anxiety.

I have found that my clients' biggest fear is filing a lawsuit. It sounds intimidating, and they begin to worry about what filing the lawsuit will mean and how the process will play out, and they may even have anxiety over feeling guilty for doing so.

Unfortunately, in Florida, insurance companies are notoriously nefarious — they do not like to pay out claims. They tend to do everything in their power to avoid paying at all, let alone in a timely manner. Thus, we have many laws in place to try to keep these companies in check.

Some of my clients recently moved from out of state and are shocked at the difficulty in getting Florida insurance companies to pay out their claims. They've told me that where they come from, when they had claims in the past, the insurance company came right out and paid right away. After all, that's why we have insurance, right?

Another fear many clients have is sitting for a deposition. Any time anyone is under oath, the anxiety surrounding the situation gets amped up. As a lawyer, I've sat through countless depositions. But for my clients, it's often the first time they've ever been deposed, so I realize it can be very nerve-wracking. I do everything I can to prepare them. We sit down, strategize, rehearse, and have as many planning sessions necessary until they feel ready and comfortable.

I've found that oftentimes, clients are so cautious and concentrate so hard to be sure to answer questions correctly that this can lead them to say the wrong thing. In questioning, they tend to be agreeable to the person questioning them and may say things that are not the truth. They are not trying to lie, but the opposing counsel's method of questioning is strategized in such a way to lead them to answer incorrectly.

I'm constantly reminding my clients that it is absolutely "legal" to say, "I don't know" or "I don't recall." Many times, people, in the spur of the moment, will just blurt out something because they are nervous.

Insurance companies like to try to mischaracterize statements and twist events to avoid having to pay. That is the main reason I am present in a deposition — to make sure the insurance company is behaving itself, so to speak. I do not allow its representatives to cross any lines. I can even, in some cases, get a judge on the line to make a determination. I am there to offer protection for my clients so they can walk into a deposition wearing a metaphorical suit of armor.

Usually, after a client's first deposition is over, they are relieved and admit that it was not as horrifying as they thought it would be. They come out feeling ready to take on the world after that adrenaline rush. I always joke with my clients and say I should get them an "I Survived My First Deposition" T-shirt.

Due to the pandemic, clients have been able to attend their depositions from the comfort of their own homes via Zoom. Before, they had to appear at a court reporter's office or at the office of the insurance company. Zoom depositions helped to alleviate a lot of the nerves.

I can relate to the anxiety many feel when it is time to take the stand. On my first day, fresh out of law school, I showed up at my first job expecting to receive some training, a tour of the office and procedures, and to possibly have the opportunity to shadow an employee. Instead, I was handed a file and told I will be going to court to argue a motion in one hour. I was shocked! It was trial by fire. I was so nervous, but I ended up truly enjoying the experience. Ultimately, it led me to the career I have today. I was not planning on going into litigation, but the experience opened my eyes to a side of law that captivated me.

Remember, there is no need to fear filing a lawsuit or entering a deposition. With The Whisler Law Firm on your side, you are never alone. If you think we should give each client an "I Survived My First Deposition" T-shirt, email Isabella today at IRodriguez@whislerlawfirm.com with a "Yes" vote. If we get at least 50 votes, we will put this policy into action!



Josh Whisler

Corn Mazes Date Back to Ancient Greece?

A HISTORICAL LOOK AT THIS WACKY FALL TRADITION

Exploring a corn maze is a great way to get outside and enjoy the fall season with friends and family — but who came up with the idea of wandering around a corn field for fun? As it turns out, outdoor mazes are an ancient tradition, and the American corn maze of the '90s sprouted from the mazes of 17th-century European gardens. Don't believe it? Here's a quick tour of corn maze history.

The Minotaur and the Maze

Have you heard of Theseus and the Minotaur? This ancient Greek legend tells the story of the hero Theseus, who ventured into an elaborate maze to kill the half-man, half-bull imprisoned there. The monstrous Minotaur was known to eat heroes, and the labyrinth was known to trap them, but Theseus managed to slay the Minotaur and find his way home with the help of a string that he unspooled as he walked.



This story isn't the first recorded example of a maze or labyrinth — according to the World History encyclopedia, "[L]abyrinths and labyrinthine symbols have been dated to the Neolithic Age in regions as diverse as modern-day Turkey, Ireland, Greece, and India, among others" — but it's perhaps the most famous ancient tale. If you've ever navigated a Halloween corn maze staffed by ghouls and ghosts, you can see the parallels!

Garden Art to Get Lost In

Mazes formed from bushes began popping up in European gardens in the 17th century. They were a popular artistic feature of upper-class gardens in England, more for looking at than solving. One famous example is the half-mile-long Hampton Maze, which was planted in 1690 and still stands today.

The Corn Maze: An American Invention

Garden mazes eventually hopped the pond to America but didn't become interactive puzzles until Don Frantz, Creative Director of the American Maze Company, came on the scene. In 1993, Frantz created the "first ever cornfield maze for private and public entertainment" to attract college kids in Pennsylvania. Today, every small-town corn maze is a descendant of his "Amazing Maize Maze." To learn more about that wacky history, visit AmericanMaze.com.



In Florida, hurricanes cause lots of damage and the rainy summers aren't much help, either. When disaster strikes or something goes wrong within a home, Floridians want to seek out repairs but may not have a large enough savings to do so. As discussed in the cover article, insurance companies are notoriously difficult to deal with and may take a long time to pay out the claim, IF they pay it out at all. Thus, many people who find themselves in this situation may drain their savings, have no way to pay for the repairs, or be left with nowhere to live while they scramble to come up with a solution.

An assignment of benefits, or AOB, can be the key to a situation like this. An assignment of benefits allows for repair and mold remediation companies to perform the services without the homeowner having to pay. Essentially, it gives a third party the authority to make repair decisions, file a claim, and collect the payments on behalf of the homeowner. It is often referred to as "a customer-friendly and efficient way to pay claims." The way it works is that the insurance company will pay at a later date. However, many insurance companies may be skeptical of a standing assignment of benefits, but that's where we come in!

We are here to assist the restoration companies in drafting proper and legally binding contracts while helping to document the expenses and file a claim in a timely manner — making sure the insurer does not skirt by with a low-ball settlement amount.

If you have any questions or concerns about an assignment of benefits or would like more information, contact the professionals at The Whisler Law Firm today for assistance!

ELECTRIC SCOOTER 101 *What You Need to Know*

Electric scooters are a fabulous and simple mode of transportation for getting from point A to point B. Since electric scooters have gained popularity in Florida, accidents involving them have increased. If you currently own a scooter, plan to own a scooter, or even if you don't own one but still drive your vehicle on the roadways, it is important that you understand the rules scooter operators need to follow.

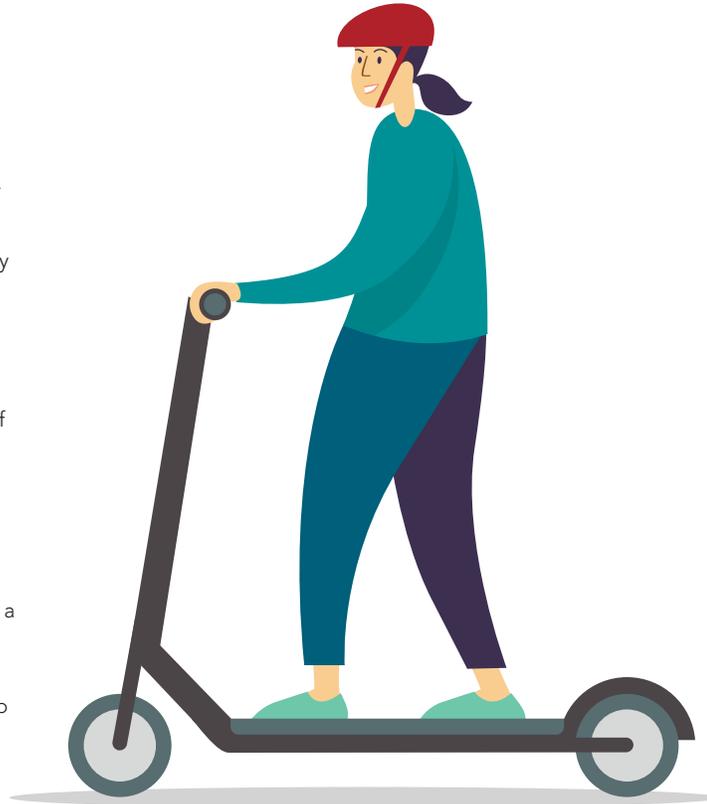
Scooter riders must operate their scooter in a safe manner that is in compliance with all of the rules of the road and sidewalk. These vehicles can reach speeds of 20 mph and thus must obey all of the same rules of the road as other motor vehicle operators. After all, they share the road with automobiles, trucks, and bicyclists. And yes, you guessed it: To legally operate a scooter in the state of Florida, one must have a valid driver's license.

A helmet must be worn at all times when riding an electric scooter, and if the police stop you and find you in violation of this, you may be fined. Many cities also limit the number of people allowed to ride on a scooter to only one person.

When it comes to scooter accidents, determining liability can be difficult. It can be tough to get the compensation you deserve if you are involved in a crash on a scooter and you are not at fault. Don't forget that sometimes the scooter company or the city can even be the party at fault in the event of an accident. Road conditions and scooter mechanics play a large role in the safe and optimal operation of an electric scooter.

For all of your scooter questions and concerns, The Whisler Law Firm is always prepared to answer any you may have.

Remember, safety first!



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WhislerLawFirm.com and
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webinars any time!**

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complimentary Will or
Trust consultation!**

Questions?

Call 833-529-5677

**"Give light and people
will find the way."**

—Ella Baker

ONE-PAN VEGGIES AND CHICKEN

What's better than a healthy, seasonal dinner? How about one that requires minimal effort too?

INGREDIENTS

- 1 sweet potato, cubed
- 1 lb Brussels sprouts, halved
- 2 apples, sliced
- 4 chicken thighs
- 4 tbsp olive oil
- Salt and pepper, to taste
- 3 cloves garlic, minced
- 1 tbsp rosemary
- 2 tbsp thyme

DIRECTIONS

1. Preheat oven to 400 F.
2. On a baking sheet, add potatoes, Brussels sprouts, and apples. Layer chicken thighs on top.
3. Drizzle with olive oil. Then season with salt, pepper, garlic, rosemary, and thyme.
4. Turn chicken over and add seasoning to the back side. Return skin-side up before baking.
5. Bake for 30 minutes, and broil for 5–10 minutes afterward.

Inspired by Tasty.co

We're so grateful for all the feedback on our newsletter! If you have anything you'd like to share, we'd love to hear from you.

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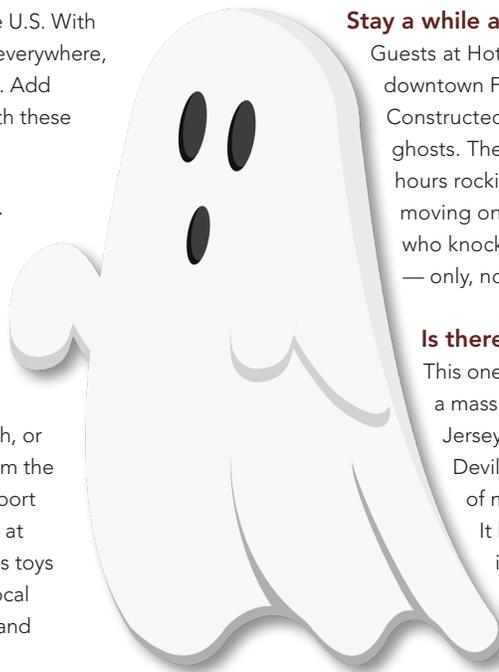
GHOSTS ACROSS AMERICA

3 Haunted Spots Every Ghost Believer Will Love

October is one of the best months for travel in the U.S. With mild temperatures and gorgeous, colorful leaves everywhere, there's no better time for a cross-country road trip. Add some Halloween flair to your October vacation with these three ghostly attractions.

Visit the most haunted town in the U.S. — Waynesville, Ohio.

Sure, New Orleans may have a spooky past, but it doesn't compare to Waynesville. Many residents and visitors think this Ohio town is rife with ghosts. You may hear cries to "hurry up" at The Hammel House Inn, where many tunnels for the underground railroad came through, or you could see the apparition of a businessman from the 1800s who "never checked out." Other sources report hauntings at the town's historical society, Museum at the Friends Home, including a little girl who moves toys and sits on the porch. The society leans into the local fascination and hosts regular walking ghost tours and ghost hunting classes.



Stay a while at Hotel Monte Vista in Flagstaff, Arizona.

Guests at Hotel Monte Vista have often enjoyed long stays at the downtown Flagstaff, Arizona, hotel, but not everyone leaves. Constructed in 1927, the hotel is host to a number of reported ghosts. The most well-known is an elderly woman who would spend hours rocking in the chair in her room. Today, her chair can be found moving on its own. Another popular visitor is the ghost of a bellboy who knocks on doors and announces that room service has arrived — only, no one's there.

Is there a monster in Pine Barrens, New Jersey?

This one's for those who love mysterious creatures. Pine Barrens is a mass of forested land that spreads across seven counties in New Jersey — and its most famous resident isn't human. The Jersey Devil has a long, storied history and is said to be a combination of many animals: Its body is shaped like a kangaroo with wings. It has the head of a dog but the face of a horse. The creature is believed to have had a sickly start to life in 1735 and has stayed to haunt the forest's inhabitants and even those who visit the area today.