

## *Featured Case:*

### **Settlement of Claim Against the State of Georgia**

On June 20, 2012, our client was riding his bicycle on Georgia Highway 77 in Oglethorpe County, Georgia when an employee of Advantage Behavioral Health Systems, a Community Service Board for the State of Georgia, lost control of her vehicle and struck our client from behind. Our client was propelled into the car windshield and down onto the asphalt.

Our client was in fantastic health before the crash. In fact, he had just won a triathlon. As a result of the crash, he suffered a closed head injury, significant scarring, an injury to his shoulder requiring surgery, as well as injuries to his neck and lower back. We were hired to pursue a claim against the at fault driver. Since the driver was a State employee, we had to place the State of Georgia on notice of our claim within one year of our client's wreck. This notice is called an ante litem notice.

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## The New Year Brings New Beginnings

**At The Cooper Firm, we are excited about 2014 and beyond. Moving forward, we chose the knight as a symbol to represent our firm. Why?**

While the game of chess holds none of the life changing consequences which are part of our clients' cases, chess represents well the way we handle every case. We thought a chess piece made perfect sense since the cases we handle on behalf of our clients are similar to a game of chess. A successful strategy in chess includes three main tasks: (1) evaluating the positions of the chess pieces on the board, (2) setting up goals to meet throughout the game, (3) having a long term plan to checkmate the opponent. Of course, throughout the game, the player must also maintain the flexibility to adjust "on the fly."

From the outset, we must have a similar strategy. Planning, execution, and flexibility are crucial in our cases, as with chess.



**Lance Cooper**

The knight reminds us that there is a process that we must follow in order to maximize the opportunity to achieve successful results on behalf of our clients.

In addition, because the knight has a unique ability to move, it should always be at the center of the board close to where the action is. The knight reminds us that each day we must also be "where the action is" for our clients. We hope that the knight becomes a recognized symbol for our firm, so that when you see it you are reminded of our commitment to relentlessly pursue justice on behalf of our clients.

Be sure to check out our updated website at [thecooperfirm.com](http://thecooperfirm.com) to meet our team and see what is new.

# The Growing Epidemic of Prescription Painkiller Abuse

Meet Karen, a 40-year-old mother who has had back pain for several years. Karen went to her primary physician and was prescribed a generic version of Vicodin. After taking the Vicodin for a few weeks the pain returned and Karen ended up at several pain specialists who gave her different forms and combinations of opioid drugs such as oxycodone, morphine, and hydrocodone. A few months later Karen was depressed and suicidal.

While this may seem extreme, stories like Karen's are happening all over the United States, and many end in death. Between 1999 and 2012 nearly 48,000 women died of prescription painkiller overdoses. Many deaths occur from prescription painkillers binding to receptors in the brain which decrease perception. This can lead to feelings of euphoria and dependence which commonly end in depression. Because the drugs can cause sedation, they can also slow down breathing triggering a person to stop breathing altogether. Some say that this epidemic is a result of pharmacy theft, but the majority of deaths start with prescriptions from doctors.

The epidemic seems to have sparked from the greed of pharmaceutical companies. Certain pharmaceutical companies worked to rebrand their drugs as remedies for chronic pain. Most of these drugs were created and reserved for the use of end-stage cancer patients and were not tested on patients who were not in severe non-cancer pain. Sales have soared for these companies. Coupons were even given out for 30-day free trials. While the FDA cracked down on the majority of companies who were mislabeling, it has done little to make it inconvenient to obtain these strong prescription painkillers. In some states, consumers can simply call and request the prescription of most opioid drugs without having to see a doctor. The FDA has looked into changing the access of these drugs over the phone but stated that it is a complex, scientific, medical and legal issue, and that they are still in the process



of reviewing comments from the public. Some health care providers feel that further regulations will inhibit and cause inconvenience for patients who truly need the medication.

*“Between 1999-2012 nearly 48,000 women died of prescription painkiller overdoses.”*

The CDC recommends that States start using Prescription Monitoring Programs, also known as PDMPs, which are electronic databases that track prescriptions and the dispensing of medications to patients. PDMPs can give doctors a better idea of patients who are at potential risk of abuse or who are abusing currently. Health care providers can also be held accountable for their actions by setting up procedures and regulations that ensure that providers follow safe and effective prescriptions of painkillers. States can give aid by establishing laws to prevent drug abuse and doctor shopping. The FDA and the CDC have already taken measures to ensure that there is better access to treatment so that those who are struggling can receive the help they need.

Hopefully, in the future more awareness will be brought to this devastating epidemic. If you or anyone you know is struggling with substance abuse, do not hesitate to seek help. You can call **(1-800-622-Help)** or **(1-800-222-1222)** for more information.

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Georgia law sets out specific rules for when and how you must notify a county, city or state government if you intend to bring legal action. Separate Georgia statutes govern the service of ante litem notices on cities, counties and the State. Each has different time frames for the notice. Since our client's claim was against a State employee, the ante litem notice had to be filed within twelve months of the crash. Please keep this in mind if you believe you, or a family member, may have a claim against a government entity.

The Attorney General's Office for the State of Georgia defended our client's claim aggressively. Fortunately, we were able to negotiate a substantial settlement for our client.



## Featured Client: *Toby George*

**There are some people who firmly live out their beliefs in giving back to the community. Our client and friend, Toby George, is one of them. Although we met Toby as a result of the tragic death of her brother, Victor Sims, it was an honor to represent her and her family.**



Toby with her brother Victor at his graduation

Toby and Victor experienced the passing of their mother in 1992 from AIDS. Although Victor knew that Toby was his sister, at the age of five he asked if he could call her his mother, and she was known as his mother for the remainder of his life. Toby took the calling very seriously and raised Victor alongside her husband Y.G. Nyghtstorm, and their six children.

After Victor's death, Y.G. founded the Victor Sims Foundation and was joined by Toby and Mr. Orlando Hall who was also a father figure in Victor's life. The Victor Sims foundation assists in bringing families together. The foundation

supports children who wish to become first responders. It introduces students to current first responders and also offers a scholarship program. Through events such as "Family Fun Day" and "Celebration of Fathers," the Victor Sims Foundation brings families together while establishing and building up the family structure. The foundation also assists families monetarily who have lost a child. The mission of the foundation comes from Victor's love of family and desire to be an Atlanta firefighter.

The Victor Sims Foundation is not the only way that Toby and Y.G. give back. Toby is also the creator and co-developer of Luminous Life Frames which help companies and families display their most cherished life events and memorials of loved ones. Y.G. has gone on to become a motivational speaker and author who helps people understand how to deal with adversity in their lives. Toby and Y.G. both have their own talk radio show together, where they discuss some of life's most difficult situations and how to overcome them in a positive way.



The Victor Sims Foundation sponsored Future Heroes Group.

For more information on the Victor Sims Foundation and on Y.G. and Toby's talk radio show you can visit [www.victorsimsfoundation.org](http://www.victorsimsfoundation.org) and [www.nyghtstorm.com](http://www.nyghtstorm.com).

Victor's family has done a wonderful job at carrying out his legacy and we are grateful to have met and worked with them.





*Relentlessly Pursuing Justice*

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“With The Cooper Firm, I did not feel like just another client. Without the support and guidance of Lance, Amanda, and Linda, I don’t know that I would be where I am today. Thank you for all that you have done for my family and me. Given my situation, I believe most would have given up but you guys didn’t.”

- The Garrett Family, *Cooper Firm Client*