



GIACOLETTO  
LAW FIRM

The Road to Justice Starts Here

## Sparring over Tractor-Trailer Side Guards



Injuries and fatalities spurred by passenger-vehicle collisions with tractor-trailers and other large commercial trucks have been rising over the last decade. Side underride guards may help stem the tide.

Underride guards are metal bumpers/bars that hang from the back (and sometimes sides) of tractor-trailers to prevent passenger vehicles from sliding underneath them in a crash. Without underride guards, the consequences can be horrific: the tops of passenger vehicles sheared off; vehicles run over by a truck's wheels and dragged a distance; and devastating injuries and fatalities.

Rear underride guards were mandated by the federal government in 1996; enforcement began in 1998. Though not foolproof, they have decreased fatalities and the severity of crash injuries.

However, currently there is no mandate for side underride guards. In March 2021, senators and representatives in the U.S. Congress reintroduced the "Stop Underrides Act," which was previously rejected in 2017 and 2019. The new version requires side guards for all new trucks and trailers — instead of retrofitting older ones — and tweaks the "outdated" standards for rear underride guards.

The trucking industry opposes this legislation and counters with these arguments:

- Side guards add 500 to 800 pounds of weight to the trailer. Added weight and reduced payloads have economic implications.
- Trailers with side guards are less flexible. When operated on rough roads or those producing twisting forces, tractor-trailers are more likely to become disabled and pose a danger to other motorists.
- High centering of the side guards on steep changes in roadway levels can be problematic (e.g., elevated railroad crossings) — and potentially hazardous.

If you suffer harm in a truck crash resulting from another party's negligence, contact our office to protect your rights. ●



September 2021 News



# Mediterranean Chicken and Mushroom Skillet

Yield: 4 servings; prep: 35 min.; cook: 23 min.; total: 58 min.

September is National Chicken Month and National Mushroom Month. This tasty recipe covers both bases.

## INGREDIENTS

- 1 tablespoon olive oil
- 4 small boneless, skinless chicken breasts (1 lb.)
- 1 pound sliced fresh mushrooms
- 1 onion, finely chopped
- 1/2 cup chicken broth
- 1 clove garlic, minced
- 1/2 teaspoon dried thyme leaves
- 1/2 cup crumbled feta cheese
- 1 tablespoon chopped fresh parsley

## DIRECTIONS

**Step 1:** Heat oil in large nonstick skillet on medium-high heat. Add chicken; cook 6 to 8 min. on each side or until done (165 °F). Remove chicken from skillet, reserving drippings in skillet; cover chicken to keep warm.

**Step 2:** Add mushrooms and onions to drippings; cook 10 min., stirring occasionally. Add broth, garlic, and thyme; stir. Cook 5 min.; stir in cheese.

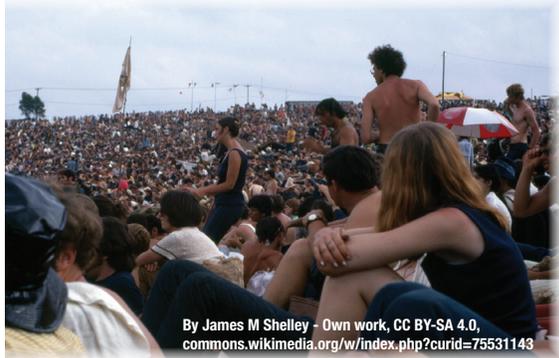
**Step 3:** Top chicken with mushroom mixture and parsley.

**SUGGESTION:** Serve with a mixed-greens salad or hot cooked brown rice.

Recipe courtesy of [www.myrecipes.com](http://www.myrecipes.com). •



# When Cows Went Counterculture



The most-talked-about music festival in U.S. history is Woodstock, which took place from August 15–18, 1969, in Bethel, New York — not the town of Woodstock.

Arrangements in Woodstock fell through a month before the festival's scheduled opening. Max Yasgur, a politically conservative dairy farmer who owned a 600-acre property in Bethel, offered to lease a portion of his farm for \$50,000 to take a stand for freedom of expression. Offer accepted; attendees regarded him as a hero.

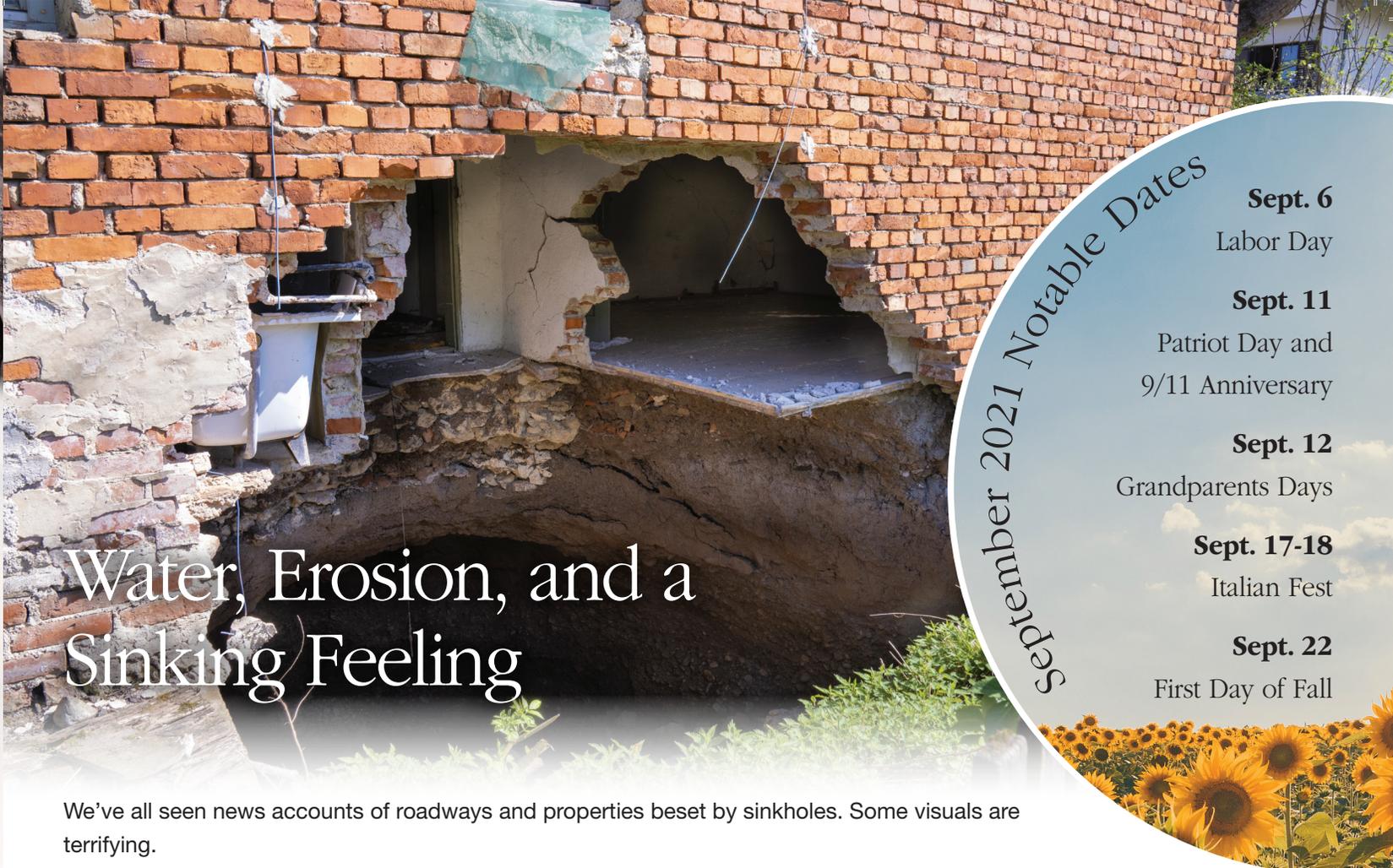
Organizers envisioned a festival of paying concertgoers. However, the compressed timeframe for event setup led to fencing and ticket booths getting short shrift. Over 400,000 attendees descended upon the festival, which became free by default.

For many arrivals, some of whom walked 20 miles to bypass nightmarish traffic, the camaraderie of a shared experience trumped the shortage of concession stands, portable toilets, and organization. Yasgur's cows mingled with the crowd, too, as grazing areas overlapped some of the campsites.

Although drug and alcohol use were pervasive, one chief of police from a neighboring community described the crowd as "the most courteous, considerate, and well-behaved group of kids" he had ever been around.

The most confrontational episode may have been political activist Abbie Hoffman interrupting the Who's set and ranting on the mic. The Who's Pete Townshend reportedly smacked Hoffman off the stage with his guitar and hurled a few F-bombs his way.

Jimi Hendrix, a one-year army veteran — it was either two years of prison or enlist — closed the show at nine o'clock Monday morning in front of a thinned-out crowd. The set included his controversial, iconic rendition of "The Star-Spangled Banner," a fitting caper to a history-making counterculture weekend. •



# Water, Erosion, and a Sinking Feeling

We've all seen news accounts of roadways and properties beset by sinkholes. Some visuals are terrifying.

Water drainage and the subsequent erosion of underground rock, particularly limestone, salt, or gypsum, create ever-growing holes and channels. Eventually, a subsurface cavity becomes large enough that surface material collapses into it — a sinkhole. Drought conditions followed by flooding elevate sinkhole risk as well.

Some natural sinkholes provide advance warning; many do not. A building may exhibit cracks in the walls or foundation due to its shifting base. Dips in a yard or roadway, circular patches of withered vegetation, and separations in concrete may hint at looming trouble.

Sinkholes can also be human-made ... and form quickly. Burst water pipes intensify underground water flow and erosion. Mining, drilling, construction work, and heavy traffic can destabilize underground rock.

Receiving compensation for sinkhole injuries depends on the circumstances. Sometimes a sinkhole is simply an unforeseeable natural occurrence. No negligence, no personal injury claim.

## **Negligence may be involved if ...**

- a responsible party was (should have been) aware of evidence of a potential sinkhole and did not respond like a reasonable person would have in similar circumstances.
- an already-formed sinkhole was not clearly marked.
- a sinkhole was artificially created.

Homeowners insurance might cover property damage caused by sinkholes ... but might not. In some states, purchasing standalone sinkhole insurance is critical. Comprehensive coverage in an auto insurance policy will generally cover vehicle damage. Occasionally, home buyers are harmed by real estate agents who fail to disclose known sinkhole issues.

If you suffer injury or property damage due to a sinkhole, contact our office to explore your options. ●

September 2021 Notable Dates

**Sept. 6**  
Labor Day

**Sept. 11**  
Patriot Day and  
9/11 Anniversary

**Sept. 12**  
Grandparents Days

**Sept. 17-18**  
Italian Fest

**Sept. 22**  
First Day of Fall



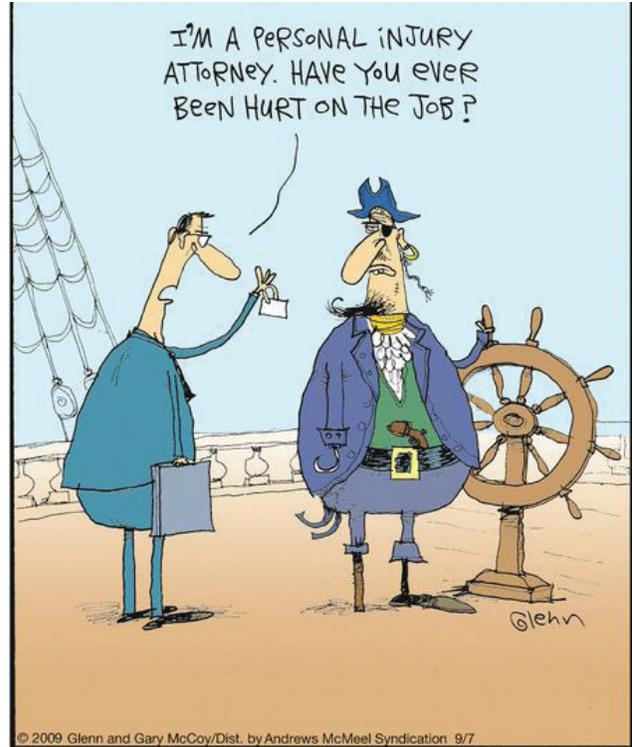
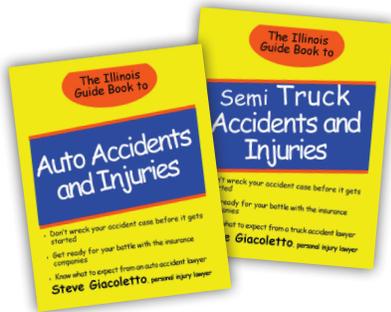
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## When Chemical Restraints Are Abused

Too many nursing-home owners place profits above quality of care. Their facilities are understaffed to cut costs, which leads to fatigue, errors, and shortcuts. Residents bear the brunt of this business model, frequently suffering physical, mental, and emotional harm.

One such shortcut is the use of chemical restraints — psychotropic medications that adjust the balance of important brain chemicals (neurotransmitters). Classifications include anti-anxiety, antidepressant, mood stabilizer, stimulant, and antipsychotic.

When used for legitimate medical reasons, psychotropic medications can be an effective therapeutic tool. However, they are often utilized in nursing homes to sedate patients and restrict their movement (not their designed purposes), thus making patients easier to manage. They are applied not for the benefit of the patient, but the convenience of the staff.

This practice is dangerous, unethical, and illegal. Psychotropic medications are extremely potent. Needlessly administering them renders patients vulnerable to serious side effects such as increased cognitive dysfunction, agitation, pressure sores, loss of muscle function, and higher susceptibility to falls, among many others.

The Nursing Home Reform Act of 1987 states that nursing home residents have the right to be free from chemical (and physical) restraints applied for the convenience of the staff or for disciplinary reasons. Chemical restraints may only be employed to keep a resident from endangering themselves or others, and only when a doctor writes an order that details the circumstances and duration of their use (there is an exception for emergencies).

If a loved one's mood, behavior, or cognitive ability abruptly changes, pursue answers from nursing staff and doctors, and request a look at the medical records. If you believe your loved one has been harmed, contact our office for expert legal guidance. ●

