



Tips for Online Holiday Shopping

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Friends & Family Newsletter

With the increase in fuel prices, many people will turn to the internet for their holiday shopping this year. Many people have used the internet in the past to avoid the large crowds, and to take advantage of the convenience of shopping any time of the day or night.

The Federal Trade Commission (FTC), has provided consumers with a list to help reduce the risk of being ripped off while protecting your personal information and computer from identity thieves and hackers.

Check out the seller. If you are thinking about shopping on a site with which you are not familiar, do some independent research before you buy. This can be done by typing their website into a search engine and see if anybody has posted anything negative about the company. Read the site's privacy policy to see if they will share your personal information. There is also software out there which can notify you if the site is a known phishing site or if it is used



to distribute spyware.

Read return policies. Some gifts may need to be returned or exchanged once you have purchased them. However, some retailers give customers extra time so gifts can be returned or exchanged after the holidays; others give purchasers as little as a week—if they accept returns at all. Some retailers charge a “restocking” fee. Find out who covers the shipping cost, you or the merchant, and if you can return your purchase to a physical location instead of returning it via mail.

Know what you are getting. Make sure you read the product description closely. Many items at a highly reduced price, especially name-brand products, may be counterfeit.

Do not fall for a false e-mail or pop-ups. Legitimate companies do not send unsolicited email message asking for personal information such as login and password, or financial information. Many thieves will send emails which resemble the site you purchased from, asking for personal

information and providing a direct link to the site. Delete these e-mails. Clicking on the link can allow these people to install spyware on your computer.

Secure your computer. Make sure your computer has an anti-virus/spyware software and a firewall.

Consider how you will pay. Credit cards can be a safe option as long as they offer a dispute process. Never send cash or wire money, as there is no way to track either.

Keep a paper trail. Print and save records of your online transactions, including the product description and price.

If you feel like you have been deceived and want to file a complaint, you can do so by calling 877-FTC-HELP.

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Protecting Your Child's Privacy Online

Children today use the internet for everything from school, to playing games, or just browsing. However, when it comes to using their personal information, who is in charge? Rules have been established for website operators to make sure that kids' privacy is protected while they are online.



Post a privacy policy. Any site that is geared for children, or that knowingly collects information

from kids under age 13, must post a notice of their information collection practices to include: what information is collected, how it is used, and if the information will be forwarded on to third parties.

Parents can locate the privacy policy through a link on the website's homepage and at each area where personal information is collected from kids.

Get parental consent. A site must

obtain parental consent before collecting, using or disclosing personal information about a child. A parent can decide whether to give consent to the website. Giving consent authorizes the website to collect personal information from your child.

Also consider asking to see the information your child has submitted and understand that you may revoke your consent at any time and have your child's information deleted.

DID YOU KNOW?

HELMET LAW:

The increase in fuel prices, has increased the number of motorcycles on the highways. **So what is the law in regards to wearing a helmet in Texas?** Texas requires riders age 20 and younger to wear a helmet at all times. Persons age 21 and older are exempt *only* if they can either show proof of successfully completing a motorcycle operator training and safety course or can show proof of having a medical insurance policy.

RIDING IN BED OF A PICK-UP :

Many people are unsure of the law when it comes to riding in the bed of a pickup. The law requires people to protect occupants during a crash. From the bed of a truck, people can be easily ejected at even low speeds. Texas allows people 18 and older to ride in the bed of a pick-up, only under the following circumstances: when the vehicle is the only one owned by members in the household; vehicles in parades, hay rides, or on a beach; or if being used in an emergency; vehicles in farm operations used to transport people from field to field or on a farm.

"Slip and Falls"

Our firm handles many cases regarding "slip and falls". Below are some necessary steps to take if you are ever in this situation. Many people become extremely embarrassed when they have fallen. The person will try to get up quickly and leave the scene regardless of any pain they may be suffering. In the event this happens to you, leaving the scene is the last thing you want to do. Instead, follow these steps if possible:

Inspect the area where you fell—see if you can figure out what caused you to fall, such as a liquid or object. Observe if there were any posted signs indicating that either should be there.

Tell a supervisor—Be sure when you make a report with somebody working with the facility that you get their name and telephone number. You want to make sure they fill out some kind of incident

report and that you receive a copy.

Witnesses—If you notice that anybody witnessed your fall, you want to make sure to get contact information from them as well.

Photographs—If you are able to, take photographs of the area where you fell. Also, take photographs of any of the injuries you sustained from the fall.

Seek medical attention if necessary. Make sure to keep a copy of all records and receipts for medical treatment you receive.



Finally, contact our office as soon as possible. The sooner we can evaluate your claim and complete an investigation of the scene (before anything can be altered), the better.



Winter Driving Tips

Though we do not live in a climate that experiences a lot of ice or snow, it is important to know the measures you can take to prevent an accident during freezing weather. Below are safety tips offered by the Insurance Institute for Highway Safety: **Winterize your car before cold weather starts.**



Replace your antifreeze. Make sure items such as your brakes, heater, and windshield wipers are working properly. Check your tires to make sure they have the correct amount of air pressure and are not worn.

Know the dangers of ice and snow. A small amount of ice and/or snow can be just as dangerous as a large amount. Be sure to pay attention to bridges and overpasses, as these areas freeze first, and sometimes have ice that is not easily seen, such as black ice.

Black Ice. Black Ice is common in Texas and is extremely dangerous. Black ice is defined as ice that remains on roadways that are not subject to direct sunlight and is almost invisible. When approaching areas that are shaded or have no direct sunlight, make sure to slow down and take extra precaution.

Know how your brakes operate under these conditions. Your owner's manual can provide absolute information about the type of braking system your vehicle has and the proper way to use the brakes. For example, if you have an Anti-lock braking system (ABS), motorists should apply steady pressure to the brake pedal during the entire stop. ABS automatically

pumps the brakes, if necessary, to keep the wheels from locking. Remember to apply only steady pressure until you reach a complete stop. If you do not have ABS, you should gently apply pumping pressure to your brakes during slippery conditions. You should not apply steady pressure as this can cause the wheel to lock and may cause you to start spinning.

Other important tips to consider:

- Make sure to remove all ice and snow from your car's hood, roof, trunk, signal lights, tail and headlights, windows and mirrors. Try using your low beams during wintry conditions as they can create better visibility.
- Allow for greater stopping distance. This will give you more room if your vehicle begins to slide.
- If possible, try to follow the path of another vehicle, this will help create more traction for you, especially uphill.
- When making a turn or going around a curve, make sure to reduce your speed and do not make any sudden acceleration or deceleration during your turn.
- Never brake while driving on ice, this will cause you to spin.

Have an emergency weather kit to include: basic tools, first aid kit, flashlight, extra clothing, blankets, jumper cables, and nonperishable food and water.

Home Fire Safety

During the holidays many home fires start due to the increase use of fireplaces, heaters, and Christmas lights. Below are tips provided by the Home Safety Council to help you be ready in the event of a fire.



The key to survival for you and your family prior to and during a fire is:

- Make sure smoke alarms are installed on all levels of your home, test them each month to make sure they are working and replace the batteries at least once a year.
- Smoke gets very hot, very fast. A smoke alarm will wake you and give you time to get out safely in the event of a fire.
- Make a fire escape plan for your home. Have more than one exit for each room in the house.
- Plan and practice your escape. Fire can spread quickly, so there is little time to get out of the house and to safety.
- Choose a meeting place and make sure that each person knows where to meet.

For more helpful tips visit the Home Safety Councils website at www.homesafetycouncil.org.

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How our firm can help you

Our firm has handled thousands of clients over the past 15 years in many different practice areas. We have two attorneys, each of which is Board Certified by the Texas Board of Legal Specialization. *Steve Kuzmich is Board Certified in Personal Injury Trial Law and Jonathan M. Bailey is Board Certified in Criminal Law.* Therefore, our firm primarily handles personal injury and criminal law matters.

Personal Injury

Catastrophic accidents
Wrongful deaths
Nursing home negligence
Slip and Falls
Job related injuries
Construction accidents

Criminal

Felonies
Misdemeanors
DWI
White collar crimes
Family Disputes
Juvenile matters

Please feel free to contact our office with any questions you may have, even if it is not an area we specialize in. Our firm will try to answer all your questions and if it is something outside our practice area, we will try to refer you to another attorney or firm, that we trust to handle your matter.