



Stuart A. Carpey, Esquire

# THE CARPEY CHRONICLE

THE INFORMATION RESOURCE FOR ACCIDENT VICTIMS IN PENNSYLVANIA

APRIL, 2024  
VOLUME 17, ISSUE 4

CALL US TODAY  
610.834.6030

HAPPY  
EARTH  
DAY



## EARTH DAY IS APRIL 22, 2024

Earth Day, first held on April 22, 1970, started a series of major campaigns to catalyze and channel global collaboration for the health of our planet. Trees for the Earth was the first of these campaigns.

### Why Trees?

#### **Trees help combat climate change.**

They absorb excess and harmful CO<sub>2</sub> from our atmosphere. In fact, in a single year, an acre of mature trees absorbs the same amount of CO<sub>2</sub> produced by driving the average car 26,000 miles.

#### **Trees help us breathe clean air:**

Trees absorb odors and pollutant gases (nitrogen oxides, ammonia, sulfur dioxide

and ozone) and filter particulates out of the air by trapping them on their leaves and bark.

#### **Trees help communities.**

Trees help communities achieve long-term economic and environmental sustainability and provide food, energy and income.

**Plant a tree. Make a donation. Activate your friends and social networks. We can do this. #trees4earth**

**Visit [www.earthday.org](http://www.earthday.org) for more information on how you can get involved!**

## WE ARE COMMITTED

To providing exceptional legal services to each and every one of our clients.

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## OUR 4 SATELLITE OFFICES

- **BALA CYNWYD**  
Two Bala Plaza  
Suite 300  
Bala Cynwyd, PA 19004
- **MALVERN**  
101 Lindenwood Drive,  
Suite 225  
Malvern, PA 19355
- **RADNOR**  
Radnor Financial Center  
150 N. Radnor Chester Rd.,  
Suite F 200  
Radnor, PA 19087
- **PHILADELPHIA**  
1500 Walnut Street  
Suite 500A  
Philadelphia, PA 19102



# Complimentary Attorney Call In Hours



Have a quick question about an insurance policy, small business contract, rental property lease or other real estate documents? We've set aside time on Monday, April 22, 2024 as a bonus for our existing clients. This time is limited and is on a first come/first served basis.

**CLIENT BONUS CALL IN HOURS:  
1:30 P.M. TO 3:00 P.M.  
APRIL 22, 2024**

**Call (610) 834-6030**

**and reference this  
COMPLIMENTARY CALL IN OFFER.  
*This is an exclusive Carpey Law client benefit.***

You will have up to ten minutes of free attorney time, but note that charges may apply if you need formal legal representation or help. You will never be charged unless you agree to the fee in advance.

## OUR MISSION AT CARPEY LAW

*“We empower people to make informed decisions about their legal case.”*

Here at Carpey Law we strive to stand out from the “other” law firms by offering advice and direction to anyone who calls our office with a legal issue. Truth is, not all law firms operate like we do. If we can't help you directly, we'll do our best to find you someone who can. As a client once told us, “Carpey Law is the information resource for accident victims in Pennsylvania”. We live by that every day.

**If you know anyone who has a legal issue or question, give them this newsletter and tell them to give us a call. We'll help any way we can.**

**(610) 834-6030**

## *Reminder About Our Firm's Communication Policy*

About us: We perform very high quality legal work. We are highly competent and we have a highly competent support staff, but we are not perfect. We can make mistakes. We will correct a mistake if we find it or if you point it out.

It is our policy to return phone calls in the order they are received and based on the priority of the situation. If you leave a message, your call will be returned usually within 24 hours. Some clients feel that calling multiple times in a day will get their call answered faster, but that is not the case. Email is the quickest way to get a response from anyone in the office.

We work by appointment only. Without an appointment, it is unlikely Mr. Carpey would be able to meet with you.

Please utilize our support staff to answer your questions and to give you status reports. Our legal assistants and paralegals are very experienced and will often be able to respond to your requests.

# Myths About Getting Paid For Your Lost Wages In A Personal Injury Case

## “But my doctor wrote me a disability note!”

We hear this all the time from clients. As a matter of fact we obtain disability notes from our clients’ doctors. Unfortunately this is not the only requirement to getting your wages paid in a personal injury case.

Even if you have pain, and a medical diagnosis that relates the pain to your accident, there are strict rules to how disability is paid.

The other guys’ insurance company is not responsible for paying for your lost wages, at least not until the end of the case, as a result of the settlement or verdict. Wage loss is one of the items of damages you can sue for, along with pain and suffering, physical injuries, medical bills that you paid out of pocket, and similar losses. To prove your wage loss is related to the accident, as with all medical proofs, your doctor must use the magic language “within a reasonable degree of medical certainty” the wage loss that you relate to your injuries is in fact related, in his or her opinion. Your doctor must be prepared and willing to testify to this at the trial of your case. So, just because your doctor gave you a disability note it is not necessarily enough to prove this aspect of your case to the opposing insurance company, or to a jury.

Moreover, sometimes if your doctor is not particularly cooperative in writing the reports we need to prove your injuries and wage loss are related to an accident, we may need to hire an outside medical expert to examine you and to review your

doctors’ records to in order to opine that the injuries and wage loss are related. This can take time, and is another reason wage loss is not paid at an early stage of the case.

We also need actual proof of time out of work from your employer. This can come in a variety of forms, for instance by your employer completing a wage and salary verification form or supplying proof of wage loss through payroll records. Your tax returns from the years preceding your injury can also be helpful.

If you have your own disability coverage, either for example through your auto insurance, or privately, or through your employer, you may be able to submit your wage loss claim to your insurance company. We can help you with that. However, the same proofs are needed to show you are entitled to be compensated. That is, proof of actual wage loss from your employer and medical proof of actual disability.

How about if you had to switch jobs because of your injury? Do you have a wage loss claim? Generally the answer is no. This is particularly so if you are getting paid at your new job the same or more than your rate of pay at the job you had to leave. So, “I can’t do my job duties” doesn’t necessarily equate to getting paid for wage loss.

There are several other factors you have to consider when making a wage loss claim. First, you have a duty to mitigate your damages, even if you’ve been injured. So, if you can replace your wages in some

way (by taking another job or by asking for accommodations from your employer, by way of example), it is your obligation to do so.

Second, the other side gets a vote. So, if the other side is your own insurance company to whom you are making a wage loss claim, or the defendant’s insurance company, they will test your proofs of wage loss. They will look into the documentation of your time out of work, and will scrutinize your tax returns.

They also have a right to have you medically evaluated. Insurance companies, including your own, have a structural conflict of interest. What that means is that the medical doctors who they ask to review your records and/ or examine you are biased and paid for by the insurance company. The opinions they render in the form of a report and testimony for the insurance company are generally not favorable to you. These opinions compete with your own medical experts’ opinions. Even if you have objective evidence of injury and sufficient proof of wage loss from your employer and your own doctor, the insurance company doctor does not have to agree. Insurance companies are in the business of making money. They have to answer to their shareholders. Even your own insurance company owes no particular duty or obligation to you to pay wage loss except to “fairly” evaluate your wage loss claim.

**If you have questions about your wage loss claim, give Carpey Law a call.**

## Laura Carpey’s Recipe of the Month

# Blueberry Coffee Cake

### INGREDIENTS

#### For the Streusel Topping

- 6 tablespoons packed light brown sugar
- 1/2 cup all-purpose flour, spooned into measuring cup and leveled-off
- 1 teaspoon ground cinnamon
- 1/4 teaspoon salt
- 4 tablespoons unsalted butter, cold, cut into 1/2-inch chunks

#### For the Cake

- 2 cups all-purpose flour, spooned into measuring cup and leveled-off
- 2 teaspoons baking powder
- 1/2 teaspoon salt
- 1 stick (1/2 cup) unsalted butter, softened
- 3/4 cup granulated sugar
- 2 large eggs
- 1-1/2 teaspoons vanilla extract
- 1 teaspoon packed lemon zest, from 1 lemon

- 1/2 cup milk
- 2 cups fresh blueberries (frozen may be used but do not defrost)

### INSTRUCTIONS

1. Make the streusel topping: Combine the brown sugar, flour, cinnamon, and salt in a small bowl. Using your fingers, mix until no lumps of brown sugar remain. Rub in the butter with your fingertips until it reaches a crumbly state. Refrigerate until ready to use.
2. Preheat the oven to 375°F and set an oven rack in the middle position. Grease a 9-inch square pan with butter or nonstick cooking spray.
3. In a medium bowl, whisk together the flour, baking powder and salt. Set aside.
4. In the bowl of an electric mixer, beat the butter and granulated sugar until creamy, about 2 minutes. Add the eggs one at a time, scraping down the sides of the bowl and beating well after each addition. Beat in the vanilla extract and lemon zest.
5. Gradually add the flour mixture, alternating with the milk, beating on low speed to combine. Add the berries to the batter and fold gently with a spatula until evenly distributed. Do not

over-mix.

6. Transfer the batter to the prepared pan and spread evenly. Sprinkle the streusel topping evenly over the batter. Bake for 40 to 45 minutes, until golden brown around the edges and a cake tester comes out clean. Let cool in the pan on a rack for about 20 minutes, then serve right from the pan.

7. This cake is best served on the day it is made. Leftovers will keep well for a few days wrapped in foil and stored at room temperature.





# CARPEY LAW

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## INSIDE THIS ISSUE:



- Earth Day is April 22, 2024
- **FREE OFFER:** Complimentary Call In Hours for All Your Legal Needs - 1 Day Only!
- Myths About Getting Paid For Your Lost Wages In A Personal Injury Case
- Laura Carpey's Recipe of the Month: Blueberry Coffee Cake ... AND MORE!

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*Dinnertime at the Carpey household with Gigi and Maverick*

Call me with any legal questions about injuries from any accident or medical care.

I promise to give you a straight forward answer.

That's my guarantee.

**610.834.6030**

*The Carpey family annual ski trip, Keystone, Colorado.*



Give this newsletter to a friend.  
They'll thank you for it,  
and so will I.

*Stuart Carpey*