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## ***Temporary Disability Extended for 2008 Injuries***

When Gov. Arnold Schwarzenegger signed Senate Bill 899 into law three and a half years ago, he drastically reduced every Californian's right to Temporary Disability benefits for work-related injuries. Schwarzenegger limited T.D. payments to 104 weeks (two years) for job-related injuries on or after April 19, 2004. Worse, benefits had to be paid within two years of the first payment.

The law has been amended to stretch the 104 weeks of T.D. benefits beyond the 2-year payment period. Benefits can be collected over five years for injuries on or after Jan. 1, 2008. The new law also provides additional benefits for chronic lung disease and other limited medical exceptions.

## ***Ho, ho, ho? No, no, no at Circuit City!***

Personal Injury attorney Roger Gordon is preparing to file a series of complaints against a giant electronics retailer for age discrimination. Circuit City announced earlier this year that it was terminating 3,400 veteran employees, including more than 300 salespeople and others in 34 Los Angeles area stores. The company told the workers they could reapply for their jobs after a 10-week hiatus – at significantly less pay.

Gordon said the firings amount to age discrimination because they have a disparate impact on older employees. Many of those terminated were older than 40. "Circuit City is terminating hard-working employees who dedicated years of service to the company. We will do everything we can to right this terrible wrong."

## ***An Improved Comp Benefit that Schwarzenegger Didn't Kill***

One of the few Workers' Compensation improvements that survived SB-899 is applying increases in the State Average Weekly Wage (SAWW) to Permanent Disability awards and settlements above 70%. Partner Sherry Grant was recently able to raise a client's total weekly Permanent Disability benefits – and provide for future increases – based on increases in the SAWW between 2005 and 2007.

There is still some debate about how to estimate the present value of potential SAWW increases in the future. Only injuries on or after Jan. 1, 2003, qualify for these cost-of-living raises, and reaching the 70% threshold often requires skilled legal counsel.

## ***Six Law Firm Partners Honored as "Best Lawyers"***

A Southern California legal survey has ranked all six of the law firm's "name partners" as Best Lawyers for 2008. As part of the honors, Roger Gordon, Mark Edelstein, Howard Krepack, Sherry Grant, Richard Felton

and Larry Goldstein were featured in the Nov. 18 issue of the *Los Angeles Times Sunday Magazine*. “It is very special for all of us to receive this honor,” Felton said. “It reflects the high quality of legal service we provide our clients.”

## ***Flight Instructor Saves Lives When Engine Fails***

Personal Injury attorney Howard Krepack is representing a heroic flight instructor who saved lives by landing a powerless plane on top of a garage. The twin-engine Piper Seneca carrying the former Israeli Air Force airman and two students lost power as it approached Upland’s Cable Airport. The 52-year-old pilot pulled up on the wheel just in time to prevent a head-on crash. He saved himself and his two students, as well as people on the ground, but used such strength to control the plane that he broke his back and sustained other injuries.

The National Transportation Safety Board is currently investigating the case. The law firm is considering a lawsuit against maintenance operator Roxy Corp. on behalf of the flight instructor.

## ***Injured Workers Should Also Apply for State Disability***

Workers’ Compensation claimants may qualify for alternative benefits. The law firm recommends that injured workers with State Disability Insurance also apply for SDI benefits immediately after an on-the-job accident or illness. Look for the “SDI” deduction on your paycheck to tell if you paid into the system. Your treating physician can certify you for benefits.

Your SDI claim will go inactive if you are receiving Temporary Disability. If you still cannot return to work when T.D. ends, you can reactivate the claim and receive SDI benefits for up to a year. Do not accept overlapping payments. You may have to repay them later.

## ***Law Firm Helps Lead Defense of Injured Workers***

Co-Managing Partner Mark Edelstein recently chaired a 3-day meeting of the Strategic Planning Committee of the California Applicant Attorneys Association. “We’re focused on the problems our clients are having, and on crafting solutions that the Legislature will pass and the governor will sign,” said Edelstein, a former CAAA president. Also participating were Partners Adam Dombchik, who is slated to lead CAAA in 2009, and Sherry Grant and Richard Felton, who sit on the group’s Board of Governors. “When we aren’t fighting for our clients case-by-case,” Dombchik said, “we’re leading the effort to challenge and interpret the law as favorably as possible for injured California workers.”

## ***Jan. 21 Deadline to Register for Feb. 5 Primary Election***

California voters will vote in 2008 on issues ranging from term limits in Sacramento to who will occupy the White House. The stakes have never been higher – and the political season has never begun earlier! Voter registration forms are available at all U.S. Post Offices, state Department of Motor Vehicle offices, and the law firm.

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