

PI E-MAIL & FAX ALERT

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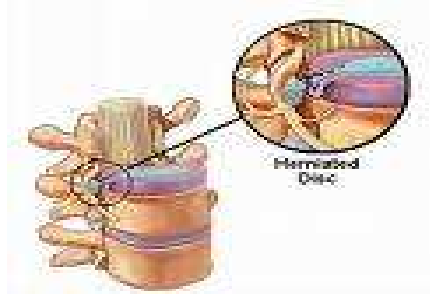
What is a Herniated Disc?

Proof of a herniated disc caused by a trauma is the Holy Grail in PI. Once you have the evidence the case is worth many more times than the medical bills. Gary Lewkovich DC helps outline the different levels when discussing disc damage.

The terminology of “herniated discs” is often confusing—by medical practitioners. IE pinched nerve, ruptured disc, slipped disc and exploded disc.

The herniated disc refers to several different types of “protrusions.”

DISC BULGE- out-pouching in the annular fibers, without tearing of the annular ligaments. May or may not put pressure on the spinal nerves. 20 to 40% of adults have some type of asymptomatic disc protrusions in the lumbar spine.



DISC EXTRUSION – Rupture of the annular ligaments, with protrusions of the nuclear material through this defect. May or may not put pressure on nerve roots or cord fibers, but will typically cause at least local back pain.

DISC SEQUESTRATION – Type of rupture which the nuclear material not only migrates through the annular wall but it become separated from the main part of the disc.

For the complete Lewkovich article contact
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How to Avoid the \$1.00 Verdict

Angel Garcia a 48 year old vehicle upholsterer, was rear-ended by a pickup truck. He was taken by ambulance to the emergency room and received a total of \$4,897 in combined medical bills—including chiropractic care.

Defendant argued that all of Garcia’s injuries were pre-existing.

The jury deliberated only 20 minutes. Garcia asked for \$15,000. The jury declared that Garcia did not cause the accident but gave him only \$1.00. Garcia vs. Wheeler. Orange County Superior Court 07 CC 10743.

Practice Tips : How to Avoid the \$1.00 Verdict

1. **Pre-Existing history.** If your patient is a former or current patient great caution must be exercised.
 - Can you show a dramatic difference from pre-existing to new condition?
2. **Be Realistic.** Was the damage clearly significant, were any cars towed? Nothing angers juries more than if they believe your patient is trying to get “free” money on a nothing accident.
3. **Do you trust your patient?** Seriously. Most of the value of any PI case is how sympathetic is your patient. That’s why you won’t see many drug dealers or bikers. If you have problems believing your patient you will not be alone.

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