

## PI E-MAIL & FAX ALERT

07/15/2008

Shawn Steel, Chiropractic Attorney

Telephone: 800-626-0003

Website: [www.shawnsteel.com](http://www.shawnsteel.com)

Email: [shawnsteel@shawnsteel.com](mailto:shawnsteel@shawnsteel.com)

### Pain Intensity Instruction Sheet

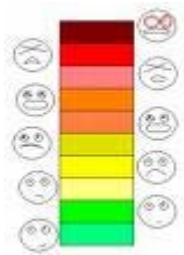
Judges and adjusters all want to know about the level of pain an injured victim suffers. We believe that each PI case must use a pain scale to describe the pain level your patient endures, at the first examination. Then chart the pain levels, at least monthly until discharge.

Pain is defined as the effect on your patient's ability to perform functions.

**MILD** [1 to 3] is annoying, able to perform work and sports. But ache, dull soreness and stiffness.

**MODERATE** [4 to 7] causes patient to slow down. Work and sports take longer, with breaks. Difficult to do demanding tasks. Hurting pain, sore, lmted motion.

**SEVERE** [8 to 10] prohibits most activities; difficulty sleeping. Sharp, stabbing, jabbing pain. For a copy of the Chart, email [shawnsteel@shawnsteel.com](mailto:shawnsteel@shawnsteel.com).



### Next Teleconference

July 31, THURSDAY at 1:00 pm

Noted author and biomechanical PI expert Lawrence Nordhoff, DC is our guest.  
Subject: proving injuries for your patient.  
E-mail [shawnsteel@shawnsteel.com](mailto:shawnsteel@shawnsteel.com) for telephone # and pass code.

At the Shawn Steel Law Firm we speak:  
English, Spanish, Armenian, Farsi,  
Korean, Arabic and Japanese.

### Dr. Nordhoff scores Big hit against Junk Science; Court questions "Delta V" as Unscientific.

A California Court of Appeal demolished a favorite tool used by insurance carriers to defeat low impact auto cases, in an unpublished opinion.

Dr. Lawrence Nordhoff testified in Harrison vs. Smith, that Jeffrey Lotz, Ph.D. and Paul Mills, MD were offering unscientific evidence claiming that the "Delta V" method was not generally accepted in the scientific community. That's remarkable because for over 15 years carriers have used so called "biomechanical" or "accident re-construction" experts claiming that if the impact is less than 5 mph, there was insufficient force to cause ANY injury. I.E. "Delta V" impact.



Because of Dr. Nordhoff, the Superior Court judge would not allow defense experts to testify. The jury awarded \$179,000 to Harrison. Def appealed demanding that their experts should have been able to testify to the jury.

The Court of Appeal gives the most detailed analysis as to why the "Delta V" is unscientific, experimental and not reliable for a jury to hear. This is a remarkable decision that will have national implications.

For a copy of the easy to read decision and the factors against "Delta V" testimony, you can email us at [shawnsteel@shawnsteel.com](mailto:shawnsteel@shawnsteel.com).

First Appellate District, Div Five: A  
114436. 7/9/08.