

A NEWSLETTER FROM

BRYANT LAW CENTER P.S.C.

OCTOBER ISSUE

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A Message From Firm Founder Mark Bryant

liar! So when I was accepted into the University of Kentucky College of Law, she held her tongue. She watched as I graduated and grew in what I have found to be a fantastic profession filled with primarily nice people and yes, the occasional bad apple.

My Mother and Dad both watched as their son, then three of their grandchildren, became lawyers, with one of them becoming a Judge. One son is married to a lawyer, a partner in one of America's biggest and best law firms. And their two-year-old son, Sam, will become a fifth-generation lawyer from his Mother's side if he chooses to do so. I am very proud

of them for following in my footsteps, not just because they did, but because of all the people they have helped, whether in private practice, public service, or community service.

One of my favorite stories happened when I returned from an interview on our local NBC station, WPSDTV-6. My receptionist put a call through from a woman from Martin, Tennessee who had been in a car wreck. I asked her why she happened to call me, and her answer was this: "I saw you on Channel 6 and thought, for a lawyer, you seem like a pretty nice guy."



Louise Bryant and Caroline

My Mother, God love her and God rest her soul, did not like lawyers. She had a bad experience with a lawyer when she was deposed as a witness to a car wreck. The lawyer accused my Mother of lying! And one thing for sure about my Mother was that she was no

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That made me laugh, but when I got off the phone, I thought about what she said and its implications for my profession and me personally. I remembered that in trying more than 100 cases to a jury verdict, I had realized that Juries tended to help people they liked. And that wasn't just clients; that was for lawyers, too.

Except when I had to be a tough prosecutor, it has always been easy for me to be nice to people as that is the way my Mother and Dad raised me. And that is all the

more reason I have had such a significant degree of success with juries over the years. Honey draws a lot more flies than vinegar. It's true in life, and it's true in practicing law. Lots of people want a mean-spirited, aggressive lawyer. And when they get their backsides handed to them on a plate, they wonder what happened. Well, I, for one, know what happened. Judges and juries tend to help people they like.

My law firm is filled with nice, intelligent, hard-working, and honest people who live in our

area, pay taxes here, send their kids to schools, and just happen to be lawyers. So endeth the first lesson! And the second is like unto it. Love thy neighbor as thyself! Happy October, and thanks for being our friends and clients and know that we appreciate it every time you refer a friend to us to be their lawyer.

Mark Bryant
Founder



Louise Bryant

Mark Bryant's mother makes the best pound cake he's ever tasted! Here's the recipe so all can enjoy!

Louise Bryant's Pound Cake Recipe

Ingredients:

- 2 sticks of butter (1/2 lb.)
- 1 cup sour cream
- 6 eggs
- 3 cups sugar
- 3 cups sifted all-purpose flour
- ¼ teaspoon baking soda

Directions:

1. Separate eggs and let stand to get to room temperature.
2. Let butter stand to get to room temperature.
3. Preheat oven to 300°
4. Grease and flour tube pan, large loaf pan or two smaller loaf pans.
5. Line pans with wax paper.
6. With electric mixer, cream butter and sugar.
7. Add sour cream and egg yolks (one at a time).
8. Beat 5 minutes after last egg yolk has been added.
9. Sift and measure flour and baking soda. Gradually add to butter mixture.
10. Fold in egg whites.
11. Bake until done. 1 ½ hour for 2 small pans, 3 hours for large.

Do I Have a Product Liability Case?

While most products that are being sold on the market are safe most of the time, that is not always the case.

Sometimes, whether due to mistake, carelessness, or deliberate misconduct, dangerous products enter the marketplace.

If you have been harmed or had your property damaged by a defective product, you may be able to assert a claim in “product liability” – an area of law that enables injured consumers to recover compensation from those who manufacture and sell defective, harmful products. To determine

whether you have a viable product liability claim, meet with an experienced injury attorney. The attorney will ask a number of questions regarding your particular circumstances. Here are some questions that you should expect if you would like to prepare.

1. Which legal theory (or theories) will carry the day?

A product liability claim may be based on one or more legal theories. Depending on

SEE ‘**PRODUCT LIABILITY**’ PAGE 4



Legal Updates

1. We are still reviewing cases and accepting clients in our ongoing investigation into panoramic sunroof leaks and resulting interior and electrical damage in certain Volkswagen Golf Sportwagens, Alltracks, Jetta, Tiguan and Atlas SUVs. Litigation has been filed in multiple states.
2. Our cases filed on behalf of clients who developed certain internal cancers after consuming prescription Zantac are proceeding through litigation and we are still accepting new clients.
3. We are still taking clients in our cases involving retail sales of mislabeled tractor hydraulic fluids sold with a “303” label. The fluid can cause damage to agricultural equipment and sales have been banned in Missouri

the facts of your case, you may have a claim for one of the following:

Negligence. Manufacturers are generally responsible for exercising a reasonable standard of care in the design, material selection, production, assembly, quality control, and labeling of their products. A manufacturer may be found negligent (i.e., unreasonably careless) if you can establish these five elements below:

- You were owed a duty of care by the manufacturer;
- The manufacturer breached that duty;
- The manufacturer's breach of duty was the actual – or "but for" – cause of your injury;
- The manufacturer's breach of duty was also the proximate – or the reasonably foreseeable – cause of your injury; and
- The manufacturer's breach of duty caused you actual harm. This harm may be economic (medical bills, lost wages) and/or non-economic (physical, mental or emotional pain

and suffering). The law calls this harm "damages."

Strict Liability. Unlike negligence, strict liability does not require establishing fault. To prevail under this theory, you must show the following:

- You were sold an unreasonably dangerous product;
 - The dangerous product caused you harm; and
 - You suffered actual damages as a result of the product's defect.
- Breach of Warranty. Whether explicitly or implicitly, manufacturers typically warrant that their products are of a certain quality and serve the purpose for which they are intended. To establish a breach of warranty, you will have to prove:
- You were sold a product that contained either an express or implied warranty;
 - The product failed to comply with that warranty; and
 - You suffered actual damages as a result.

2. What types of experts will you need?

Qualified expert witnesses can make or break a product liability case. As the injured party, you will need to engage experts to opine on the defect itself. Depending on the product, these experts may be engineers, scientists, health care professionals, or industry-specific veterans. Establishing the severity of, and the lifetime costs associated with, the resulting injuries might also require physicians, nurses, physical therapists, accountants, and actuaries.

3. Can you overcome common defenses?

Common defenses to a product liability claim are:

- **Substantial alteration** – Did you change or modify the product in some way that caused or contributed to your injury?
- **Unforeseeable use** – Did you use the product in a manner that would not be reasonably anticipated by either the manufacturer/seller or an ordinary person?
- **Assumption of risk** – Did you know about the risks the product posed, but decide to use it anyway?

These defense arguments can be overcome, but you will need to be honest and forthcoming about your conduct, so that your attorney can anticipate these defenses and gather evidence to rebut them.

Talk to an Experienced Injury Attorney

If you or a loved one was injured by a defective product, reach out to an experienced injury attorney to discuss your legal options. Don't delay in seeking this help. Under the law, you have a limited time to file a claim. If you miss this deadline, you may forfeit your right to any compensation for your injuries and the other harm you have suffered. The earlier you contact an attorney to discuss the specific details of your situation, the more likely you are to have success with the overall case's outcome.

Illustrations by Freepik

Have a Safe and Happy Halloween!



Firm News

A Day on the Golf Course

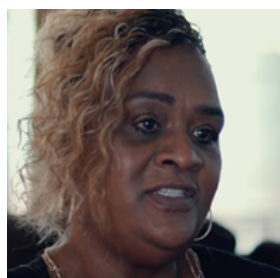


A Team: Eric & Emily Straub, Austin Kennady and Justin Halvorson

B Team: Sue Bryant, Mark Bryant, Emily Roark and Krista Lea

The Bryant Law Center sponsored and played in the Paducah Community Kitchen Golf Tournament on September 18th. Community Kitchen is a charitable organization supported by volunteers and donations that serves lunch daily to the hungry no matter their status.

Our A team led by Austin Kennady played outstanding with an 18 under par round of 54, beating out 26 other teams, including the larger out-of-town legal team of Morgan & Morgan. Our B team played extremely well even in the rain and finished at even par.



Faye's Story

Faye Thacker is a client featured in our newest commercial. Faye was injured in a car wreck. Bryant Law Center successfully represented Faye when the insurance company contested her claims! See Faye's story at this link: [Faye Thacker for Bryant Law Center](#)

Vote for Emily Roark and the Bryant Law Center!



Be sure to vote for Emily Roark for Best Attorney and vote for Bryant Law Center for Best Law Firm in the 2021 West Kentucky Star People's Choice Awards. We appreciate your support!

Click on these links:
[Vote for Emily Roark!](#)
[Vote for Bryant Law Center!](#)



Welcome Jeanene!

Jeanene Edwards has joined Bryant Law Center as the Marketing Director responsible for marketing, branding, and public relations. Edwards was previously the Vice President of Marketing for the active-wear division of Fruit of the Loom, Inc. Edwards is a graduate of Murray State University and the Thunderbird School of Global Management.

Kevin Shannon Celebrating 24 Years at Bryant Law Center



Kevin Shannon is not only a fantastic lawyer, he is also a fantastic person. The father of four smart children who have never been in a lick of trouble and all of whom are successful and well educated, says a lot about Kevin and his wife, Angie. Kevin and I have grown up together in the practice of law. Though he is 14 years younger, he was still in his 20's when I hired him and I was in my 40's. Kevin could just as easily be a law professor as he has a keen legal

mind and loves studying the law. As a partner at the Bryant Law Center, Kevin has run the personal injury department for many years, trying cases, successfully, when need be and helping injured people get the money they deserve from being in hundreds of accidents over these past 24 years. Kevin, I am so glad we have worked together for all these years. You are a fantastic ambassador for the Bryant Law Center and all of us here, as well as your hundreds of clients, love working with you and love what you do to help so many. Thank you for your friendship, loyalty, and hard work. -Mark



Celebrating Shauna for 6 Years at Bryant Law Center!

Shauna Dollins has worked at the Bryant Law Center for six years now. That's hard to believe! The Good Lord has made many people as good as Shauna, but none better. The clients absolutely adore her, as do all of us

who work with her every day. She is straight out of central casting if you were looking for a case manager to play that part in a movie. She is smart, humble, trustworthy and hard working. On top of all that, she is a really fine lady and I'm so happy that we work together. Congratulations on six great years, Shauna Dollins! -Mark

Legal Updates

4. We are still accepting qualified clients in our 3M defective earplug cases. If you were a member of the military, were issued 3M earplugs and suffered tinnitus or other hearing loss, we are still evaluating cases.
5. The Bryant Law Center represented clients from several states who alleged that exposure to Roundup herbicide caused them to develop Non Hodgkin's lymphoma, a type of blood cancer. Those cases were assigned to a federal multidistrict litigation docket and are now in the settlement stage. We are not accepting any new clients for Roundup.

CONTACT OUR FIRM:

PADUCAH OFFICE
(270) 908-0995

LOUISVILLE OFFICE
(502) 665-2922

Bryant Law Center Celebrates Personal Injury Case Manager Judy Storm!



October 2nd marks Judy's 21st anniversary of working with the firm, and we all appreciate her effort, loyalty and dedication to getting the best possible results for our clients.

Mark Bryant says "I love Judy Storm! More than 21 years ago I was on the phone with an insurance adjustor negotiating a Personal Injury claim. I had negotiated with this State Farm Adjustor many times over the years, but on this particular day, after settling the case I said, "Judy, if you ever get tired of working for State Farm, I sure hope you will come to work for me." It wasn't long after that call that Judy Storm called me and said that she was ready to switch sides. That was one of my happiest moments and best hires.

It is hard to believe she and I have worked together more than 20 years and shared so much history together. We have laughed together, cried together, watched as life threw curve balls at each of us and remained dear friends for 21 years. When Covid hit our office on March 13, 2020, Judy was insistent on coming to the office every day when all others worked from home.

She is loyal to a fault, knows more about the insurance business and applying that knowledge to our personal injury cases, and has used those skills to help our clients and help our firm bring in millions and millions of dollars. My hats off to you Judy. May the wind always blow at your back!

Austin Joins American Cancer Society's Dancing With Our Stars



We are so proud of firm attorney Austin Kennady who is dancing in the American Cancer Society's Dancing With Our Stars to honor his dear friends' mothers and others who have been affected by cancer.

He is proud to call Paducah home. Austin says, "I have two very close friends (DWOS alums) who unfortunately lost their mothers to cancer in the last few years. DWOS provided an avenue for them to honor their mothers and raise thousands of dollars for cancer research. Seeing what their families experienced and how their mothers courageously fought every single day had a lasting impact

on me personally. "

"When I was approached this year about participating in DWOS, I knew I had to step up to the plate for my friends and my family. While dancing is not a hobby of mine—in fact, it might be an un-diagnosed phobia—it is the very least I can do to honor my dear friends' mothers and all others who have been affected by this terrible disease."

We are so glad to have Austin as a Star this year!

Unlike the television show, winning this DWOS competition is not judged by dancing ability. The winner is based on who raises the most money for this great cause. Please support the American Cancer Society (and Austin) by contributing at this link: [Austin's Dancing With Our Stars Donation Site](#)



WPSD Legal Line

Bryant Law Center will be answering your questions on WPSD Legal Line so be sure to tune in! Upcoming dates during the 12:00 noon newscast are:

- Thursday October 21st
- Thursday November 4th
- Thursday November 18th.

To see previous Bryant Law Center attorneys on Legal Line answering your questions on personal injury, car wrecks, workers comp and more click on this link:

[Bryant Law Center videos on Legal Line](#)

Bryant Law Center: PUTTING CLIENTS *first*

Please know how much we appreciate your friendship and know that referrals of your friends and family to our law firm is the greatest compliment you can give us and we sincerely appreciate them.

Call: (270) 448-4847 | Email: lawteam@bryantpsc.com

Happy Birthday, Yvonne!!!!



I Was Injured in an Accident. What Do I Do Now?

If you or a loved one has been injured in an accident, you may be confused about what to do and how to handle the insurance company while dealing with your injuries. Download our free new book to help. It has the answers to the most important and frequently asked injury questions.

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