

# The INSIDE STORY

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## Inside This Issue:

- It's in the Air!..... 2
- Recipe of the Month -  
Peep S'Mores..... 2
- Really!? That was the  
Law? ..... 3
- Dyer Law Professional  
Spotlight - David Hand-  
ley, Attorney..... 3
- Q&A Corner..... 4

## Marches to Remember By Mike Dyer



For the past 14 years, I've marched in the Omaha St. Patrick's Day Parade as a member of the Omaha Area Emerald Society (OAES), a fraternal organization made up of law enforcement people from Irish decent.

The OAES was brand new in 1997, and only a few people showed up to march that year. As I became more involved with the Emerald Society, we tried a few ideas, like inviting every department in the area and carrying a flag or banner with the name of a fallen member of the Department.

This year there were dozens of cops from at least ten different departments and dozens of fire fighters from all over the region. It was a great time for our first responders to be seen and recognized without tragedy having to occur.

I've been a member of the NYPD Emerald Society since 1982. I believe this is the 30th year I have marched in the New York City St. Patrick's Day Parade. The parade in New York City is the same basic concept as Omaha's parade but on a much larger scale. Instead of dozens of cops marching, there are thousands. The parade gives me a chance to see family and spend time with several cops I worked with back in the early 1980's. It's a humbling experience to be part of something so big, and I look forward to it every year.



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your questions. You will get  
confidential answers from  
one of our attorneys.



**Over the hill and still climbing!**  
**Happy 50th Birthday Mike!**

*Best wishes from "The Team"!*

## It's in the Air!

By Justin Widick, guest contributor

It's that time of year again; no I'm not talking about Spring. I'm talking tax time.



When it comes to tax and retirement planning you have several options available to you. I want to cover a couple of those options. You have the choice of 2 different IRA (Individual Retirement Account) types, the traditional IRA and the Roth IRA.

The traditional IRA gives you a tax deduction today, grows year to year without paying taxes, and then you have to pay taxes on the income when you take it out at retirement. It basically allows you to pay lower taxes today, but you'll make up for it down the road.

The Roth IRA works differently. With the Roth, you put money in after taxes today, but that money grows tax-deferred and comes out tax free at retirement. For example, if you invested \$5,000 in a Roth IRA today and it grew at 8% annually it would be worth \$23,304 in 20 years. You didn't get to deduct the original \$5,000 but you get to withdraw all \$23,304 TAX-FREE at retirement. A traditional IRA works just the opposite. You get to deduct the original \$5,000, but the \$23,304 would be taxable when you take it out at retirement. You'll want to consult a tax advisor in regards to which option works best for you, but the good thing is you have options as you approach tax-time.

For 2010 you can still contribute up to \$5,000 to either a Traditional or Roth IRA; that maximum goes up to \$6,000 if you are age 50 or older. The deadline is April 16, 2011.

One thing that holds true, either option is better than no option. As we see prices of items we buy everyday continuing to go up, we know we'll be well served by planning ahead. As the tax deadline looms, make it a point to look into what IRA makes the most sense for you.

- Justin Widick and Chadd Hoeft are partners at Assett Strategies, an Omaha investment firm.



## Recipe of the Month

### Peep S'Mores

By Tania Lohrman

**These little animal shaped marshmallow treats take over the grocery store shelves this time of year in all colors of the rainbow. You probably either love them or hate them. My children enjoy watching them "grow" in the microwave as they put a twist on a traditional favorite.**

#### Ingredients:

**Graham cracker square**  
**1 Hersey's bite-sized kiss**  
**1 Peep**

#### Directions:

Place a Peep on a graham cracker square and place a Hersey's kiss on top. Microwave for 10 seconds and watch it "grow."

## Welcome, Averie!

Nothing makes you smile quite like a beautiful baby! We are delighted to introduce the newest member of our extended "family" at Dyer Law.



Averie Reagan McMillon was born on January 24th. Her proud mom, Lecole, has been a member of our team since 2005.

## Dyer Law Goes Hollywood

In our ongoing efforts to provide information to our fellow Nebraskans, we have produced two thirty minute videos informing listeners about mistakes and myths associated with workers' compensation claims and personal injury claims.

Each commercial also invites the listeners to request a free copy of our books. Dyer Law hopes this information will help victims of injuries at a time when they need help the most. These thirty minute videos have been airing on television stations in many parts of Nebraska. If you happen to see our thirty minute educational commercials, please let us know your thoughts. Your opinion is valuable to us.

# Really!? That Was the Law?

By David Handley

Ever heard of those crazy old laws that are still on the books? You know, weird laws like not being able to spit from a moving car or bus, but it is okay to spit from a moving truck? Laws prohibiting the riding of a horse past a cemetery on Sunday? Nebraska recently repealed a nearly 80 year-old law that made about as much sense as those crazy laws.

In 1931, the Nebraska legislature passed the "Nebraska Guest Statute". This law allowed the at-fault driver to escape responsibility if she were responsible for causing a crash and injuring the passengers in her car so long as she were not drunk or grossly negligent and the passengers were non-paying guests in her car. The law was changed in 1981 so that injured passengers could be compensated so long as they were not the grandparent, parent, child, brother, or sister of the at-fault driver.

Under the 1981 version of the law, if a boy and his friend were passengers in a car driven by the boy's mother when the mother caused an accident that identically injured both children, then only the friend's injuries would be compensated by the mother's car insurance. The only reason the identically injured child could not fully recover from the insurance company was because he was the at-fault driver's son. When the guest statute was originally passed the legislature was worried that the driver and his passenger or his injured child would conspire together to fake an accident and injury so that they could collect insurance money. The fear of a few faked injuries was so great that the legislature decided to ban recovery by all of the legitimate claims as well.

Fortunately, the Nebraska Legislature repealed this law effective July 2010. The warning to all injured Nebraskans is simple. Do not assume the law is on your side in every situation or that you will be treated fairly by insurance companies when you are injured. Injury law is complicated and the legal process is full of land mines. Your failure to obtain competent legal help after a serious injury may result in an equally unjust outcome. Remember, it costs you nothing to call us for advice.



## Dyer Law Professional Spotlight

### David Handley, Attorney

In 2010, the Nebraska Supreme Court instituted mandatory continuing legal education for all Nebraska lawyers. While many lawyers opted to attend seminars, David Handley of Dyer Law took the extra step to instruct at two seminars.

At the request of the National Business Institute (NBI), David lectured at their January 2010 conference on three different topics related to Nebraska Workers' Compensation Law. Nebraska lawyers and vocational rehabilitation counselors attended despite freezing rain and cold temperatures. The attendees provided surveys and gave David many positive compliments.

After David's success in January, NBI again approached him about teaching at their legal education seminar in December 2010. Again, David agreed and was assigned two topics related to Nebraska Workers' Compensation Law. His first lecture taught lawyers how to assess workers' compensation cases to determine compensability. His second lecture centered on claim resolution including Medicare issues and maximizing the value of a client's case. We are pleased to announce his involvement with these projects designed to help lawyers better represent their clients.

## Thank you for the referrals...

A referral from a former client or friend is the greatest compliment our firm can receive. We are grateful for every referral - below is a list of the people who recently referred a friend or family member to our firm. We would like to publicly thank each and every one of them.

Paul Lawson  
Joy Spielman  
Debra Davis  
Bob Batt  
Ron Poe  
June Haydock

Sheila Reed  
Spencer Brookstein  
Sheila Brown  
Jon Meyer  
Mike Wood  
Russ Zeeb

LaVita Sweet  
Jeff Winterboer  
Andrew Straughn  
Troy Seaman  
Bill Bianco  
Jeff Miller

Connie Glover  
Gary Young  
Mandy Strigenz  
Bill McGinn  
Ed Noethe  
Melany O'Brien

Aimee Bataillon  
Kimberly Long  
Larry Barnett  
James Watson  
Randy Melroy  
David Thompson



## Client's Bill of Rights

Lawyers will tell you that it is impossible to offer a guarantee in the legal business. **WRONG!** We say that law firm clients should settle for nothing less! Remember, your attorney works for you - not the other way around.

At Dyer Law we believe we can promise our clients quality service with personal attention. We believe that as our client, you are entitled to have the:

1. Right to loyalty to you and your cause.
2. Right to be updated regularly and in a timely manner as to the progress of your case.
3. Right to our respect.
4. Right to expect competence from our firm and all who work here.
5. Right to know the truth about your case.
6. Right to prompt attention from us.
7. Right to have your legal rights and options explained in plain English without legal mumbo jumbo.
8. Right to a fair written fee agreement with our firm.
9. Right to a fair fee for the work we do.
10. Right to make the ultimate decision on your case.



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## Q&A CORNER

### Q: What does the term "at-will" employment mean?

A: At-will employment governs most employment relationships when there is no contract (oral or written) as to the term of employment. As an at-will employee, your employer can discharge you whenever and for whatever cause it chooses, as long as that reason is not an illegal reason.

### Q: What are illegal reasons for termination?

A: An employer cannot decide not to hire you, discipline, demote or terminate you based on your sex, race, national origin, age, pregnancy, disability or religion. An employer also cannot demote or terminate you because you filed a worker's compensation claim or because you reported an unsafe workplace to OSHA. Some states protect sexual orientation.

### Q: What should I do if I feel I've been discriminated against?

A: First, contact attorney Kelly Brandon in our office. She specializes in employment law. Next, follow your employer's reporting policy, or if there is none, you can contact the Nebraska Equal Opportunity Commission. Last, be aware some filing deadlines are as short as 30 days, so act right away.

**Do you have a question you would like answered in our newsletter?**

Send your questions to [lori@dyerlaw.com](mailto:lori@dyerlaw.com)

## INFORMATION FOR FREE!

Getting a copy of our free books is as easy as logging into our website at

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