

THE WARREN REPORT

434-972-9090 • www.warren-law.com • 516 Locust Avenue, Charlottesville, VA 22902

October 2023

The Most Common Injuries in Personal Injury Law

DOG BITES

Throughout this year, we are highlighting the injuries that we see most often with our clients.

Dogs are often referred to as “Man’s Best Friend,” and most of the time, that statement rings true. It is important to remember, however, that dogs are indeed animals, and without the proper training, can exhibit aggressive behavior.

In Virginia, dog bite cases are generally governed by what is known as the “one bite rule” or the “common law rule.” Under this rule, a dog owner may not be held liable for injuries caused by their dog’s first bite or attack, as long as they had no reason to believe the dog was dangerous. However, if the dog has previously shown aggressive behavior or bitten someone before, the owner may be held liable for subsequent bites or attacks.

If you’ve been bitten by a dog and are considering legal action, you might want to take the following steps:

1. **Seek Medical Attention:** Your health and safety are the top priority. Make sure you receive proper medical treatment for your injuries.
2. **Identify the Owner:** Try to identify the owner of the dog and gather their contact information.
3. **Document the Incident:** Take photos of your injuries, the location where the incident occurred, and any other

relevant details. This documentation can be valuable if you decide to pursue a legal claim.

4. **Report the Incident:** Depending on the severity of the bite, you might need to report the incident to local animal control authorities or law enforcement.
5. **Consult an Attorney:** If you’re considering legal action, consult a personal injury lawyer in Virginia who has experience with dog bite cases. They can help you understand your rights, gather evidence, and guide you through the legal process.
6. **Statute of Limitations:** Keep in mind that there is a time limit within which you must file a lawsuit. This is known as the statute of limitations. In Virginia, the statute of limitations for personal injury cases, including dog bite cases, is generally two years from the date of the incident.

Remember that every case is unique, and the outcome can depend on various factors such as the specific circumstances of the incident, the severity of the injuries, and the evidence available. It’s crucial to consult with a qualified attorney to get advice tailored to your situation.



\$2,500 “HARD WORK PAYS OFF” SCHOLARSHIP WINNER



Congratulations to Darius Eubanks, the winner of our firm’s 2023 Hard Work Pays Off Scholarship! Darius is a 2022-23 graduate from Randolph-Henry High School in Charlotte Court House, Virginia, and will be attending Averett University in the fall. He worked hard in high school to maintain his grades while running cross country and working a part-time job! He plans to pursue a degree in Sports Communication.

“I was so excited to hear about winning this scholarship,” says Darius. “It will really help me to finance my college education. My mom always told me, ‘When you put God first everything else will fall into place!’ And it did! Thank you so much to everyone who helped me and made this possible for me! I feel so honored. Thank you again to The Warren Firm!”

NEW PRECEDENT: Beloved Property

The Court of Appeals of Virginia has ruled in a case involving a dog owner's negligence claim against a veterinary office. The owner sought compensation for veterinary expenses that exceeded the fair market value of her injured dog. The veterinary office tried to exclude expenses beyond the dog's value based on typical rules for determining damages in personal property cases. However, the court ruled that this approach was overly mechanistic and overlooked the goal of compensating for the harm caused. The court emphasized that the owner could recover all reasonable and necessary veterinary expenses resulting from the veterinary office's negligence.

The judge noted that animals are considered personal property in Virginia, but the determination of damages should ultimately serve the purpose of rectifying the injury or loss suffered. The court also noted that personal property can hold special value to its owner, leading to unique considerations when calculating damages.

In this case, the judge concluded that a jury should decide if the claimed veterinary expenses were reasonable and necessary, taking into account the nature of the animal, the likelihood of successful treatment, and customary practices.

THE DOGS OF THE WARREN FIRM



Clockwise from top left: Vaden's yellow lab, Chessie; our marketing coordinator Brooke's daughter holding the closest thing they will have to a real dog for a little while still; and our receptionist Micheala's daughter with their hunting beagles.





Help others who have been injured find the Warren Firm — review us on Google!



The Warren Firm, PLLC
516 Locust Ave, Charlottesville, VA

5.0 ★★★★★

"Mr. Warren was extremely helpful in helping me understand how to navigate my health uncertainty due to a driver hitting me while I was walking. He clearly communicated his goal was to help me achieve the best outcome possible, and so far, that means I have not yet engaged his services (8 months after the call). I would highly recommend talking to Mr. Warren or his colleagues after any car crash or personal injury, to explore if it is appropriate to get the team's help. — Taylor A.

If you get in an accident, and you're not sure whether or not you need an attorney, call us and we will give it to you straight! We will let you know if it would be appropriate AND financially prudent for you to handle the case on your own. We can also advise you on next steps! But if we believe our services could make a big difference in the offer you will receive from an insurance company, we will let you know up front and you can rest assured that we are sincere and honest!

(434) 972-9090

THANK YOU!

October 23 is National Paralegal Day and the Warren Firm is grateful for Valerie Martinez, who has been keeping things running smoothly around here for the past 17 years!

11 Ways to Harm Your Case: Part Eight

There can be many pitfalls in a personal injury case. Insurance companies will try many methods to deny your claim altogether or make the recovery as small as possible. Each month we will highlight something you should NOT do when it comes to working with insurance companies!

11 WAYS TO HARM YOUR PERSONAL INJURY CASE

8. Not tell your attorney about previous personal injury cases



You need to make your attorney aware of any previous injuries you have had, particularly if they are the same or like the ones related to the current incident.

WHAT NOT TO DO, SO FAR ...

1. Admit to any fault at the scene of the collision.
2. Downplay your injuries.
3. Give a statement to any insurance company.
4. Not take pictures of any cars involved.
5. Not seek medical treatment for injuries.
6. Miss a medical appointment.
7. Give the insurance company authorization to contact your doctor.
8. Not tell your attorney about previous personal injury cases.

We focus our practice on cases involving:

Personal Injury
Wrongful Death
Children's Injuries
Bicycle Accidents
Auto Accidents



Vaden
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The Warren Firm
516 Locust Avenue
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