



# J. Franklin Burns, P.C.

## FIRM NEWS

(404) 303-7770

November 2017

For more resources, tips, data, stories, and information on these and other legal matters, visit [jfblaw.com](http://jfblaw.com).

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*As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them." - John F. Kennedy*

This time of year, everyone likes to talk about what they are thankful for, and at JFBLAW we are thankful for our clients. Words alone cannot express how grateful and thankful we are to have you as part of our JFBLAW family.

We appreciate each and every client for the confidence that you have shown to us, and we promise to work hard on your behalf. We are humbled that you have chosen us to represent you.

From our family at JFBLAW to yours, we wish you a very Happy Thanksgiving.

### CONGRATULATIONS

to

### ROBIN EMELE!

**She was the winner of the  
July Newsletter Trivia  
Challenge !**

**Please be sure to send in your response for the November Newsletter Trivia Challenge in this issue for your chance to win a \$25 gift card!**

#### HOW TO REACH J. FRANKLIN BURNS, P.C.

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## News You Can Use!

### Injured Georgia Worker Prevented from Obtaining Workers' Compensation Benefits Due to Late Filing

Last year, the Georgia Court of Appeals issued a written opinion in a workers' compensation case that shows how strictly the state's statutes of limitations will be enforced against injured workers who do not file a timely claim. In the recent case, the state's high court determined that an intermediate appellate court improperly held that the injured worker's claim for benefits was not time-barred by the two-year statute of limitations. As a result of the most recent ruling, the injured worker will not be entitled to the benefits he once enjoyed.

#### The Facts of the Case

W.B. was an employee in a wood-processing plant. In 1993, W.B. fell through a floor while on the job, and his leg landed in a moving auger. W.B.'s leg had to be immediately amputated below the knee.

Initially, W.B. was approved for temporary total disability (TTD) benefits. After he recovered, he was fit with a prosthetic leg and was able to return to work. Because of his previous injuries, upon his return to work, he took on a supervisory position that was less physically demanding. During this time, his TTD benefits were replaced by permanent partial disability (PPD) benefits. His last PPD payment was issued in 1998.

The company for which W.B. had worked sold the plant to a new owner, and the new management placed W.B. in a more physically demanding role. This exacerbated his previous injuries, and his employment was terminated in 2009. Three years later, W.B. filed for the reinstatement of his TTD benefits.

#### The Court's Opinion

The lower court allowed W.B.'s benefits, and the employer appealed. On appeal to the Georgia Court of Appeals, the court reversed the lower court's decision to allow W.B.'s application for the reinstatement of his TTD benefits. The court explained that there is a strict two-year statute of limitations that must be followed. This requires all injured workers to file a claim for benefits within two years of their injury. In situations like W.B.'s, in which an injured worker had been receiving benefits and they were later terminated, the injured worker has two years from the date when the benefits stopped. Here, the court explained that W.B. stopped receiving TTD benefits in January 1994. Thus, he would have had to file his claim within two years of that date for the claim to be considered timely.

#### Have You Been Injured in a Georgia Workplace Accident?

If you or a loved one has recently been a victim of a Georgia workplace accident, you may be entitled to ongoing benefits through the workers' compensation program. Workers' compensation benefits can be temporary or permanent, depending on the type of injury involved. To learn more about Georgia workplace injuries and how you may be able to obtain compensation while you recover from your injuries, call 404-303-7770 to set up a free consultation with a dedicated workers' compensation attorney.

#### THANKSGIVING FACTS!

- \* **46 million:** The estimated number of turkeys killed annually for Thanksgiving, according to WalletHub.
- \* **4,500:** The calories the average American will consume (plus 229 grams of fat) at a traditional Thanksgiving feast, according to the Calorie Control Council. That's over twice the recommended calorie intake for an entire day, according to The Office of Disease Prevention and Health Promotion.

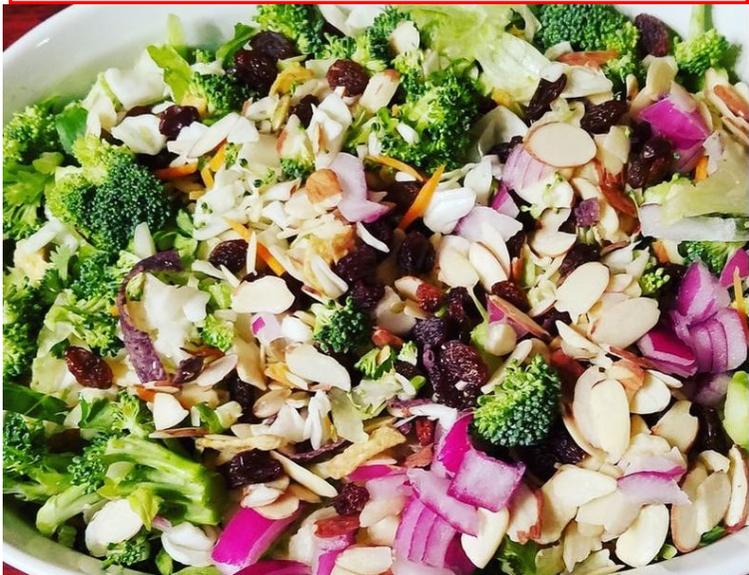
## WELCOME NICK HOLLANDER



Nick comes to us from almost 20 years of defense practice, and we are happy to have him! He looks forward to being able to help injured workers rather than fighting against them.

He grew up in North Carolina and went to college at Cornell University. He then attended law school at the University of Maryland. At law school he met his future wife, and they moved to Atlanta in 1998. They now have three children. When not running around after them, Nick stays active with exercise and it is an avid collector of bourbon.

Welcome, Nick!



### Broccoli Salad

#### Ingredients

- 2.5 cups broccoli, chopped
- 1/2 cup red onion, chopped
- 3.5 cups chopped salad mix (saves time and money) The mix I used contained green cabbage, romaine, carrots, pumpkin seeds, green onions, cilantro, and blue and yellow tortilla chips.
- 2 oz. raisins
- 1/2 cup almonds, sliced

#### Instructions

1. Rinse and chop broccoli.
2. Add additional ingredients and mix thoroughly.

#### For Serving

Serve with your dressing of choice. I used organic ginger soy sauce.

[www.thesensiblevegan.com](http://www.thesensiblevegan.com)

# Happy Anniversary!

**Shannon Rolan**

10th Anniversary

Congratulations, Shannon!

Thank you for your hard work and dedication at J. Franklin Burns, P.C.

## November Challenge!!!

### MULTIPLE CHOICE:

Injuries that do not occur at a single moment in time, like a fall or a car accident, are called:

1. Partial injuries
2. Personal Injuries
3. Repetitive Use Injuries
4. Stealth Injuries

The 4th participant to email [Tabatha@jfbllaw.com](mailto:Tabatha@jfbllaw.com) with the correct answer will win a \$25 Amex Gift Card!

**Good luck!**



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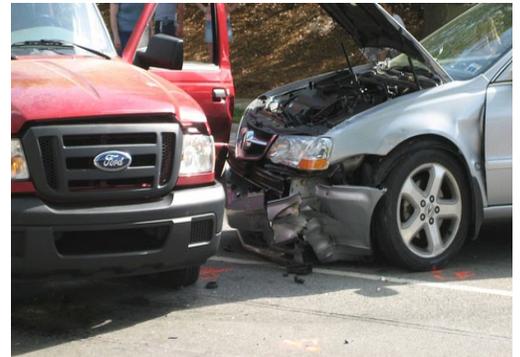
## WE CAN HELP!



(Pictured Left to Right) John B. Corbally, J. Franklin Burns, and Shannon D. Rolan

**Remember!** We work with attorneys across the state in matters outside of workers' compensation. As a result, we can help you, a loved one, or a friend with injury cases involving:

- Auto Accidents**
- Truck Wrecks**
- Personal Injuries**
- Medical Malpractice**
- Slip and Fall Accidents**
- Wrongful Death**
- Product Liability**



*We have 67 years of combined legal experience and have recovered over \$80 million for our clients since 2002.*

**Call (404) 303-7770 today for your FREE consultation!**