

OREN & OREN, INC.

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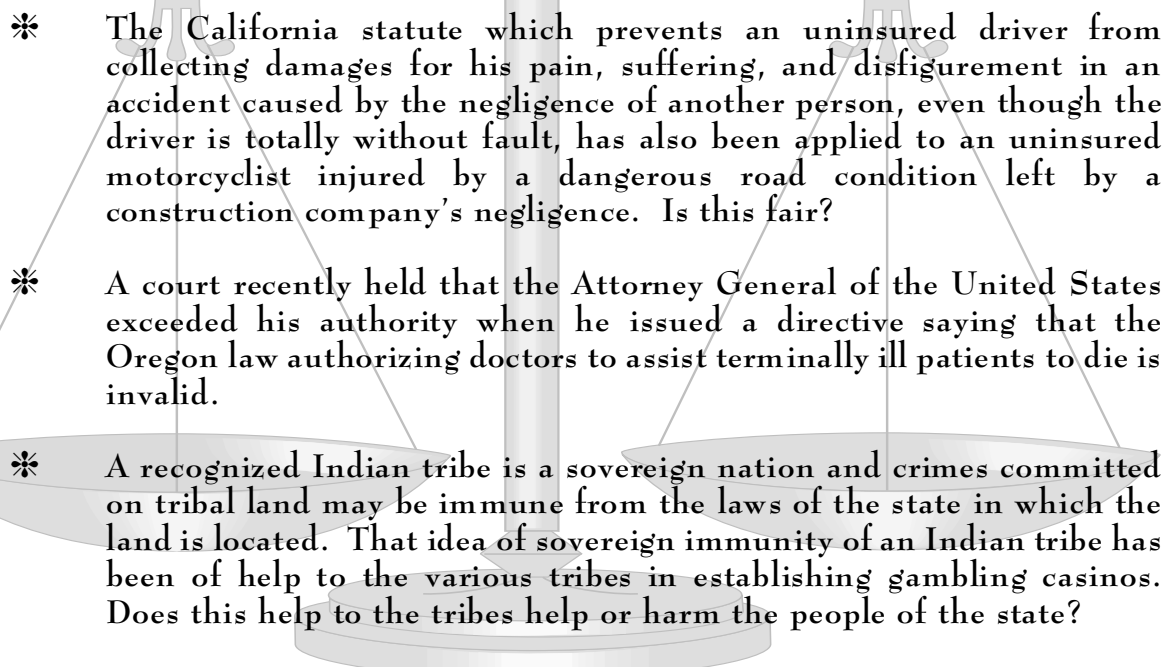
[ORENANDOREN@MSN.COM](mailto:ORENANDOREN@MSN.COM)

Dear Friend:

MAXIM FOR THE DAY

“One must so use his own rights as not to infringe upon the rights of another.” (Civil Code Section 3514) Is this the legal way of stating the golden rule that we should do unto others as we would have them do unto us?

DID YOU KNOW?

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- \* The California statute which prevents an uninsured driver from collecting damages for his pain, suffering, and disfigurement in an accident caused by the negligence of another person, even though the driver is totally without fault, has also been applied to an uninsured motorcyclist injured by a dangerous road condition left by a construction company's negligence. Is this fair?
  - \* A court recently held that the Attorney General of the United States exceeded his authority when he issued a directive saying that the Oregon law authorizing doctors to assist terminally ill patients to die is invalid.
  - \* A recognized Indian tribe is a sovereign nation and crimes committed on tribal land may be immune from the laws of the state in which the land is located. That idea of sovereign immunity of an Indian tribe has been of help to the various tribes in establishing gambling casinos. Does this help to the tribes help or harm the people of the state?
  - \* An Ohio court said that two persons living together as husband and wife though not married had a right to change their last names so that they had a common last name. The object was to avoid the confusion which often results when people of the opposite sex live together but are not married.
  - \* Now that everyone is talking about DNA and inherited genetic defects, what happens if a sperm bank furnishes genetically defective sperm and the result is a child with a serious defect. A California court says that there is no right to recover from the sperm bank or its physician.

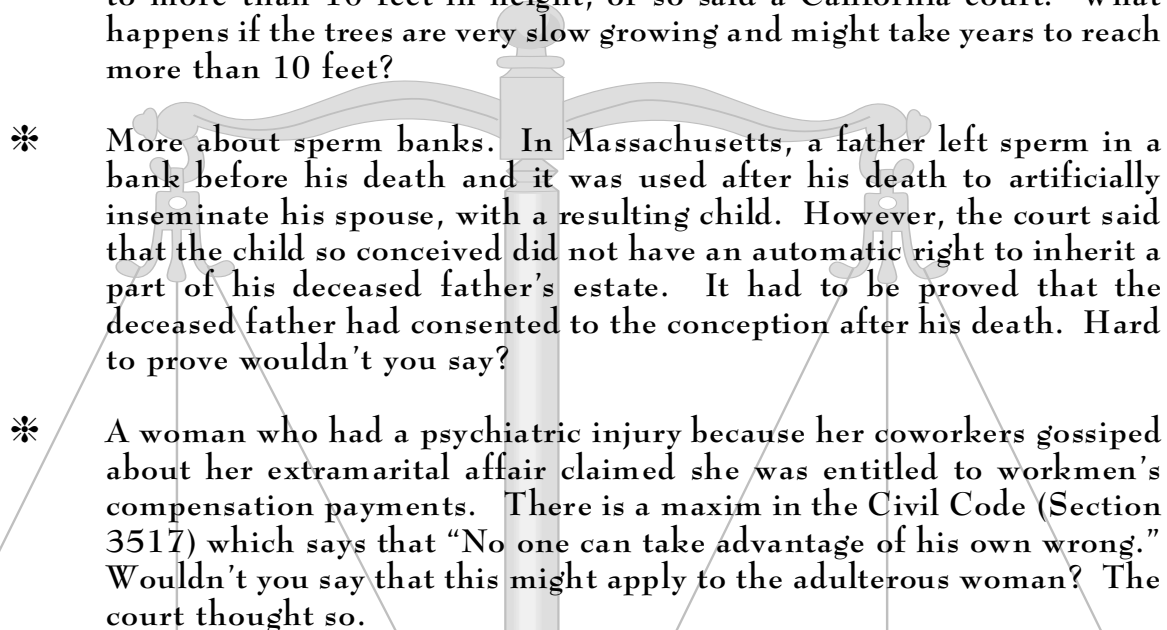
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- \* A row of trees planted on or near the boundary line could be a spite fence and a private nuisance if the particular kind of trees could grow to more than 10 feet in height, or so said a California court. What happens if the trees are very slow growing and might take years to reach more than 10 feet?
  - \* More about sperm banks. In Massachusetts, a father left sperm in a bank before his death and it was used after his death to artificially inseminate his spouse, with a resulting child. However, the court said that the child so conceived did not have an automatic right to inherit a part of his deceased father's estate. It had to be proved that the deceased father had consented to the conception after his death. Hard to prove wouldn't you say?
  - \* A woman who had a psychiatric injury because her coworkers gossiped about her extramarital affair claimed she was entitled to workmen's compensation payments. There is a maxim in the Civil Code (Section 3517) which says that "No one can take advantage of his own wrong." Wouldn't you say that this might apply to the adulterous woman? The court thought so.

My practice is not limited to helping people who have been injured in automobile accidents. During the past year, I have made recoveries for children abused in foster homes, for victims of malpractice, for persons injured in falls on slippery floors at business establishments, for victims of dangerous prescription drugs, and a variety of other cases where an injury resulted from someone else's negligence. Emotional distress can itself be an injury for which damages are recoverable. People often think in terms of victims of automobile accidents, but my office handles injuries from a variety of complex causes.

Personal best wishes to each of you. Thanks for your past support.

Very truly yours,

*Charlie*

CHARLES D. OREN