

## The Pemberton Law Firm Hires Third Generation Attorney

Sam Rufer joined the Detroit Lakes branch of the Pemberton Law Firm in early September. Since his graduation from William Mitchell in 2002, he has worked as an attorney in the Minneapolis division of Foley Mansfield. With his emphasis on civil litigation, Sam is able to provide full legal analysis on a wide variety of claims for corporations and individuals.

Rufer joins his father Steve, a Senior Partner with the firm, and his late grandfather Gerald Rufer, who was an attorney and Partner with the firm from the mid 1940's until the mid 1990's. "I am very excited to be here," Rufer said. "To join the firm that my grandfather worked at for so many years, and to be able to work at the same firm as my father, is a great reward. I look forward to carrying on the tradition and building one of my own here in Detroit Lakes."

Along with his father, Sam joins 17 other attorneys working in Fergus Falls, Detroit Lakes, and Wadena. "We are pleased that Sam joined our team" said Kent Mattson, a Senior Partner and CEO. "He is a great attorney and will bring a vast knowledge of the law for many years to come in Detroit Lakes."



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## Is Your Injury Compensable?

*-by Dan Carlisle*

Ernest Hemingway said, "Every man's life ends the same way, and it is only the details of how we lived and how we died that distinguishes one man from another." So too are lawsuits involving claims of personal injury. Each and every such lawsuit will be driven down a similar path, with similar statutory and case law being applied, and usually a court or jury determining if compensation is warranted and in what amount. Despite these similarities, it is the unique factual details that distinguish one personal injury case from others.

Personal injury attorneys revel in the unique factual characteristics that make up each of their cases. Despite the significance that we attorneys place on obtaining, developing, and applying the specific facts to every case we handle, I am always amazed at how surprised clients are to learn that their fact pattern and injury may be compensable. Today's society has recognized the right of individuals to be compensated for injuries they have sustained as a result of the wrongful conduct of others. If you have been injured, are you aware of whether or not you may be entitled to compensation?

*Story continued -*

In my 18+ years of practicing law, I recall many cases that ended successfully, but began with a distinct, challenging set of facts. From a young farmer who became entangled in a PTO shaft, to a truck driver who was delivering two-ton rolls of paper to a printing company and was run over by a “runaway” roll while he was helping to unload them, the facts in most cases are completely different.

Early in my career, I successfully represented two young Amish girls who were injured when their horse and buggy was rear-ended, in the dark, by a motor vehicle. The family was most appreciative when they got a new horse, a new buggy, and had the medical bills and injuries to the daughters compensated.

Sportsmen are not immune from injury either and make for some of the most interesting fact patterns. Take for instance the ice fisherman who was helping a friend remove fish houses from an area lake in February one year. As the pickup truck that was carrying the fish house exited the lake, it encountered an ice heave, which in turn caused the fish house to be knocked out the back of the truck. My client was walking on the ice at the time, and was flattened by the airborne fish house. He was compensated for his pain, suffering, loss of income, and medical expenses. Another sportsman/client was varmint hunting in South Dakota when his rifle exploded on him, causing damage to the rifle and sending brass fragments into his eye. Another very unfortunate incident for an outdoor enthusiast involved my client’s husband and a father who was an avid snowmobiler. After having too much to drink, and closing down the local tavern late into the night, the intoxicated snowmobiler made his way into a shallow creek, upside down. He was found several hours later, deceased. Compensation to the family from the tavern’s liability insurer for loss of support of their husband/father, although much appreciated, was small consolation.

Other unique and interesting fact patterns that are fondly recalled include injuries sustained in bar assaults, horse riding accidents, logging accidents, illegal drag races, round hay bales coming loose while being moved, injuries while on commercial airline flights, and even a recent case that resulted in my client being chemically burned while he was in the process of pouring and finishing wet cement.

As the anecdotes recited in this article demonstrate, the facts involved in a personal injury representation take on many different shapes and sizes. If you have been injured, let one of our competent personal injury attorneys furnish you with a free consultation and assessment as to whether your specific facts may warrant compensation. Remember, it’s all about the facts.

## Bits and Pieces

On October 13<sup>th</sup>, attorney Kristi Hastings gave birth to her second child, a boy, Dane. The Hastings family is doing well. Kristi will return to her practice in mid December. Any questions regarding any of her files should be directed to Joanne Peterson at 218-736-5493, or j.peterson@pemlaw.com. Congratulations to Kristi and her family!

The Pemberton Law Firm has hired an Administrator, Matt McGovern. Matt, his wife Kelli, and 7 month old son Riley moved to Fergus Falls in July from the Twin Cities. Matt’s duties include management of our over forty employees, financial management, and general administration. Matt can be reached at 218-736-5493, or m.mcgovern@pemlaw.com.

### Our Three Locations

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