



# Seufert Law Offices, PA

*We'll Get You Through It*

## From the Captain's Log There is a Lot to Know About Beer

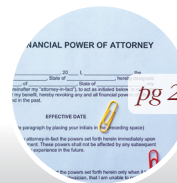


One of the local beer pubs recently gave a tour of their new brewing facilities in Franklin, along with a few samples of the wares. It's a local brewery, with a single assembly line, but send their beers throughout New England. They have a million dollars invested in this new leased space, and new equipment, so a sizable, and bold, financial move. We were shown how the malt is sent through overhead shoots into the initial vats, then distilled down with yeast added to bring out the sugars, then over to the finishing vats where the temperature is kept near freezing with glycol cooling the vats to control the speed of the finishing process. They also explained some complicated new process where they "recycle" some of their yeast for reuse but by that time the

sampling had dulled my knowledge uptake, so I lost something in the translation. What was impressive was the amount of product that this rather little facility was able to produce, and how big their New England market had already become. We've come a long way since Friar Tuck.

This is just one more example of Franklin starting to punch above its weight class. •

## June 2023 News



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## DURABLE FINANCIAL POWER OF ATTORNEY

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ I, \_\_\_\_\_, the principal, of \_\_\_\_\_, State of \_\_\_\_\_, hereby designate \_\_\_\_\_, of \_\_\_\_\_, State of \_\_\_\_\_, my attorney-in-fact (hereinafter my "attorney-in-fact"), to act as initialed below, in my name, in my stead and for my benefit, hereby revoking any and all financial powers of attorney I may have executed in the past.

### EFFECTIVE DATE

(Choose the applicable paragraph by placing your initials in the preceding space)

\_\_\_\_\_ - A. I grant my attorney-in-fact the powers set forth herein immediately upon the execution of this document. These powers shall not be affected by any subsequent disability or incapacity I may experience in the future.

or

\_\_\_\_\_ - B. I grant my attorney-in-fact the powers set forth herein only when it has



# Durable Financial Power of Attorney

Creating a durable financial power of attorney (DFPA) ensures that someone you trust (the "agent") will be able to make financial decisions or transactions for you—for example, pay bills, deposit/withdraw funds, fill out insurance or benefit forms, order property repairs, and so forth—which is especially critical in the event you become incapacitated. You can set limits on the scope of their authority, or establish specific time frames (e.g., while you're hospitalized).

Generally, a DFPA is established via a document that is signed, witnessed, and notarized, and typically goes into effect the moment it's signed. However, you can create a "springing" durable financial power of attorney, which grants financial decision-making authority only after you've been incapacitated as certified by a medical doctor. Problem here is that your "agent" would then need to get to your doctor to have them write that note prior to them being able to use the DFPA and will that be possible in this crazy-busy world.

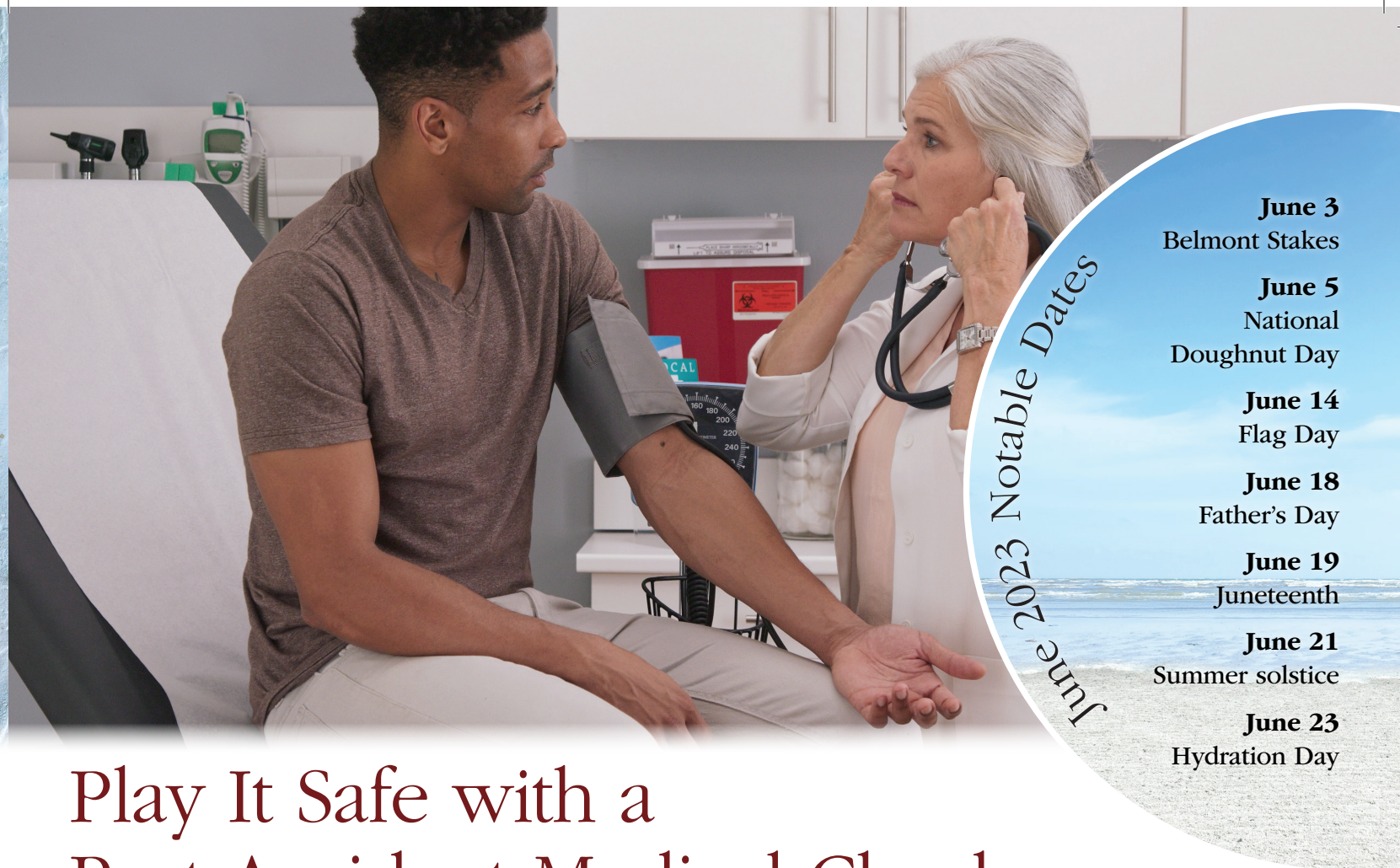
DFPAs offer significant advantages over other financial arrangements. Privacy is maintained. Some proceedings (e.g., conservatorship or guardianship) can be expensive and potentially embarrassing. Court records are public and proceedings are sometimes published in the newspaper.

The spouse of an incapacitated person without a DFPA has limitations on his/her financial options. For example, most states require both spouses to agree to the sale of real estate or cars. If one spouse is incapacitated, the other spouse is stuck. A DFPA will overcome this troublesome obstacle.

A DFPA is terminated upon your death. The agent's ability to conduct your financial affairs ends immediately.

Contact an estate attorney if you are ready to create this important tool for managing your financial affairs. ●





June 2023 Notable Dates

**June 3**  
Belmont Stakes

**June 5**  
National  
Doughnut Day

**June 14**  
Flag Day

**June 18**  
Father's Day

**June 19**  
Juneteenth

**June 21**  
Summer solstice

**June 23**  
Hydration Day

# Play It Safe with a Post-Accident Medical Checkup

It's not just major, violent auto collisions that lead to injuries to drivers and passengers. Seemingly minor fender-benders can cause significant injury, too.

Injuries sustained from an auto crash might not be noticed initially—sometimes for hours, days, even weeks—for a variety of reasons. A car crash induces a rush of adrenaline and endorphins, chemicals that raise a person's energy level and frequently block pain. Once the "high" dissipates, pain may kick in.

Soft-tissue injuries cause harm to tendons, muscles, and ligaments and are precipitated by sudden, jarring stops, and when bodies get tossed around inside the car. Whiplash injuries are common. Soft-tissue injury symptoms—pain, swelling, and reduced mobility—might not present themselves immediately, and injuries are not visible on X-rays.

Concussions occur when the brain strikes the inside of the skull with great force. Some concussion symptoms are obvious from the outset. Others may be subtle and/or delayed.

An appointment with a medical doctor is highly recommended following a collision. He/she will assess your overall physical well-being, help you monitor symptoms of potential injuries, and document your condition, which is vital to possibly filing a future medical claim. Procrastination diminishes your chances of success.

Insurance adjusters also know that injury symptoms are sometimes delayed. They may pressure you to agree to an early settlement, before symptoms have manifested themselves. If you sign a release and symptoms occur afterward, you can no longer ask the insurance company to pay for your treatment.

If you have been injured in an auto accident, contact an auto-accident attorney to protect your rights. •

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Attorneys At Law



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*Protect Your Family, Protect Your Rights*



There is a  
Lot to Know  
About Beer

SEE PAGE ONE

This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

# No Impugning with Impunity

Defamation of character is an act of personal injury in which someone lies about another person and impugns their reputation and integrity, causing emotional and/or financial harm. Libel is written defamation (print media, blogs, social media posts, signs, etc.); slander is oral defamation. The expressions must be made to a third party, whether one or millions; a one-on-one exchange doesn't pass muster.

In general, to prove a defamation claim, the plaintiff must show 1) the defendant made the published or spoken statement; 2) the statement caused injury; 3) the statement was false; and 4) the statement did not fall into a privileged category (e.g., witness testimony in a court proceeding). True statements, even if they hurt, are not defamatory.

Opinions are not defamatory either, and the line between a false statement and opinion often gets blurred. One reason why defamation cases are frequently challenging to prove.

Those in the public eye (e.g., actors, entertainers, professional athletes, politicians) have a higher bar to clear in defamation cases. Since they can expect more public scrutiny than the average person, they need to prove actual malice by the "defamer" — that is, the defendant knew the statement was false or had reckless disregard for whether it was true or false.

According to the Communications Decency Act of 1996, libel suits cannot be brought against social media companies. Their individual users are regarded as the publishers of content, not the social media companies themselves.

If you become the victim of character defamation, contact our office for guidance. If our firm cannot take on your case, we can recommend one that specializes in these matters. ●

