



# Seufert Law Offices, PA

*We'll Get You Through It*



## Heroes Among Us

As some of you may know, for the tidy sum of \$1 a year I am Chairman of the Peabody Place Assisted Living Facility in Franklin, NH (in addition to my 60+ hours a week running the law firm). Having been Chairman now for 5 years I have managed to save all my pay and can now afford a Starbucks (small regular). More to what this article is all about is that over the past 8 years my Board of Directors saw the aging building we called Peabody Home and the need to invest a tidy sum in repairs and upgrades. Then ask the State for continued waivers, as part of the old building was wood framed and not allowed per current code for Assisting Living Facilities as the fire burn time for shelter-in-place is non-compliant. The alternative was to bite the bullet and invest in a new structure. The latter won out and we planned, engineered, permitted, and built. But as in any new build (or even renovations) we had hiccups along the way. You may call them obstacles or “opportunities” but thousands of little decisions had to be made along the way and the entire Board was involved in making those decisions. While I got my annual \$1, the remaining board worked without pay, but they never complained to my many requests and almost weekly, or bi-weekly, “emergency meetings”. And there were also countless delays in the completion date, as is usual. But, finally, in April 2023 we were done.



I would like to take all the credit, but I can't, my Board deserves all the credit as they are the heroes and at the recent annual meeting, I was able to award them all with a little token of my appreciation.

P.S. I tell my kids that they do not need to worry about my getting old because I built an entire facility to live in... ●

## November 2023 News



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# EV Batteries: A Heavy Topic

Electric vehicles (EVs) are beginning to make a dent in the new-vehicle marketplace, having reached nearly 6% of purchases in 2022 (a 65% increase over 2021). The current administration has set a goal of 50% by 2030 in order to aid the environment. (But it's not all unicorns and rainbows. Read about the environmental impact of lithium mining to supply the batteries.)

But one major, often overlooked EV issue concerns the weight of EV batteries. Depending on the type of vehicle, the disparity in weight between an EV and a gas-powered vehicle of similar size can range from hundreds of pounds to several thousand. Safety-wise, this is good news for the occupants of the heavier EV. Not so much for the occupants of the lighter vehicle, who are subject to higher forces in a crash. According to a 2011 study by the National Bureau of Economic Research, there is a 47% greater chance of a fatality for the lighter-weight vehicle occupants when struck by a vehicle that outweighs theirs by 1,000 pounds or more.

The demand for 400 miles per charge currently necessitates larger EV batteries. EV engines are also extremely powerful. Despite the added weight, many EVs can surge from 0–60 in less than 5 seconds and have 100% of their torque available immediately, unlike conventional gas-powered vehicles. Not every driver properly manages that. Extra weight also means longer stopping distances, and it's not clear that all EVs have the braking capabilities to handle their additional mass — making things dicey for pedestrians and bicyclists, too.

The bad news is that much of the sourcing of Lithium is from other nations, some who are not so friendly to the US lately. And also, the pollution the Lithium mines cause in those nations.

But nothing is perfect in this world. •





# AS PROMISED – This Month's Legal Terminology

November 2023 Notable Dates

**Nov. 3**  
Cliché Day

**Nov. 5**  
Daylight Saving  
Time ends

**Nov. 7**  
Election Day

**Nov. 11**  
Veterans Day

**Nov. 13**  
Caregiver Appreciation  
Day

**Nov. 17**  
Homemade  
Bread Day

**Nov. 23**  
Thanksgiving

A pretrial motion is a legal document filed in a personal injury lawsuit which requests that the judge resolve the case, or a particular aspect of the case, prior to a trial.

For instance, the defense might file a **motion to dismiss** the case due to legal deficiencies, such as the plaintiff lacks legal basis for their claim; the statute of limitations to bring a lawsuit has expired; the complaint was filed in the wrong jurisdiction; or the defendant was not properly served with the complaint.

When the facts of a case are not disputed, one party may file a **motion for summary judgment**. Essentially, the argument is that the evidence is so compelling, the judge should decide the case immediately, without a trial.

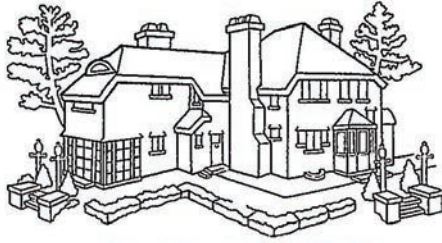
A **Daubert Motion** is a motion to exclude experts when one side feels the expert witness for the opposing party lacks the necessary qualifications to issue an opinion on the case.

A **motion to compel** could be submitted in the event that the other side is uncooperative in turning over documents or other potential evidence during discovery, the process of exchanging information between the parties concerning the witnesses and evidence they'll present at trial.

One party may want to limit or exclude specific pieces of evidence at trial, so they file a **motion to limit evidence** (or **motion in limine**). Oftentimes the evidence in question is argued to be more prejudicial than pertinent.

When the defense fails to fulfill a certain task placed upon it in response to the plaintiff, the plaintiff may file a **motion for default judgment** — a request that the judge award them the compensation they've asked for in the lawsuit. ●

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*Protect Your Family, Protect Your Rights*



Heroes  
Amongst Us  
SEE PAGE ONE

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## I Beg Your Pardon!

Turkeys have long been linked to Washington, D.C. (ahem, ahem). But the origin of the annual presidential Thanksgiving turkey pardon in the Rose Garden is frequently misrepresented.

In the 1870s, Horace Vose, a Rhode Island poultry dealer, began sending Thanksgiving and Christmas turkeys to the first family and reaped tons of publicity. He became the unofficial supplier for the next 40+ years, establishing the Turkey–White House connection.

Harry Truman is often erroneously credited with the first turkey pardon. Truman was the initial recipient of a turkey from the Poultry and Egg Board and the National Turkey Federation in 1947. Truman's administration had been encouraging "poultryless Thursdays" for several months. Outraged poultry growers sent crates of live chickens — "Hens for Harry" — to the White House in protest. Peace was eventually restored, and a turkey was presented to the White House for promotional purposes ... and later devoured.

In 1963, upon seeing that year's turkey sporting a "Good eating, Mr. President" sign, President Kennedy proposed, "Let's keep him going." The *Washington Post* used the word "pardon" in their article covering the occasion, but President Kennedy didn't utter it.

George H. W. Bush, in 1989, became the first president to "officially" pardon a White House turkey. An animal rights group was protesting the event, and Bush stated that "he [the turkey] will not end up on anyone's dinner table, not this guy. He's granted a presidential pardon as of right now." A turkey (or two) has breathed a sigh of relief each year ever since. ●