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BRIEF

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FRANK'S COLUMN

'BUMPY ROADS LEAD TO BEAUTIFUL PLACES'

That's a quote from Nats' manager, Davey Martinez, and I think it applies to many things in life — it certainly did for the Nats this year. As we get to the end of the year, I always reflect on everything I'm thankful for, but I tend to forget the sometimes-bumpy roads we all travel at one time or another. Life can give us bumpy roads, but sometimes we make our own roads more difficult when they don't need to be.

It's kind of like the holiday season we say is our favorite time of year (I certainly say this), but then why do we make it so stressful? Seriously, we get ourselves all wound up about having the "perfect Christmas" or "perfect holiday season" complete with the right gifts, cards, decorations, dinner, you name it.

As I said last month, one of my best Christmases was the \$100 Christmas my family had just after Keith and I started the firm (and after my Thanksgiving fail, it was a holiday upgrade, believe me). So, don't turn your holiday season into a bumpy road.

Merry Christmas and Happy Holidays from all of us at Donahoe Kearney!

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DECEMBER 2019

HALLMARKS OF THE HOLIDAY SEASON

A DRIVE TO CHICAGO, OUTDOOR ICE SKATING, AND CRAZY CHRISTMAS MORNINGS

When I think of Christmas as a kid, a few key memories come to mind. I remember sleeping in the "way back" of my parents' old station wagon on the way to Chicago from the East Coast. I remember the sting of the winter wind on my face as I learned to ice skate on a frozen pond (not very well I might add). I remember the roar of laughter of a big Irish Christmas party and the sound of paper ripping on Christmas morning. Christmas has changed a lot since I was a kid, but thankfully it hasn't become any less special.

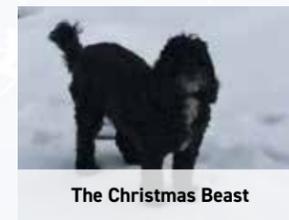
I was born in Chicago, but my family moved to the East Coast when I was pretty young. All of our extended family still lived there, so before every Christmas, my parents, my three siblings, and I would all pile into the back of the station wagon with our blankets and pillows (without seatbelts, of course — because if you were a kid in the 70s, your parents' motto was "If it doesn't kill you, it must be okay.") And all good parents tested this theory regularly) and drive all night across four or five states back to the Midwest. While that drive probably doesn't sound very fun, all that travel was exciting to me. Just like those old Christmas specials like Rudolph and Frosty that only came on TV once in early December, that drive to Chicago was a hallmark of the holiday season for me. It was how I knew Christmas was coming.

It was always freezing in Chicago around the holidays. Even though it felt like the air froze in our lungs with every breath we took, my cousins, siblings, and I still found plenty of opportunities for fun outside. We were always sledding and ice skating on the ponds that completely froze over, which was something we could never do back home.

Because we were always away from our house on Christmas, my siblings and I would inevitably discuss whether Santa would know to bring our presents to Chicago, and like all good 70's parents (see above), my parents would use this uncertainty to threaten us into behaving. If we didn't shape up, they would tell Santa so we would have nothing to open on Christmas morning! We usually started behaving after that.



All I want for Christmas is table food



The Christmas Beast



Christmas Day itself was pandemonium. We would wake our parents up at the crack of dawn, race down the stairs, and tear through whatever presents we could get our hands on. Some families make their kids open presents in an orderly fashion, and I never understood that. Christmas mornings of utter mayhem are the only kind I remember.

While it might have been fun as a kid, I'm thankful I don't travel during the holidays anymore. Instead of a long drive (these days with every one buckled up properly in a safe car engrossed in their phone), we stick around Washington and hang out as a family. I have a list of Christmas movies I have to watch every year: "It's a Wonderful Life," "Christmas with the Kranks," and "A Christmas Story." And, while it might not be their favorite thing to do, as we get closer to Christmas, my kids will usually humor me and watch those movies with me, especially after I threaten them with some 70's parenting.

Now that the kids are older, I have to wake them up on Christmas morning. It's not quite as crazy anymore although the dog still gets pretty excited ...

Whether you're staying in town or traveling to visit family this Christmas, I hope you find lots of opportunities to create memories and be with the people you love this holiday season. Merry Christmas!

Frank Kearney

COMFORT CASES

A SIMPLE NONPROFIT MAKING A PROFOUND DIFFERENCE

I was sitting at my desk one afternoon when I got a lovely call from Alice, who was from the National Board of Trial Advocacy. She told me they were having their annual board meeting that October, and they were looking for a service project to do together. She was reaching out to board-certified attorneys, certified through the NBTA, in the area to see if they had any recommendations for local nonprofit groups.

I was thrilled that she called because here at Donahoe Kearney, we have several groups with whom we are connected. You may remember our profiles on the DC Dream Center, Congressional Coalition on Adoption Institute (CCAI), and the Father McKenna Center.



DonahoeKearney.com/blog/ccai.cfm



DonahoeKearney.com/blog/dcdreamcenter.cfm



DonahoeKearney.com/blog/fathermckennahouse.cfm

The organization that was the best fit (and my former employer) was the Congressional Coalition on Adoption Institute, which does incredible work here in the United States and abroad with regard to domestic and foreign policy.

CCAI is a nonprofit, nonpartisan organization founded in 2001 by advocates of children in the U.S. and around the world in need of families. These advocates sought to match the commitment of members of Congress' Adoption Caucus, the Congressional Coalition on Adoption, with the information and resources needed to make the dream of a family a reality for every child.

While CCAI didn't have any need for service at the moment (if we would have hit in November, it would have been high time for their Angels in Adoption Program), they connected us with another incredible organization, Comfort Cases.

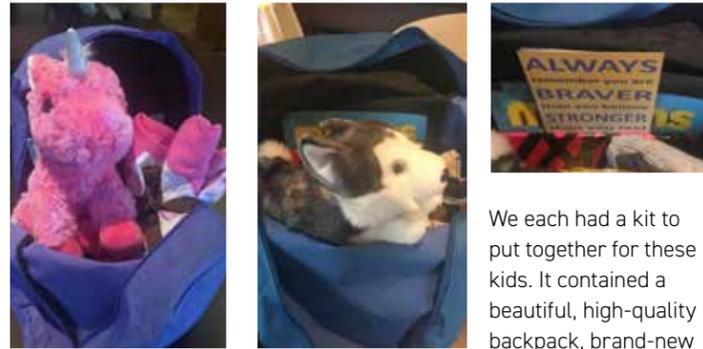
I didn't know anything about Comfort Cases originally, but from my work with CCAI, I had an idea of what they did. Still, I was blown away when I arrived.



It is such a simple concept. The executive director, Rob Scheer, shared his story of experiencing foster care and the simple yet incredibly deeply etched indignity of being shuffled from home to home with nothing to carry except a trash bag (ComfortCases.org/book). Everyone who listened raptly to his story was horrified — most people don't know the quiet shame of being in foster care and being treated like a leftover.



So, Rob Scheer did something about it. He founded Comfort Cases, a nonprofit organization located in Rockville with a very simple mission: no more trash bags for children in foster care.



We each had a kit to put together for these kids. It contained a beautiful, high-quality backpack, brand-new pajamas, a blanket,

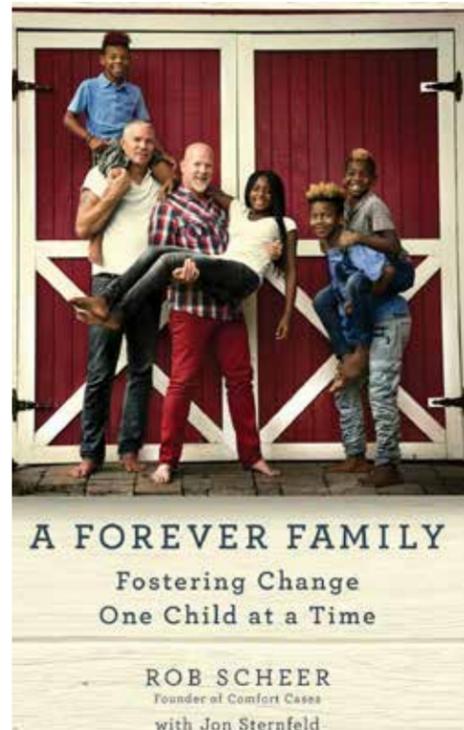
an assembly of toiletries, books, a journal, and a card that said, "Always remember you are braver than you believe, stronger than you feel."

These backpacks will go directly to a child who will not have to use a trash bag to carry their belongings. And you can be a part of this for as little as \$10 a month.

If you're interested in partnering with Comfort Cases, there are a few ways to do it! You can volunteer time at Comfort Cases in Rockville or at a special event like we did with the NBTA. You can contribute money or make in-kind contributions. Learn more at ComfortCases.org/support-us.

But whatever you do, don't do nothing. You too can be a part of making sure no child ever has to carry a trash bag again.

Brooke Birkey



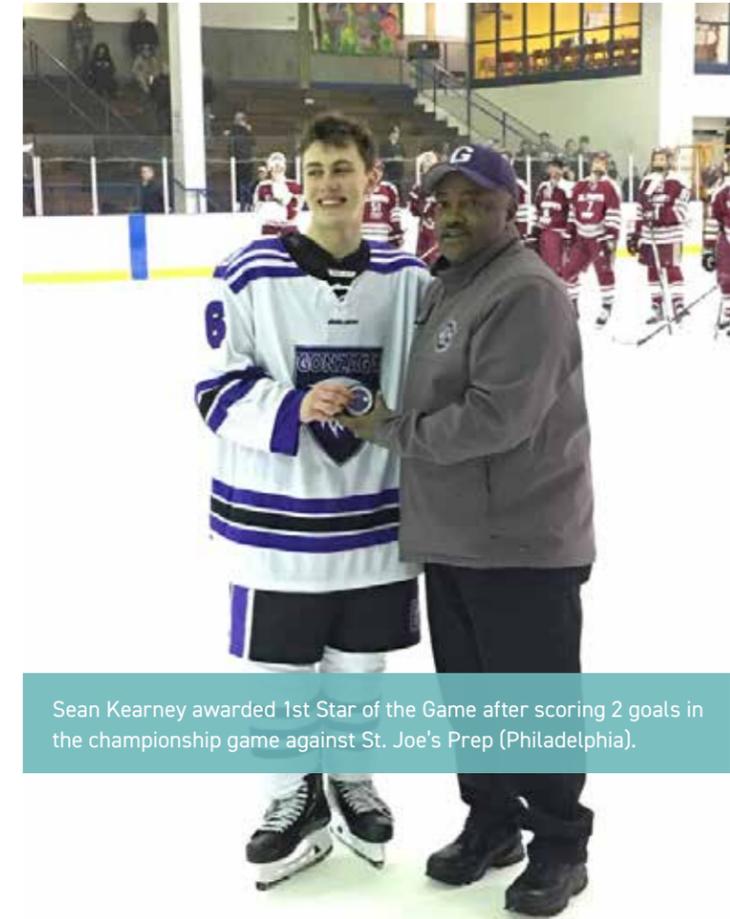
PURPLE PUCK HOCKEY TOURNAMENT RETURNS TO D.C. DEC. 26-30.

Looking for something to do with the kids in the week between Christmas and New Year's? A Caps game will seriously set you back — this tournament features some of the best high school teams from around the country. Best of all, it's free and supports a great local cause every year — this year, it's USA Warriors, the hockey club made up of disabled veterans.



It's held at the Ft. Dupont Ice Rink off of Minnesota Avenue, a throwback venue (okay, it's old and falling apart and one of the coldest places on earth — but that's the charm). The snack bar will be cranking out tons of delicious food — none of which will be healthy!

Teams play all day — so come when you can. See you at the Fort.



Sean Kearney awarded 1st Star of the Game after scoring 2 goals in the championship game against St. Joe's Prep (Philadelphia).

CONGRATULATIONS CORNER

THANK YOU FOR YOUR REFERRALS

- Dana Head, Darrell Swinson, Patrina Steadman
- Danny Onorato, Cynthia McCray
- Antonio Abuey, Rick Brawner, Theresa Wise
- David Ashe, John Kennedy, David Garfield
- Art Colding, Flo Portillo, Jaquan Lawrence
- BenGlassLaw, Beverly Powell, Howard McCrae



FRANCIS GARCIA

Francis is one strong dude. A track worker at Metro, both legs were pinned (and could have been crushed) by falling pieces of track caused by a preventable accident. After surgery, he was back on the job just a few months later. And the best part? He's had two promotions since then!

Now he's busy building the Silver Line to take us out to Dulles Airport.

POWER IN THE HANDS OF THE EMPLOYEE

THE HISTORY OF LABOR UNIONS AND HOW THEY HELP WORKERS GET AHEAD TODAY

Labor unions have been instrumental in guaranteeing fair wages and safe working conditions for employees of countless industries for many years. Many of the fair labor laws we enjoy today came about as a result of negotiations with unions. And, while today's working conditions still aren't always fair, unions remain an important player in that ongoing struggle.

A labor union is a group of workers who come together to make decisions about their workplace and how to improve conditions for employees. While workers have formed unions to protect their rights and negotiate for fairer working conditions since just after the American Revolution, unions did not gain serious followings until the Industrial Revolution in the 1860s. A vast influx of immigrants to the United States in the latter half of the 19th century dropped the price of labor, and workers' pay and working conditions suffered as a result.

In the first half of the 20th century, particularly during World War I and the Great Depression, labor unions gained prominence in the workforce. They organized strikes and protests against big, private businesses during this time, which made Congress more sympathetic to the plight of workers, and they became a controlling force in the economy during the late 1940s and early 1950s. Even though some say labor unions aren't as influential now, unionization continues to be an important tool for employees to get the rights and wages they deserve.

Today, 14 million workers throughout the United States are members of over 60 different unions: electricians, elevator mechanics, plumbers,

steamfitters, stage hands, even professional athletes and many other industries. Just like in the early days, members can rely on a collective voice to promote fairer wages and benefits, better work hours, workplace health and safety, and a number of other work-related issues. One of the key things we see unions provide today is the training and education that allows workers to move up quickly. Building and trade unions in this area have intensive apprenticeship programs that combine on-the-job training with a master-level practitioner and classroom instruction. That's a great alternative for someone who doesn't want to go to college and doesn't want to be stuck behind a desk all day.

In high end commercial construction, most of the skilled work is performed by unions. And, while it may be more expensive on the front end, contractors know they are saving construction costs over the life of the project because the job is done right and on time the first time. And, if you spend any time around union workers (no matter the specific trade or industry), you'll notice one thing they have in common — pride in their work.

Over the years, we've seen that pride over and over in working with a lot of union workers and their families. That's a big reason why Frank Kearney often visits and gives seminars for local unions and executive boards to update them on changes in the law and how union workers can best protect themselves and their families after a serious injury or medical condition. We just really enjoy working with people who work hard to get ahead.

QUESTIONS WE GET ASKED

Q: I can't work because I'm sick or hurt, and my job sent me paperwork to apply for FMLA. I'm not sure if I should get workers' comp, FMLA, or what. What should I do?

A: A couple of things here are important. Usually when people tell us they've applied for FMLA or their company is putting their benefits under FMLA, they mean they have applied for short-term or long-term disability.

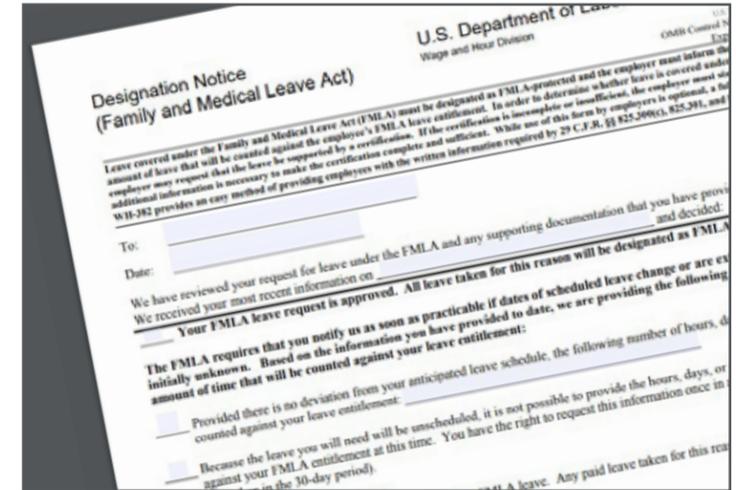
So, what is that?

Many companies have short-term and long-term disability plans — disability insurance policies usually governed by a federal law called ERISA, which should provide benefits if you are disabled because of an injury or medical condition and you can't work. There are a few key things to keep in mind. First, there are strict timelines to appeal if your claim is denied. Second, there are a lot of conditions and exclusions in these policies. You may be required to file for Social Security disability benefits, you may be excluded if you can get workers' comp benefits instead, and certain medical conditions may be excluded.

Workers' comp is a different system altogether for injuries at work. It has its own requirements under the law, but it's very different compared to short- or long-term disability.

But the No. 1 key thing to remember is that the HR department at your job doesn't know all the differences or what will be best for you — even though they may like you and mean well.

So, call us and let us walk you through it and get it straight. We handle all types of insurance and injury cases, so we understand how one type of case may affect the other.



WHAT IF GRANDMA GETS RUN OVER BY A REINDEER? *DON'T LET AN ACCIDENT RUIN YOUR HOLIDAYS*

Bad weather, impaired motorists, distracted drivers, reindeer — during the holiday season, there are tons of hazards on the Beltway, Interstates 270 and 66, and all over the city. Try as we might to avoid an accident, sadly, we can't always control this aspect of our lives. So, if a driver isn't following the rules of the road and causes an accident, here are five tips:

GET THE MEDICAL TREATMENT YOU NEED

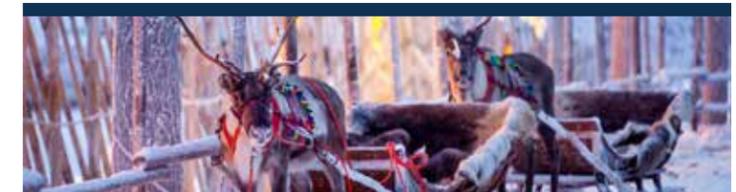
With any serious accident, get checked out at the hospital and follow up with a doctor. You should always let a medical professional make sure you didn't sustain any injuries that could appear later or may be worse than they seem.

CALL THE POLICE

At the same time, you should also make sure the police are on the scene right away. When they question you about the accident, don't speculate on what happened. Tell them the facts, and let those speak for themselves. Make sure to get a copy of the police report for the accident as well.

GET THE OTHER DRIVER'S INFO

Always get the other drivers' insurance information as soon as you can. If the facts make it apparent they're at fault for the accident, you'll want to call their insurance provider and get fair compensation for any damage to your vehicle and any injuries you sustain.



DOCUMENT EVERYTHING

If you have your smartphone with you, take pictures of the scene: where the accident happened, the positions of the vehicles involved, and any other important factors. If there were any witnesses, get statements from them about what they saw and their contact info. This information will come in handy if the driver who hit you changes his story.

CALL DONAHOE KEARNEY, LLP

Let us be your go-to resource for what to do following a serious auto accident. Call us at (202) 393-3320, or email us at clientexperience@dkllp.com if you have any questions or concerns, and ask about our free e-book, "The Ultimate Guide to Accident Cases In The DC Metro Area." Whatever happens after the accident, don't worry — we'll steer you in the right direction. **And we have it on good authority that Santa's reindeer don't carry insurance — so make sure you have uninsured/underinsured motorist coverage in your stocking this year!**