

The BOYK BULLETIN

Dustin Vogelsong: How A Hard-Working Father Fought To Survive



Dustin Vogelsong and Lindsey Beek

August 29, 2012 is a date Lindsey Beek will never forget and a day Dustin Vogelsong will never remember.

Dustin and Lindsey had been dating for 13 years and relishing their new-found roles as parents to a one-month old baby girl when Dustin was struck by the driver of another truck that failed to yield at a stop sign in rural Hicksville, Ohio.

Dustin's vehicle was so heavily damaged that the jaws of life were needed to remove him from the wreckage.

The Injuries

Upon arrival to the hospital, Dustin was rushed to the intensive care unit with a severe traumatic brain injury and apparent brain bleeds. He had wounds on his face and scalp and had sustained severe fractures to his right ankle and tibia/fibula.

His jaw was fractured in multiple places, which required surgery and the need for his jaw to be wired shut.

"All I remember is waking up and going to work, then the next thing you know, I'm in the hospital," Dustin said.

Getting the Right Help

A week after the accident, Dustin's family and Lindsey rallied together and came up with a plan on what needed to be done. Part of that plan was to call Charles E. Boyk Law Offices, LLC.

"After it really sank in what happened, maybe that night or the next day, family members and people were saying, 'You know, this is what you need to do,'" Lindsey said. "I heard about Charles Boyk through Robert and Michelle Lucas, the parents of my good friend. She said that she really loved you guys and had a great experience and she recommended you. The only phone call I made was to you guys."

From that point on, Boyk Law handled everything from making sure Dustin got top-notch medical care to dealing with the at-fault party's insurance company.

While Lindsey vigorously works to help Dustin return to the life he once lived, his prognosis of doing so is slim to none. His cognitive problems from the brain injury and the major fractures of his right lower leg and ankle prevent him from ever working in roofing again.

Being that Dustin had been labeled as "totally unemployable," experts could calculate that Dustin would incur an economic loss of \$1,053,234.00 over his lifetime. This amount is pale compared to the emotional and mental loss that Dustin has sustained and will continue to deal with for the rest of his life.

Dustin's future and existing medical expenses totaled more than \$500,000. These numbers do not factor in the 50 days that Dustin spent in the hospital in a sedative state, missing out on



Dustin one month after the accident

some of the most precious moments of his young daughter's life. The numbers never even consider the psychological damage this has caused to his personal life.

The Outcome

Although a lawsuit was filed in common pleas court, Boyk Law secured a confidential, out-of-court settlement that was more than pleasing to Dustin and his family.

Dustin and Lindsey were not only happy with the case's outcome, but also with the service they received from Boyk Law.

"Everyone went above and beyond," Lindsey said. "They took care of some things that I didn't even think that they could. I would strongly recommend Charles Boyk Law Offices."



Dustin's truck after the accident

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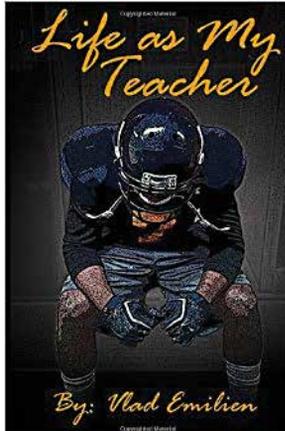
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NEW BOOK & MOVEMENT HIGHLIGHTS IMPORTANCE OF EMBRACING PLAN B



For many high school athletes who make it to the college level, sports become their life. They live, breathe, and play the game, out of passion or to keep their scholarship money.

But what happens when an injury occurs? What if playing in the Big Leagues just wasn't in the cards? For many student athletes and professional players, losing the opportunity to play sports means losing their sense of self. Suddenly they face the question, "Well, now what?"

Former University of Michigan and University of Toledo college football player Vlad Emilien addresses this life-altering issue with his new book, *Life as My Teacher*.

By telling his own life story of struggle, resilience, loss, and success through the main character, Justin Washington, Emilien gives

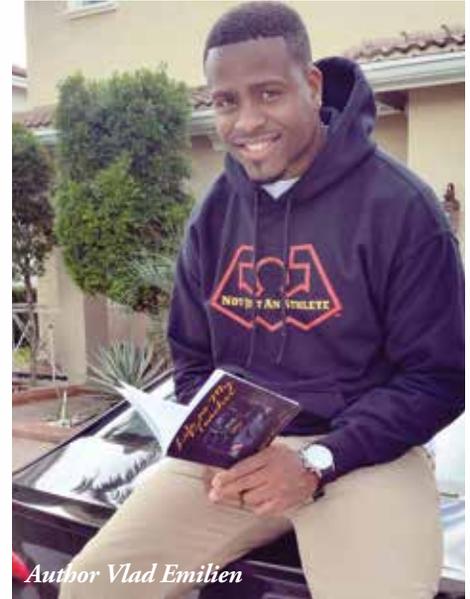
us a glimpse into the life of an athlete who established and embraced a Plan B before it was too late.

The book highlights important lessons like the importance of building relationships and learning to be a leader after "Justin" loses his best friend, his opportunity to play college football, and a spot in the NFL. Instead of mourning the losses, Justin embraces the Plan B that his mother encouraged him to establish and found a different path to success.

The idea that athletes should always have a backup plan outside of sports has also morphed into an entire movement founded by Emilien called "Not Just an Athlete." *Not Just an Athlete* encourages players of all ages and backgrounds to embrace their lives off of the field and balance their dedication to sports with other interests. From art and dance to business and science, athletes all over the country are joining the Not Just an Athlete movement and celebrating their accomplishments.

Avid sports fan Chuck Boyk followed Vlad's college career and was interested when he heard that the local athlete wrote a book.

"Vlad's book is an honest approach to an



Author Vlad Emilien

important issue," Chuck said. "It is a great read for any parent that has kids who play competitive sports, to remind families that there is more to life than the game."

To order a copy of *Life as My Teacher*, visit www.NotJustAnAthlete.com. Our firm is also giving away free copies to the first five people to call our office at 419-241-1395 or email us at marketing@charlesboyk-law.com.

DO I LOSE MY TAX REFUND IF I FILE BANKRUPTCY?

By Fred Boyk

Clients often ask me if filing bankruptcy means they will forever lose their tax refunds. The answer is no.

Nonetheless, it is possible that a person (or couple) will lose part or even all of one year's tax refund.

In the Toledo, Ohio area bankruptcy court, there are many factors used to calculate what a bankruptcy filer keeps and what goes to the bankruptcy trustee. The date on which the bankruptcy is filed is a key factor. Someone who files a bankruptcy on June 30th could lose up to half of his or her refund. If that person filed on December 21st, all of the refund could be lost. However, there are certain exemptions that a bankruptcy attorney claims on a client's behalf that will allow the client to keep some of the monies.

Refund amounts that relate to the "Earned Income Credit" and the "Additional Child Care Credit" are protected.

Anyone who files bankruptcy should speak to a bankruptcy attorney who understands the ins and outs of these calculations regarding what is exempt and what is lost when filing bankruptcy. That is why we offer free consultations for anyone contemplating bankruptcy. When advised by an experienced bankruptcy attorney you should feel confident that you understand the process and encounter no surprises. To set up your complimentary financial evaluation, call us at 419-241-1395 or email us at info@charlesboyk-law.com.



Attorney Fred Boyk

Start High School Student & Teacher of the Month



Naser Zarour and Monica Simmons

Congratulations go out to Monica Simmons, who was nominated by her student Naser Zarour for January's Teacher of the Month and the recipient of a \$250 Visa gift card.

"Ms. Simmons is so sweet, nice, and down to earth," Naser said. "She really cares about her students."

January's Student of the Month was Hannah Smith, who was nominated by her Art teacher, Jennifer Lahey. Hannah won a \$50 Visa gift card and was touched by Jennifer's nomination.



Hannah Smith and Jennifer Lahey

"Hannah is a great student," Jennifer said. "She is always asking what she can do around the classroom to help out and she is just an overall great kid."

Each month, Boyk Law chooses one teacher and one student from a pool of nominations to win various gift cards. Students must submit a video nomination and teachers recognize students using a survey. To watch the heartwarming videos on the Student and Teacher winners, visit www.NominateAStartStudent.com.

RECIPE:

Carol's Creamy Poppyseed Dressing

This versatile dressing tastes great over a spinach and strawberry salad or as a marinade for chicken or fish. Try it as a substitute for mayonnaise in your favorite coleslaw or as a topping on a turkey wrap.

INGREDIENTS:

- 1/3 cup apple cider vinegar
- 1/2 small onion, chopped
- 1/2 cup sugar
- 1 teaspoon dry mustard
- 1 teaspoon salt
- 2 teaspoons poppy seeds
- 1 cup olive or canola oil

INSTRUCTIONS:

In a blender or food processor, mix together all ingredients until fully incorporated and white in color (about three minutes). Keep refrigerated. Makes approximately 1.5 cups of dressing.



Congrats to Snow Day Cinema Ticket Winners Kylar and Dylan Weiland!

These chilly cuties braved the cold as mom Sarah Weiland snapped photos of their snow day shenanigans. The photo was entered in our Facebook Snow Day Contest, as families were asked to send in shots of kids having fun in the wintery weather. The Weilands were picked in the random drawing and won a movie tickets for the whole family. Enjoy the show!

Out & About Out of the Office



Office Manager Leslie Rombkowski and her husband Gary on a trip to New York City won at the Jake Zeller Memorial Golf Outing which included a private tour of the CBS Evening News studios.



Communications Director Anneke Godlewski and Legal Assistant Cindy White took their sons Bruce (left) and Alexander (right) along to an office sledding outing at Sidecut Metropark in late January.



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CASES OF INTEREST: MARCH 2015

Teenage Passenger Injures Shoulder, Suffers Concussion After Being Struck In Friend's Car

After being injured while riding as a passenger in a friend's car, our teenage client is now facing potential nerve damage from his shoulder injury. On top of regular physical therapy appointments, our client must be under the care of a neurologist to treat symptoms related to a severe concussion and will be unable to finish out his high school sports season.

Auto Accident While On The Job Leaves Local Police Officer With The Need For Two Surgeries

A local police officer and Army veteran was injured after being involved in an auto accident while on the job. The crash caused a ruptured disk in his back resulting in a severe concussion and the need for two microdiscectomy surgeries. Our client still faces a long recovery that will most likely require a third surgery and physical therapy. We are handling both his auto accident and worker's compensation claims.

Man's Leg Is Crushed After Being Ran Over By Heavy Equipment On The Job

Another worker ran over our client's leg with a manlift machine, causing serious injuries that have left him unable to work. The accident resulted in a fracture of his right fibula, sprained ankle, and crushing injuries to his foot. The injuries resulted in the need for an extensive surgery to repair the damage done to his leg and our client is facing the possibility of another surgery, along with the need for physical therapy.

New address or phone number?

Help us stay current by letting us know!

Call Anneke at (419) 241-1395

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