

# The **BOYK** BULLETIN

**CHARLES E  
BOYK**  
LAW OFFICES, LLC

11 Offices >>> NW Ohio & SE Michigan

## Veterans & Advocates Celebrate As Honoring Our PACT, Signed Into Law

President Joe Biden signed the Honoring Our Promise to Address Comprehensive Toxics (PACT) Act into Law on August 10, 2022. The law expands on V.A. health care and benefits for veterans exposed to burn pits in Iraq and Afghanistan, Camp Lejeune water contamination from 1953 to 1987, Agent Orange in Vietnam, and many other toxic substances. Before the PACT Act, 70% of V.A. burn pit claims were denied. In addition to expanding healthcare to toxin-exposed veterans, the bill also adds certain conditions related to toxic burn-pit exposure to the Department of Veterans Affairs' list of illnesses that may be linked to military service.

The PACT Act addresses burn pit exposure during combat for service members who suffer from related illnesses. Burn pits were commonly used in Iraq, Afghanistan, and other overseas locations until late 2010 to dispose of waste collected on military bases. Many of the items burned produced dangerous toxic smoke, such as chemical weapons, computer hardware, human remains, medical waste, asbestos, pesticides, paint cans, fuels, rubber, and other

materials. Some burn pits reached 10 acres in size and would cover bases in toxic smoke with shifting winds.

Individuals who file a disability claim with Veterans Affairs (V.A.) will receive benefits if they contracted the following cancers due to burn-pit exposure: head, neck, respiratory system, gastrointestinal system, reproductive system, lymphatic system, kidney, brain, skin, or pancreas. Aside from various forms of cancer, individuals will also receive disability benefits if they contract the following ailments: asthma, chronic bronchitis, chronic obstructive pulmonary disease, constrictive bronchiolitis, emphysema, granulomatous disease, interstitial lung disease, pleuritis, pulmonary fibrosis, sarcoidosis, chronic sinusitis, chronic rhinitis or glioblastoma. Illnesses such as asthma, chronic bronchitis, COPD, emphysema, pulmonary fibrosis, chronic sinusitis, or glioblastoma are some additional illnesses the PACT Act covers. Individuals eligible to file a claim must have worked on a military base outside the U.S., as a civilian contractor overseas under a U.S. government contract, or under a pub-

lic work contract with the U.S. government outside the continental U.S.

With the Camp Lejeune Justice Act included in the PACT Act, those exposed to contaminated water at the Marine Corps Base can file lawsuits for damages and injuries. Individuals stationed at Camp Lejeune between August 1, 1953, and December 31, 1987, for 30 days or more are eligible to file a claim. Camp Lejeune is a Marine Corps Base on the coast of North Carolina that was established in 1941. Since then, the base has hosted millions of Marines, their families, and many civilians. The Camp Lejeune Justice Act will allow veterans and others exposed to contaminated water at Camp Lejeune to take legal action against the military. Impacted people can recover compensation for their injuries, medical costs, emotional harm, and other applicable damages – including wrongful death.

*If you or someone you know lived or served at Camp Lejeune between August 1, 1953, and December 31, 1987, for 30 days, contact Charles Boyk Law offices to file a claim.*

### CONTACT US TODAY!

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# CDC Warns of “Fast-Moving” E. Coli Outbreak In Michigan & Ohio

Public Health officials warn of a recent E. coli outbreak in Ohio, Indiana, Michigan, and Pennsylvania that has left 84 people ill and 38 hospitalized. Of those, eight people have suffered a type of kidney failure called hemolytic uremic syndrome. The CDC acknowledged that the actual number of affected people is higher, and there may be more cases in other states.

The CDC is using the PulseNet system to investigate similar outbreaks. The system compares the DNA of the bacteria from the patients to identify disease clusters. Their testing indicated that the bacteria collected from the affected patients are closely related. Of those individuals who have reported illness, 88% reported eating romaine lettuce found on Wendy's sandwiches. The CDC warns that contaminated romaine lettuce may have been sold to local grocers in Ohio and Michigan.

Authorities continue to investigate the outbreak for a confirmed source of contamination. A specific food has not been confirmed as the outbreak's source, but most sick people reported eating burgers and sandwiches with romaine lettuce at Wendy's restaurants before becoming ill.

Although many people who contract E. coli

will recover within ten days, more severe cases can lead to HUS (hemolytic uremic syndrome), a serious form of kidney failure. Common symptoms of E. coli infections can include diarrhea, bloody stool, fevers higher than 102 degrees, and vomiting, which can lead to dehydration. The CDC has asked the public to record the food they ate in the week leading up to the illness if they are experiencing the above symptoms. This information can help them locate the source of the infection.

Food safety and sanitation are essential to preventing life-altering consequences for victims who ingest bacteria-ridden foods. Despite these facts, food producers and distributors may continue to operate with negligence which can endanger consumers' lives. If you consume contaminated food and become ill, seek medical treatment so your condition is not left untreated. Along with treatment, your doctor may be a credible source of evidence when pursuing a food poisoning lawsuit. Filing a lawsuit once you are well will allow you to receive compensation for any medical bills, missed time from work, and suffering related to the illness.

An E. coli lawsuit is filed on behalf of the individual who became ill after consuming contaminated food, water, or other products. Depending upon the circumstances of the case, a lawsuit can be filed against more than one party, including food manufacturers, producers, and distributors who sold the contaminated products to the restaurant or store where consumers could purchase them. Consumers can also file a private lawsuit against restaurant owners or other parties who served them the contaminated food. If you or a loved one has become ill after ingesting contaminated food, contact one of our E. coli contamination attorneys at Charles Boyk Law Offices for a free consultation.



## Popular Ohio E-Bikes Equipped with Additional Restrictions

The use of electric bicycles in Ohio is governed by Ohio Revised Code § 4511.522, which establishes three classes of electric bicycles: Class I, Class II, and Class III. A Class I electric bicycle provides power only when the rider is pedaling and has an assisted top speed of 20 mph; a Class II bike can provide power without the rider pedaling and has an assisted top speed of 20 mph, and Class III provides power only when the rider is pedaling and has an assisted top speed of 28 mph. A Class III bike must also have a speedometer.

Under this statute, manufacturers are required by Ohio law to indicate directly on the body of the electric bicycle what class the bike is, what the top speed achievable by assistive electric power is, and the wattage of the bike's motor.

Ohio law also restricts the people who can use electric bicycles and the way in which the bikes can be used: Class III bikes cannot operate on pathways designated for use by bicycles only or shared-used pathways, and those younger than 16 years old may not operate Class III electric bicycles.

There is significant discussion over the use of electric bikes in the same areas as non-electric or non-motorized vehicles.

Ohio law prohibits the use of electric bicycles on any “path that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for nonmotorized use . . . .” In other words, you cannot ride an electric bicycle of any class on typical “outdoorsy” trails. This restriction is

typical—these types of trails are normally narrower and more technical.

Electric bicycles are most often used in and around town. The Toledo Metroparks, which maintains nearly 130 miles of bike-accessible trails throughout Northwest Ohio, has historically banned the use of motorized vehicles on its trails, including vehicles with electric motors.

However, as of July 1, 2022, the organization voted to lift those restrictions, allowing electric bikes and other electric vehicles to use Metroparks trails alongside other users.

However you decide to get out and get active, be sure to review and abide by local, state, and federal regulations. Biker or hiker, look out for your fellow recreationists to ensure everyone has the chance to safely explore the outdoors.



# BOYK LAW PARALEGAL HOSTS LPGA GOLFERS IN TOWN FOR THE DANA CLASSIC

Charles Boyk Paralegal, Sarah Sharpe, and her husband Dave are caring, community-minded people. They love to host family and friends. They foster rescue dogs pending adoption, and for the 7th year, they opened up their home to visiting LPGA golfers during the Dana Classic Tournament. Their hospitality helps make the tour more affordable and provides a support network for the golfers while they are in town. Sarah and Dave also attend the tournament and cheer on their houseguests. Afterward, they like to help them unwind and take their minds off the tournament pressure. "They just want to hang out and relax. We have barbecues and cook dinners," Said Sarah.

"The golfers are so appreciative of everyone who helps them, and the tournament to succeed. Even if a player has a bad round, they always take the time to walk by a volunteer to thank them for helping make the tournament possible," says Dave Sharpe.

This year, the couple played host to golfers Charlotte Thomas, Lauren Kim, Caroline Inglis, and Mariah Stackhouse. Dave also fulfilled a longtime dream when he was able to caddy for tour veteran, Lauren Kim, who has stayed with them during previous tournaments.

"It's a lot more than carrying a golf bag for 18 holes. A caddy puts in 7-9 hours a day with warm-up, round, and post-round practicing... But the most important role of a caddy is making sure to always remain positive."

The couple also hosted a retirement party for golfer Lauren Kim who says this is her final year on the LPGA tour.



## CASES OF INTEREST: SEPTEMBER 2022

### Drunk Driver Smashes Into Motorcycle and Flees the Scene

Our client was on a motorcycle traveling eastbound on US 223. As our client slowed for traffic, a drunk driver slammed into the back of his motorcycle. Upon impact, our client was ejected from his motorcycle and went sliding across the road. The at-fault driver took off from the scene but left his license plate lodged between the rear tire and rear fender of the motorcycle. Upon finding the at-fault driver, officers observed him as swaying, fumbling his words, bloodshot watery eyes, and smelling of intoxicants. Our client suffered severe road rash and a fractured tailbone.

### Lithium Overdose Leads to Suspected Medical Malpractice Claim

Our office represents the estate of a woman who passed away as a result of a Lithium overdose. The woman was placed in a nursing facility and within a few days showed signs of confusion and combativeness. She was taken to the hospital and passed away shortly later. An autopsy confirmed the lithium overdose. Also found was a plastic baggie and 12 yellow pills within her digestive tract. Our office is investigating a potential medical malpractice claim.

### Dog Attack Leads To Multiple Surgeries

Our client was in her yard doing yard work when her neighbor's dog, a 70 - 80lb boxer mix, came over and attacked her foot and ankle. Emergency services were called to the scene and our client was taken to the hospital. She underwent emergency surgery which included a skin graft. She suffered complications that required additional surgeries and the aid of home health care.





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## Open it! Read it! Share it!

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## September's Raving Fan of the Month

**"Mr. Chuck Boyk and Tammy are very professional, and excellent listeners. They made me feel at ease throughout the whole process and helped me recover the maximum amount. They answered all my questions throughout the process and kept me informed. Anyone would be very pleased with their work and commitment to serve the community."**

— *Angela V.*

Have a positive review to share? Go to [boykreviews.com](http://boykreviews.com) to tell us about your experience!

**New address or phone number? Help us stay current by letting us know!**

Call (419) 241-1395 or e-mail [marketing@charlesboyk-law.com](mailto:marketing@charlesboyk-law.com)

## STAFF PROFILE: Legal Assistant Jacob Bick



Jacob Bick is the newest Legal Assistant at Boyk Law. Jacob graduated from the University of Toledo with a Bachelor of Paralegal Studies.

He has spent his early weeks with the firm working on Medical Records requests and Workers' Compensation cases.

He played on the varsity golf team at Maumee High School, but currently spends his spare time working out, playing online games and watching European Football (aka soccer).

Jacob would like to become a paralegal with Boyk Law, and has set a tangible reward for achieving his goal. "Once I become a paralegal," he says, "I plan to get a puppy." He is encouraged by the presence of the Boyk Office Dogs, especially Frank, the dappled Dauschaund. Everyone at Charles Boyk Law welcomes Jacob to the team and wishes him good luck with his career goals and the puppy.