

Dear Bill,

12/6/94

I seek advice on a lingering problem from the Friday, May 13 auto accident. The other insurance company has assumed full liability and has been calling me up to file my claim. I keep telling them the truth, I do not know how to address some of it and I am not certain that I will not be permanently impeded in my walking capabilities. I do not want to go to court and I would like to clear it up, end it. The major problem for me in making any claim at all is how do I put what value on my time? So I fill you in. I have no local lawyer who is a friend and I do not want to make a big deal of this. I intend, and for this I seek your suggestions or advice, to lay it all out and ask them to make me an offer. I assume it will be inadequate and if I so regard it, I do know a Baltimore lawyer who is in this field who can make suggestions, that is, how I respond.

I went immediately after the accident to an orthopaedic surgeon to whom we have both gone. His was a perfunctory examination of the knees, no broken bones, no fluid, mobility OK so it will pass off. After several visits, when it had not passed off, he sent me to the physical therapists I'd gone to. They prescribed 30 treatments, 30 visits, and they did stop when I was not getting any more benefit for the treatments. There are two who practise together and when the one who was treating me was not there and the other did he knew immediately where to go to find what they called the "angry spots," not in the knees that had been jarred, but in the right hip. Each knew immediately where on pressure I'd feel pain. Or, the things were normal, not abnormal to them. They knew where I'd have pain. It gradually disappeared. And except for heat on the knees after the first few visits, it was the hips they treated and for which they gave me what I suppose could be called exercises. *There, not at home.*

I never had any real pain in the knees but I have still the feeling of tightness or pressure. At first the knees wanted to buckle out from under me, and the cane kept me from falling many times. Because of the danger of falling I had to walk even more slowly and had to stop walking and sit sooner. So, one result of the accident is that I have not been able to walk as well or as long and the walking is the only treatment for my heart. No medications. It is also the only reason I still have my legs, which the family doctor thought I'd lose more than a decade ago.

Gradually the pain is returning to the right hip. I've asked for an appointment to see one of the physical therapists about that. It has gradually been coming on <sup>strong</sup> faster. Sometimes it is almost as soon as I start moving, sometimes it takes 200 steps or so. If I have to stand still, which I do try to avoid, as yesterday, at the hospital checkin, it can come on me then. It did yesterday and until I'd walked a bit it was very unsteady on my feet. *Knees buckled.*

The family doctor measured my legs. I've lost an inch on each. He has a record from earlier and it remained that size for some time. I asked him to measure it because the knee-high TED I wear on the right leg appeared to be looser.

Complicating all of this is the old circulation problem. I suppose there is no way of learning if the accident influenced it at all. It is what could be expected to deteriorate with time but in fact until the first visit after the accident the Hopkins chief of cardiovascular surgery's tests showed I was getting slightly better. Dopplers.

When I asked one of the physical therapists if he had found any damage in the knees he told me there was, to the fibrous tissue around the kneecap, and that it is not unusual with that kind of a jar.

My having more trouble with my legs followed the <sup>a</sup>ccident, but I can't ~~prove~~ and in fact do not know whether there is any cause-effect relationship. That I can with certainty allege <sup>is</sup> only with having to walk with much more care, more slowly, and having to stop to ~~run~~ <sup>run</sup> no risk of falling earlier than before. I'd never been afraid of falling before, never had any reason to. For years, until the heart operation, I used to force my walking to where the pain was acute, until I could only shuffle my feet, in the belief it helped the minor vessels expand.

<sup>h</sup>is indicates the medical part as best I can do it. There is little I can expect from the local doctors, who want merely to be sure no visit lasts more than 10 minutes so the next one can be ushered in. It was only when the family doctor was off that his associate recommended the Dopplers. In a decade I can't remember his once asking me to remove the TEDS so he could see my legs. When he did it was because I had them off so he would see them.

I've lost time from work from this, of course, with those 30 visits, with a number to doctors and for the Dopplers, and with ~~tax~~ the car. <sup>y</sup> But how do I place a value on my time when I have no ~~salary~~ salary? How can I alleged the value of my work to <sup>cost to me?</sup> the country? And if I could, is <sup>either</sup> that the basis for any claim? I can estimate the mileage on treatment and on the car.

Coinciding with this I am not able to take as much physical therapy. A little after the accident, when I took Mil there for treatment on her broken wrist, I could use the ~~Cyber~~ <sup>Cyber</sup> Upper-body Ergometer, sort of an exercycle for the army's for 15 minutes and then the ~~Avita~~ <sup>Avita</sup> exercycle, with electronic ~~timer~~ <sup>or Avita</sup> timer, etc, for the same amount of time. I now feel it with the UBE and have had to suspect with the Avila in as little as three minutes. With it ever since the <sup>a</sup>ccident I feel pressure and tightness in the knees almost as soon as I start. I'd not before the accident, ever. The reason is that now it is more difficult for me, the legs do not want to do that work. *And it then tires me.*

It is not only because I did not know the basis for making any time claim but because I feared that the medical problem, whether it is, might return, As I think it has, that kept me from making any claim at all. As it usually works, my insurance company paid the first \$2500 in medical bills.

So, first is it OK if I write these things to the insurance company, and then do you know any way of placing a value on my time? Thanks and best,

*Harold*