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When A Parked Car Is At Fault

Here's how you should deal with insurance -- or law enforcement -- if someone else's lousy parking job made it difficult or impossible for you to avoid an accident.

Bad drivers usually get what's coming to them: tickets, fender-benders, higher car insurance rates.

But what about bad parkers?

The driver who scrapes an inconsiderately or illegally parked car usually curses it, then takes the blame because he was moving and the parked car wasn't.

So it may come as a surprise to you -- and even to some police officers -- that a poorly parked car can be held liable, either by an auto insurance company or in a court of law. "Absolutely," says Glenn Greenberg, a spokesman for Liberty Mutual. "Just because the vehicle is parked doesn't absolve it in 100% of cases from any liability in the accident."

Situations vary so widely that it's difficult to provide blanket at-fault rules, particularly given the added variability of state and local laws. But to get a general idea of when, or if, the driver of a parked car may have to assume some responsibility, consider these two scenarios:

- A public parking lot is full, and a large van has pulled to the side of the lot's exit lane to park. A driver leaving the lot -- his attention focused on cross traffic -- scrapes the side of the van as he turns onto the street. Clearly, the van should not have been parked there. So is the van's driver partly to blame for the accident?
- A driver pulls to the side of a rural roadway to make a phone call. The speed limit is 50 mph, and the road lacks a wide shoulder. The car extends slightly into the driving lane just past a curve. Another car comes around the bend and, unable to stop or veer into oncoming traffic, hits the parked car from behind. Should the parked driver pay?

Is this parked car an inconvenience or a hazard?

George P. Patterson, a lawyer with Sasscer, Clagett & Bucher in Maryland, has fielded his share of calls from drivers who believe they've been wronged by bad parkers. One simple way to assess blame, he says, is to ask, "Was this parking violation creating an inconvenience or a safety hazard?"

If it's the former, as with the van in the parking lot, the driver certainly may be cited for illegal parking, but likely won't be held accountable for the accident. It is the responsibility of other drivers to make their way around the car, no matter how annoyed or distracted they may be. "When you're driving your car and you can see it, it's really on you to avoid it," says Patterson.

The car parked along the bending highway, though, is clearly violating a no-parking rule that exists for safety reasons. In that situation, the parked driver's car insurance company may end up paying all or part of the damages.

Patterson currently represents a client involved in just such a case. His client was rounding a bend in the left lane of the Washington Beltway, a divided highway, and hit a tow truck parked partially in the lane of travel. His client was unable to swerve because of traffic in the neighboring lane. "That's a situation where you have clear negligence on the part of the tow truck, and a situation where the driver couldn't have done anything," Patterson says.

Drivers have a duty to move their cars off the road to the best of their ability, particularly where other drivers would not expect to encounter a parked vehicle.

By Karen Aho, Carinsurance.com

INSPIRING QUOTE OF THE MONTH:

How wonderful it is that nobody need wait a single moment before starting to improve the world.

Anne Frank

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Chicken Jerky Treats Sicken 353 Dogs

Reports of illnesses in dogs given chicken jerky treats have spiked dramatically following a new government warning about pet snacks made in China.

The federal Food and Drug Administration has logged at least 353 reports this year of illnesses tied to imported chicken jerky products, also sold as chicken tenders, chicken strips or chicken treats, a spokeswoman said.

That's up from 70 reports of illnesses -- and some deaths -- received in 2011 before the Center for Veterinary Medicine issued an updated warning on Nov. 18. Dog owners and veterinarians are reporting that animals have been stricken with a range of symptoms within hours or days of eating chicken jerky, including serious problems such as kidney failure and Fanconi syndrome, a condition marked by low blood sugar.

Though the illnesses appear tied to chicken jerky products manufactured in China, the source of the problem remains a mystery, said Siobhan DeLancey, an FDA spokeswoman.

Despite extensive chemical and microbiological testing, the agency has not identified problems with a specific contaminant -- or a specific brand or type of treat. "[We are] still digging through the reports to see if we can discern a common thread that's more specific than just chicken jerky," DeLancey said.

The latest warning was the agency's third alert about chicken jerky treats, with previous cautions issued in 2007 and 2008. In 2007, 156 reports of dog illnesses tied to chicken jerky were logged, but the number fell sharply, to just 41 in 2008, according to FDA records.

Because the agency has not identified any particular products as the culprit, no recalls have been issued.

In the meantime, FDA officials are warning pet owners to avoid chicken jerky treats imported from China. They're also urging owners to seek medical care if dogs develop symptoms including decreased appetite, decreased activity, vomiting, diarrhea, bloody diarrhea, increased water consumption and increased urination. Stop feeding the treats to the animal and seek veterinary care, especially if symptoms are severe, or persist for more than a day, officials say.

Consumers can report suspicious illnesses to the FDA's Pet Food Complaint site.
By JoNel Aleccia

Distracted Driving: Bringing Fido Along for the Ride

It is inevitable that dog owners will, at some point, take their furry friend for a ride in the car, whether it is to the vet, on vacation, or somewhere else. Recently, the American Automobile Association (AAA) and Kurgo, a leading manufacturer of pet travel products, surveyed dog owners about their driving habits while their dog is in the car. The results? Drivers love having their dogs in the car, but in doing so, they often engage in risky behaviors.

In the past year, 56 percent of dog owners have driven with their pooch in the car at least once a month. Many admitted that while driving, they pet their dog (52 percent), hold their dog or allow it to sit in their lap (17 percent), give their dog food or treats (13 percent), and even take pictures of their dog (3 percent).



Twenty-three percent of those surveyed said they have used their hands or arms to hold their dog in place while applying brakes, and 19 percent have used their hands or arms to prevent their pup from climbing into the front seat.

Of all these pet-owning drivers, only 16 percent currently use a pet restraint, while 42 percent believe their pet is calm and does not need one. Although nearly one-third (29 percent) believe their pet does not need a restraint because car trips are always short and many others (39 percent) have never even considered it, an unrestrained dog can put passengers at risk.

Regardless of a pet's actions in the car, one dog will be thrown with just as much force as another in the event of an accident. According to Jennifer Huebner-Davidson, AAA National, Traffic Safety Programs manager, an unrestrained 10-pound dog in a crash at only 30 miles per hour will exert roughly 300 pounds of pressure, while an unrestrained 80-pound dog in a crash at only 30 miles per hour will exert approximately 2,400 pounds of pressure.

"Imagine the devastation that can cause to your pet and anyone in its path," said Huebner-Davidson. "Drivers should use a pet restraint system for (their) dog every time their pet is in the vehicle."

Of the respondents who drive with a dog in the vehicle, 18 percent said they also have a child under the age of 13. Of those motorists, 70 percent have driven with a child and an unrestrained dog in the vehicle at the same time.

This online study was performed among a sample of 1000 dog owners who had driven with their dog in the past year.

<http://www.propertycasualty360.com/2011/07/26/distracted-driving-bringing-fido-along-for-the-ride>



Cold Weather Comfort Foods



Country Captain Chicken

Ingredients

1 lb. boneless chicken thighs, skinless will work too
 1 onion, diced
 2 t garam masala
 1 t curry powder
 1/2 c raisins
 2 t fresh ginger, minced
 1 can coconut milk
 1 lime, juiced
 Salt to taste

Preparation

In a skillet, melt some fat over medium-high heat. Salt and pepper the chicken thighs. Sear them on both sides until browned and cooked

through. Remove from the pan and place on your serving platter.

Add the diced onion, garam masala, curry powder and ginger to the saute pan. Saute until the onions are tender. Add the coconut milk, raisins and lime juice. Simmer for a few minutes. Spoon the sauce over the chicken thighs. Serve over rice.

Top with fresh cilantro and sliced almonds.
 Serves 6.

Chai Shortbread Cookies

Ingredients

1 1/2 cups all-purpose flour
 1/8 tsp salt
 1/8 tsp ground cardamom
 1/8 tsp ground cinnamon
 Dash of ground cloves
 Dash of freshly ground black pepper
 3/4 cup powdered sugar
 10 tbs butter, softened
 1 tbs ice water

Preparation

Lightly spoon flour into dry measuring cups; level with a knife. Combine flour and next 5 ingredients (through pepper), stirring well with a whisk. Place sugar and butter in a medium bowl; beat with a mixer at medium

speed until light and fluffy. Gradually add flour mixture to butter mixture, beating at low speed just until combined. Sprinkle dough with 1 tablespoon ice water; toss with a fork. Divide dough in half. Shape dough into 2 (6-inch-long) logs; wrap each log in plastic wrap. Chill 1 hour or until very firm. Preheat oven to 375°. Unwrap dough logs. Carefully cut each log into 18 slices using a serrated knife. Place dough circles 2 inches apart on baking sheets lined with parchment paper. Bake at 375° for 10 minutes. Cool on pans for 5 min. Remove to wire racks to cool.

Travel the World with Us! 1,000 Must See Places



Denali National Park is a United States National Park that is home to Mt. McKinley, North America's highest mountain, known to the native Athabascan Indians as *Denali*. In addition, the park protects an incredible wilderness area that contains grizzly bears, caribou, moose, wolves, and numerous other creatures. It is in the state of Alaska, 240 miles north of Anchorage and 120 miles south of Fairbanks. Denali National Park comprises a massive area of six million acres, slightly more than the entire state of Massachusetts. The park is best known for the 20,320 foot Denali/Mt. McKinley (named after then-senator and future President William McKinley). The tremendous 18,000 foot difference from the mountain's lowlands near Wonder Lake up to its peak is a greater vertical relief than that of Mount Everest. The park is bisected from east to west by the Alaska Range and the Park Road is the only vehicle access into the park.

Celebrating 105 Years of Insurance Excellence 1907-2012

Since 1907 Mallory Agency continues to be the oldest family owned independent insurance agency in LaGrange. Our commitment to our community and clients has strengthened as each new year brings successes and challenges. Founded on the principle of "serve your fellow man and the money will come" has been the driving force behind our success. The ideals behind Mallory Agency has stood firm, honesty and integrity; never compromising nor conforming to crooked temptations.

The Mallory Agency remains devoted to your commercial and personal insurance needs by providing the most comprehensive coverage available for the absolute lowest premium. With representing the nations most prestigious and recognized companies our resources are that of a major brokerage with the personal attention of hometown service.

Mallory Agency is thankful to our loyal client base and their friendships. The management and staff look forward to the future with excitement.

SEE WHAT OUR CLIENTS SAY ABOUT US!

"Angel was very helpful to me. I didn't have to go to the office. We handled everything over the phone. She saved me around \$200 a year in mortgage insurance."

Dorothy Goode, LaGrange, GA

"I have been very pleased with the excellent service I have received. Especially I appreciate Sherrie taking the time to help me save money by changing carriers."

Oleeta Aspinwall, LaGrange, GA

"Mallory Agency has always shown genuine care and concern for our account. The outstanding service and competitive pricing the Mallory Agency offers makes our insurance decision easy."

Chris Dekmar, Holiday Inn Express, LaGrange, GA

"Libby is a very dedicated, very knowledgeable member of your Team. It is a pleasure to work with her. She saves us money and time! But, that's just not enough. She CARES about her customers and their business. Mallory Insurance provides, "Assurance"! Thank you."

Beth Norred, Auto & Truck Ambulance, LaGrange, GA

"I have carried my insurance with Mallory Agency for over 10 years. They continue to look over my insurance needs in a professional manner. In May of 2006 they saved me \$3,770 on my Workers Compensation. I am very happy!"

Christy Bennett, Bennett Enviro Solutions, Moreland, GA

**THANK YOU SO MUCH TO ALL OUR CLIENTS.
YOUR BUSINESS AND SUPPORT IS GREATLY APPRECIATED!**



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