

DECKER DECKER DITO & INTERNICOLA ^{LLP}

✧ Newsletter for our Clients and Friends ✧

Personal Injury: Baseball Batting Tips

Page 1

No Fault Coverage of Acupuncture Benefits

Page 2

Business and Franchise Law:

Buying an Existing Franchise: Is There Value in the “Franchise System”?

Page 2

Community:

2010 Take Steps for Crohn’s and Colitis

Page 3

DDD&I Bicycle Giveaway

Page 4

Decker Decker Dito & Internicola, for information purposes only - does not constitute legal advice. Always speak to your lawyer.

ARTHUR W. DECKER

STEVEN T. DECKER

FRANK J. DITO, JR.

CHARLES INTERNICOLA

1610 RICHMOND RD.
STATEN ISLAND, NY
10304

Tel 718. 979. 4300
800. 976. 4904

www.dddilaw.com



ATTORNEY’S OFFER BATTING ADVICE



Spring is here and baseball and softball season has started for most Staten Island schools. The weather has been beautiful (when it’s not raining) and after this winter, I am sure we are all anxious to get outside. Here are some helpful tips for you to start practicing with your younger children;

- First, select a bat that your child can handle. Don’t go too heavy or too long. Your child needs to have a quick bat, which is how power is generated.
- Teach your kids the strike zone – have them look for a good pitch to hit and remind them that they don’t have to swing at every pitch. Make sure they don’t swing at the bad ones.
- Make sure they keep their front shoulder and chin tucked in. Have them turn their head so that both eyes are on the pitcher - Keep their head still.
- Take a short step and stride - a long stride will only throw them off balance.
- Have them spread their feet a little wider than shoulder width for balance with their feet parallel to the plate.
- Keep their back elbow close to their body to help their hands and the barrel of the bat swing through the ball.
- One of the most effective ways to practice hitting is to use a batting tee and a bag of wiffle balls. Tee a ball up and start hacking away. When your child can hit a wiffle ball cleanly off a tee, they are on their way to becoming a better hitter.

The most difficult part of batting for a young child is to stay in the batter’s box, especially when the coaches stop pitching and the other team’s pitcher is on the mound, throwing a little wild. The best way to deal with the fear of being hit is to teach kids the proper way of “getting out of the way.” When kids are afraid of getting hit, they will step in the “bucket” and out of the batter’s box. If they continue to step in the bucket, they are never going to hit the ball. Your child should keep their feet planted and turn their head and body so that the back of their head and back are facing the pitcher. By reacting this way, your child will protect the



front of the body and their face. It also puts them in a position that allows the ball to glance off their back, which hurts much less than a direct blow. Practice with your child getting out of the way by having them stand in the batter’s box and softly pitch tennis balls or wiffle balls to them. Start by throwing strikes and then gradually start throwing more inside. As they see more pitches, they should gain the confidence to stay in the batter’s box.

Remember to always wear a batting helmet when hitting and to be careful of your surroundings when swinging a bat. Have fun and good luck!

NO FAULT COVERAGE OF ACUPUNCTURE BENEFITS

Guest Article By: Michael D. Bays L. Ac.

At DDD&I we like to offer you insight to benefits you may not be aware of but that you are entitled to and deserve if you have been involved in an accident. This month we are featuring a licensed acupuncturist in Staten Island. Michael D. Bays offers insightful information of no fault benefits that you are entitled to that may offer you some relief from your pain.

Whenever you are in a car accident you are entitled to acupuncture treatments along with any other medical evidence has shown that it was used in Europe as early as the Stone Age. All recorded data is in Chinese and the forms of injury with painless therapy and no side effects that oldest text is 2500 years old and is still used today. It was brought on by the use of pharmaceuticals. One may be interested in acupuncture but are unfamiliar with the Cultural Revolution where it was almost eliminated in medicine. Let us go over a few facts about this ancient order for China to modernize. Mao Tse Tung felt China medicine and dispel any myths or misconceptions. was behind and put all his resources into modern western

Acupuncture does involve the use of needles; but biomedicine. At some point there was an epidemic that fear not, they are as thin as a strand of hair. As a matter of fact, 5-20 acupuncture needles fit into a hypodermic needle used to draw blood. The needles are placed in strategic points throughout the body in order to alter the perception of pain. Needles penetrate through the skin at a high velocity as not to elicit any pain on the sensitive skin. When inserted needles slip through the tissues and do not cut into sensitive areas like an injection does. There is nothing introduced or removed by the needle and there is nothing on the needle with either. The needles are left in for about 20 minutes where they influence the physiology in various ways. ALL NEEDLES ARE STERILE AND NEVER REUSED. When the needles stay for the allotted time, the body releases its own pain relieving hormones (i.e. endorphins) that help reduce or eliminate pain. Also, the needles reduce inflammation, reduce spasms, and draw blood to the area of injury which promotes healing.

Now that we are familiar with what it is let us discuss where it came from. It is believed that acupuncture

In closing everyone can benefit from acupuncture

after an accident. Make sure you follow up with an attorney to know your rights and benefits. Following that, feel free to call me at Acupuncture Health Services 718-448-4990, or email mbeyslac@gmail.com if you have any questions.

ABOUT THE AUTHOR:

Michael D. Beys, L. Ac. owns and operates Acupuncture Health Svs. PLLC. He also supervises the Acupuncture programs at RUMC Detox and South Beach ATC.

BUYING AN EXISTING FRANCHISE: IS THERE VALUE IN THE "FRANCHISE SYSTEM"?

By: Charles N. Internicola, Esq.

When purchasing an "existing business" (whether a franchised or independent operation) prospective purchasers are faced with the critically important task of conducting a "due diligence" evaluation/investigation of the business under consideration. While there are many steps to the "due diligence" process and while many of these steps are the same whether the business is a "franchised operation" or an "independent location", one critically important distinction and factor that should not be overlooked and must be evaluated by the prospective purchaser of an existing franchise is: whether or not there is value in the franchise system?"

That is a purchaser must evaluate and determine what added value (i.e., profits and cash flow), if any, will be afforded by purchasing and operating a "franchised business" (and becoming a franchisee) as compared to a competing but "non-franchised" independent operation. When making this "assessment" the prospective purchaser must recognize that there is tremendous variation and value between franchises - that is, some franchise systems add real value and that is, some franchise systems add real value and

advantages while some poorly run franchise systems" simply drain the profitability of its franchisees. When making this assessment, some of the factors that a prospective franchisee should consider, include:

- **Higher Sales Do Not Necessarily Equate to Higher Profits.** One substantial obligation that a franchisee will be undertaking will include the payment of "royalties" to the franchisor. Since royalties are typically based on a percentage of "gross sales" the franchised business that is being evaluated and will most likely have higher operating costs than the non-franchised business.
- **Not all Franchise Systems are Equal.** Some "franchise systems" are simply poorly run and ill conceived business operations that afford little, if any, value to its franchisees. So, don't just "assume" that the franchise business that you are considering will be properly supported by the franchisor - a prospective franchisor should ask questions, speak to other franchisees and evaluate the benefits of the franchise system that is being bought into.

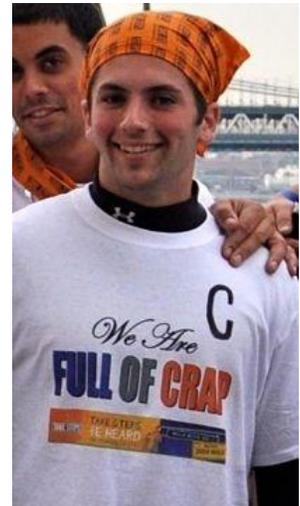


2010 Take Steps for Crohn's and Colitis



Every year the Crohn's and Colitis Foundation of America (CCFA) has a walk-a-thon called Take Steps for Crohn's and Colitis. This is an annual event that is held to raise awareness of Crohn's disease and ulcerative colitis but is also used to raise money through the walk-a-thon for further research for the treatment of Crohn's disease and colitis.

This year the CCFA has chosen Frank Gallinaro as their Walk Ambassador for the 2010 Take Steps for Crohn's and Colitis walk-a-thon. Frank is an 18 year old native Staten Islander who attends Wagner College and has experienced the effects of Crohn's disease himself first hand. Throughout high school Frank Gallinaro underwent much treatment because of his struggle with Crohn's disease including many doctor's appointments, visits to the hospital, medications, and surgeries causing him to miss months of time from school and sports. Throughout his battle with Crohn's disease, Frank has kept a good spirit and instead of allowing the disease to take control of his life, he decided to use his diagnosis as an opportunity to learn more about his condition and help others with it.

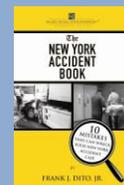


This year Frank will be participating in the 2010 Take Steps for Crohn's and Colitis walk in New York, New York and is the team captain of the CCFA's top four fundraisers "Full of Crap" in addition to being chosen the Walk Ambassador for this year's walk.

At DDD&I we don't take all types of cases and we don't practice in every area of the law – to do so would make no sense and would deny our clients the best possible legal representation. As such, each partner at DDD&I limits his practice to select areas of the law. Over the years our partners have published books within their own specialties and consistent with our obligation to inform our clients we are please to offer to our clients and friends (receiving a copy of this newsletter) "complimentary" copies of our books that are currently for sale at Amazon.com.

For your free copy (for recipients of this newsletter) call us at 800.976.4904 or visit www.dddilaw.com

"The New York Accident Book: 10 Mistakes That Can Wreck Your Accident Case"



This year the CCFA will be searching for one person from each borough in New York City to be a Hometown Hero in this year's Take Steps for Crohn's and Colitis. Prime candidates for being a Hometown Hero will be a person who battles with Inflammatory Bowel Disease (IBD) but still has courage, a sense of humor, bravery and hope throughout it all. The CCFA is hoping that by choosing five Hometown Hero's they will be able to rally each individual those affected by IBD in Staten Island, Brooklyn, Manhattan, Queens and the Bronx and then eventually rally all of New York and rally the world. With over 38,000 people in New York City alone with IBD the CCFA is looking to raise awareness of digestive diseases and is trying to raise as much money as they can through fundraisers for research for IBD treatments. The winners of the Hometown Hero contest will be announced by each individual borough's Take Steps 2010 Borrow Kick-off Event.

The CCFA needs all of the support that they can get for their 2010 Take Steps for Crohn's and Colitis Walk. If you would like to participate in the walk or if you are unable to walk and would like to submit a donation to a walker who is already involved in the event you will be helping the research and cure for IBD.

The walk for New York City will be held on June 26, 2010 at 4:00 pm and will start on South Street Seaport and proceed across the Brooklyn Bridge. If you would like to walk in the 2010 Take Steps for Crohn's and Colitis Walk in New York, New York call Kymberlee Setterberg by phone at 212-679-1570 or by email at ksetterberg@ccfa.org. If you are unable to participate but would still like to be involved in the effort to help the 2010 Take Steps for Crohn's and Colitis event you can make a donation to a walker who is already involved in the walk. To make a donation you can visit our website at www.dddilaw.com and click on the "Resources" tab at the top of the page. In the personal injury area under the resources section you will find a link to make a donation to a walker of your choice. This link will direct you to the donation section of the CCFA's website. Let's all help and contribute to finding a cure for Crohn's and Colitis.



LAW FIRM TO DONATE BIKES TO SOME DESERVING CHILDREN

Most of us have wonderful memories of our favorite bicycle and riding it everywhere during the summer. More and more as we deal with legal issues involving children it has come to our attention that not all families have the luxury of buying their child a bike. This is especially so in today's economy. It's also becoming apparent that children are not getting enough exercise. This lack of exercise has led to increased rates of obesity and generally lower levels of fitness among our children. So recently, we decided with our staff to donate some bikes for a few deserving children, recommended to us by our clients. We will select a winner each month and take them to a local bicycle shop where they can choose from a selection of bikes that are the best fit for them.

In order to help children stay fit and healthy, Decker, Decker, Dito & Internicola, LLP, is encouraging parents, teachers, relatives and friends to nominate a deserving child for a new bike. "All of the children in our community deserve the opportunity to own a bike," said Frank J. Dito, Jr., a partner in the Dongan Hills law firm. We hope that our summer giveaway will give more kids a chance to spend the summer having fun and being active on their bikes.

If you would like to nominate a deserving child, age 6-12 years old, send a brief e-mail to vgracia@dddilaw.com explaining why the special child in your life should receive a new bike. If you don't have access to e-mail, you can mail your nomination to us, Attn: Bikes for Kids. We will be having giveaways in May, June and July so make sure to send your nomination in.

This publication is intended to educate the general public about business, personal injury, real estate and insurance issues. It is not intended to be legal advice. Every case is different. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.



DECKER, DECKER, DITO & INTERNICOLA^{LLP}
ATTORNEYS AT LAW

Decker, Decker, Dito & Internicola, LLP
1610 Richmond Road
Staten Island, NY 10304

RETURN SERVICE REQUESTED



[Recipient]

Address Line 1
Address Line 2
Address Line 3
Address Line 4

Inside — *Staten Islander Named Walk Ambassador for the 2010 Take Steps for Crohn's and Colitis*
— *Find Out How You Can Help! Also inside are articles on Batting Tips, No Fault Acupuncture Coverage, Buying an Existing Franchise and Information for Our Bike Giveaway!*