



A Monthly Publication of BENGlassLaw

This newsletter is for informational purposes only and no legal advice is intended.

### In this issue...

- **Page 2** Can You Win Punitive Damages in Your Virginia Car Accident Case?
- **Page 3** BGL's Best Bites: Beef Short Rib Bolognese
- **Page 4** Local Store Provides Free Clothing Year-Round to Children of Low Income Families



## The DMV is Home to 9 of the 20 **RICHEST COUNTRIES** in America, Beating Silicon Valley

For those of us who have a secret, nerdy obsession with census data, 2020 is going to be a massive year. Thankfully, the Census Bureau hasn't been sitting on its hands for the past decade. The most-up-to-date results have just gone live, and it's great news for the D.C.-Maryland-Virginia region.

Ranked by Median Household Income, these D.C. Metro Area counties appear in the top 20:

- 1 **Loudoun County, VA: \$140,382**
- 2 **Falls Church City, VA: \$137,551**
- 7 **Fairfax County, VA: \$122,035**
- 8 **Arlington County, VA: \$120,950**
- 11 **Howard County, MD: \$116,719**
- 17 **Stafford County, VA: \$108,421**
- 18 **Montgomery County, MD: \$107,758**
- 19 **Calvert County, MD: \$106,270**
- 20 **Prince William County, VA: \$106,200**

—continued on page 2

### OUR MISSION STATEMENT

*"We help people make great decisions about their legal issues."*



It may sound simple, but the truth is that not everyone operates like we do. Even when we can't help someone directly, we consider it important to make sure that they are matched up with a potential answer to their question or problem. We never "send people on their way." We are committed to being a positive, useful resource for anyone who has a legal issue.

If you know of someone who might need an attorney or has a legal question, hand them this newsletter. Let them know that there is a law firm that wants to guide them to a great decision. We're just a call or contact form away.

# CAN YOU WIN PUNITIVE DAMAGES IN YOUR VIRGINIA CAR ACCIDENT CASE?

If you were hit by a drunk driver, you're probably wondering whether you have a claim for punitive damages. It's a common belief (and frankly common sense) that if a drunk driver causes an accident, the victim should automatically be eligible for punitive damages. Unfortunately, in Virginia, it's surprisingly difficult for a court to award you punitive damages.

## PUNITIVE DAMAGES

Punitive damages are awarded, not to compensate you for your injuries, but to punish the driver that hit you.

### WHEN ARE PUNITIVE DAMAGES AWARDED?

The most common instance when punitive damages are awarded in car accident cases is when the defendant was driving with a high Blood Alcohol Content (BAC). Punitive damages are allowed under Virginia Code Section 8.01-44.5 when:

- 1 The Defendant's BAC was .15 or greater
- 2 At the time of drinking, he knew or should have known that he was DUI
- 3 The Defendant's intoxication was the proximate cause of the accident

## COMMON LAW PUNITIVE DAMAGES

a collection of past court decisions, which establish "precedent" to guide contemporary courts about how to decide current cases

### WHAT IF YOUR CASE DOESN'T QUALIFY FOR PUNITIVE DAMAGES UNDER VA. CODE 8.01-44.5?

#### (COMMON LAW PUNITIVE DAMAGES)

There's an extremely high bar for your case to qualify for Common Law punitive damages. To be clear, Virginia Courts have stated, "Intoxication, of itself, will not subject a negligent driver to an award of punitive damages." Baker v. Marcus, 201 Va. 905 (1996). Furthermore, the Courts have found punitive damages permissible in only the "most egregious conduct." Simbeck, Inc. 257 Va. 377 (1996).

Furthermore, the Courts have found punitive damages permissible in only the "most egregious conduct." Simbeck, Inc. 257 Va. 377 (1996).

## SPEAKING WITH AN ATTORNEY ABOUT PUNITIVE DAMAGES

If you have any questions about punitive damages, always ask your attorney. You may not be eligible, but it's worth asking. Your attorney's job is to make sure that you're educated about the process so that you can make the best decisions about your case. There are no "bad" questions.

**BENGLASSLAW™**  
JustReadTheReviews.com

Call (703) 584-7277

—continued from page 1

## The DMV is Home to 9 of the 20 Richest Counties in America, Beating Silicon Valley

It's strange to think that Loudoun and Falls Church house more wealth than Santa Clara, San Mateo, and Marin counties, but it's true. *There are a lot of factors in play, but here are some of the reasons the DMV enjoys so much prosperity:*

### 1 The federal government needs local employees.

The government tends to grow no matter which side is in charge. Recently, there have been efforts to decentralize the federal government (moving the USDA to Kansas, for example), but the government's colossal need for workers from Virginia and Maryland isn't going to change any time soon. The feds also spend a lot of money.

### 2 Virginia's education system is a powerhouse.

The commonwealth breaks the top 10 in essentially every ranking you can find for education, and about 47% of the state is college educated (national average: 30.5%). Young parents flock to the region to get their kids into Virginia schools - a likely factor in the long term spike in housing prices.

### 3 The region is relatively immune to major weather disasters.

You always have to knock-on-wood with this one, but generally speaking, the DMV does not worry about tornadoes, blizzards, hurricanes, earthquakes, and drought compared to the rest of the nation. The Carolinas take the brute force of most of the season's hurricanes, and the wimpy 5.8 earthquake that hit in 2011 was the only one most locals had experienced in their lifetime. In the grand scheme of things, maybe the traffic and humidity aren't so bad. Words we will regret come August...

*2020 will bring us even more tantalizing data about the region. The end-of-decade census affects Congressional seating, federal funding, and more, so keep an eye out!* ■

Sources:

<https://www.census.gov/newsroom/press-releases/2019/small-area-income-poverty-estimates.html>  
[https://vaperforms.virginia.gov/Education\\_edAttainment.cfm](https://vaperforms.virginia.gov/Education_edAttainment.cfm)  
<https://www.northernvirginiamag.com/family/education/2019/07/30/virginia-school-system-ranks-as-fourth-best-in-america/>  
<https://www.usnews.com/news/best-states/virginia>  
[https://www.washingtonpost.com/local/social-issues/the-usda-relocation-to-kansas-city-is-ripping-apart-the-lives-of-its-employees-here-are-some-of-their-stories/2019/09/07/9108a3b0-c935-11e9-a1fe-ca46e8d573c0\\_story.html](https://www.washingtonpost.com/local/social-issues/the-usda-relocation-to-kansas-city-is-ripping-apart-the-lives-of-its-employees-here-are-some-of-their-stories/2019/09/07/9108a3b0-c935-11e9-a1fe-ca46e8d573c0_story.html)



## BGL's Best Bites:



# BEEF SHORT RIB BOLOGNESE

**WARNING:** *Do not attempt this if you are on a New Year's diet. It's absolutely delicious. Serves 4 and freezes well.*

### Ingredients:

- 1lb lean ground beef (90% lean or better)
- 3-5 beef short ribs
- ½ teaspoon each of clove, allspice, cinnamon, nutmeg
- 1 6oz can tomato paste
- 2 28oz cans of whole, peeled tomatoes
- 1 Tablespoon of butter
- 1 cup chopped Italian parsley
- 1 cup chopped basil
- 1/2 cup chopped oregano
- 1 chopped onion
- 4 cloves of garlic, minced
- Olive oil
- Salt and pepper, to taste
- 2lbs of your favorite pasta!

### Directions:

- 1 Chop the parsley, basil, oregano, garlic, and onion and mix together. Sauté the mixture in olive oil until the onions are clear.
- 2 Add the ground beef and start browning. Season the ground beef with the clove, allspice, cinnamon, salt, pepper, and nutmeg.
- 3 Start browning the short ribs. Turn the short ribs to a different side every 3 minutes (including the two shorter sides).
- 4 Once the meat is browned, add the tomato paste and mix until the paste is melted.
- 5 Process the whole, peeled tomatoes in a blender. Add the beef mixture, short ribs, and tomatoes to a large pot and simmer for 2.5 to 3 hours. You can add water during this stage depending on how thick you like your sauce. Towards the end, cook the pasta.
- 6 When the oil on top turns dark, it's ready! Add 1 Tablespoon of butter and stir in before serving. Enjoy! ■



## Reminder About Our Firm's Communication Policy

Our promise to you is that while we are working on your case, we don't take inbound phone calls, faxes or emails. Ben Glass takes no inbound unscheduled phone calls whatsoever. It makes him much more productive and helps get your case resolved faster. You can always call the office at 703-544-7876 and schedule an in-person or phone appointment, usually within 24-48 hours. This is a lot better than the endless game of "phone tag" played by most businesses today. Remember, too, that email is "quick," but is checked no more than twice a day. Replies are then scheduled into the calendar. So if it's really important, don't email—call the office instead.

This publication is intended to educate the general public about personal injury, ERISA disability, and small business 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.

3998 Fair Ridge Drive Suite 250  
Fairfax, VA 22033  
tel 703.991.2870 fax 703.783.0686  
www.BenGlassLaw.com

To be removed from our mailing list, email  
info@benglasslaw.com or call 800.224.1482



*What are the benefits of  
our VIP Program? Visit  
[BenGlassLawVIP.com](http://BenGlassLawVIP.com)  
to find out!*

## Inside This Issue...

- » The DMV is Home to 9 of the 20 Richest Counties in America, Beating Silicon Valley
- » Can You Win Punitive Damages in Your Virginia Car Accident Case?
- » BGL's Best Bites: Beef Short Rib Bolognese
- » And more...



## **Local Store Provides FREE CLOTHING Year-Round to CHILDREN of Low Income Families**

***This is no ordinary donation. Clothesline for Arlington Kids has introduced an entirely new delivery model for getting clothes into the hands of families that need them.***

**Twice a year, kids can come in and shop at a store that has no price tags and requires no money.** Kids have a checklist of the items they can receive, and they go aisle by aisle picking out their favorites. The store is run by volunteers and is supplied by donations.

Ellen Moy and Ben Sessions started Clothesline in July 2018 as a way to donate clothes locally, and thus far they have served 700 kids and given away over 37,000 pieces of clothing.

**“I wanted it to be like a real store,”** says Moy, **“somewhere they would be happy to shop and that you and I would like to shop in.”** So we made it bright, cheerful, organized, clean, easy to navigate, and we only picked quality clothes, nothing stained or damaged that we could see.”

Every child who qualifies for free or reduced-price lunches through the school system automatically qualifies for two trips a year to Clothesline. It's a solution that empowers children and helps bring normalcy to families who are struggling. Hopefully charities around the country see this new model working in Arlington and follow suit. ■



# What Does a “SUCCESSFUL” Person Look Like?

I am fortunate that in my circle of friends, clients and acquaintances, I meet and get to know many people who, by any measure, can be labeled “successful.” These include physicians, lawyers, musicians, professional athletes, stellar high school and college students, great parents and many, many successful small business owners. Some met with success “right from the very beginning,” but most have struggled, failed, struggled some more, and changed direction a time or two before emerging as someone who does their “thing” a lot better than most.

I can usually figure out whether someone is truly “successful” after spending 10-20 minutes with them. Here are the clues I look for:



- 1 **Successful people** tend to not talk about themselves too much. In fact, they tend to be the quiet ones at a party.
- 2 **Successful people** will, if asked, share their “secrets to success” with others. Most that I know do enjoy sharing what they *know* about success with someone who is *interested* in knowing how to be more successful.
- 3 **Successful people** tend to attract good people into their lives. Yes, you can “judge” a successful person by observing with whom they hang out.
- 4 **Successful people** are insanely curious. They read (or listen to) books a lot, particularly books about other “successful” people. While a successful person doesn’t talk about himself/herself much, they do ask a lot of questions and try to figure stuff out.
- 5 **Successful people** will let you know when they are giving you their opinion and when they are giving you what they believe to be a fact.
- 6 **Successful people** share a lot of the credit.
- 7 In their work life, **successful people** have the confidence to hire those who are smarter/better than they are.
- 8 **Successful people** don’t tend to get either too excited with “wins” or too low about “losses.”

Now, go back and look at that list again. Note that **NONE** of the ingredients have anything to do with (1) how smart you are; (2) how much money you start with; (3) who your parents are or (4) where you went to school. These “secrets” are all free. Now, go look in the mirror and ask yourself whether you have the “look” of a successful person. ■



## *Ben Glass Invited to Speak to Maryland Association for Justice in March*

Ben is a nationally recognized expert in helping lawyers build sane, successful and family-friendly law practices, and he has been invited to be **the featured speaker at the Maryland Association for Justice's "Building Your Practice" seminar in Baltimore on March 13.** He will be speaking, in part, about his new book, *Play Left Fullback*.



*Play Left Fullback* will be available on Amazon on March 1

*Play Left Fullback* is more autobiographical than his previous books and contains a lot of the "philosophy" that you read in this newsletter. Even though it's written for the lawyer market, the readers of this newsletter will want to add it to their library because of all of the Live Life Big secrets it contains.

## WHAT BEN IS THINKING



- **Finally, a good idea from America's universities.** I'm not a great fan of America's higher education system. I think that most if not all colleges and universities have made higher education basically unaffordable for most. Many have become "centers of entertainment, not education." (Full disclosure: I have sent 7 children to 6 different Virginia universities. I do think that each school was the right school for the right child. I also think that they are overpriced. College is, for the most part, wasted on the young.) But... along comes an idea I can get behind. According to a recent article in the Wall Street Journal, some universities are building senior living centers in and around their campuses. That's right. When I'm "older" (I'm 62 next month) I'll be able to buy into a senior living center near a university and continue my education for free (at most places.) This is win-win. Can you imagine how much the young of today would benefit from sitting in class next to those of us at the other end of the "life-experience" model? SUNY Purchase, one of the companies partnering with colleges, will begin construction next year on a 40-acre on-campus senior-living development with 220 homes on it. Save me a place!!!
- **Another one of my heroes.** You know the song "Grandma Got Run Over by a Reindeer"? According to a recent "What's Your Workout" column in the Wall Street Journal, the guy who sings the popular Christmas hit, Elmo Shropshire, is ranked fourth in the world for his age group in the mile. His age? 83! Now, here's the good part: Elmo didn't start running until he was 55. Know what he started at 78? That's right: CrossFit. (I've been doing CrossFit for about 2 ½ years. If you are local and have not checked out Halo Fitness Experience, check it out. Use my name and you'll get a free week. It will change your life, and I promise there are people under 62 there!)
- **There's a great article in the February issue of *Reason* magazine about income inequality.** Two points it makes that bear repeating here are (1) yes, there is an increasing income gap, but it is driven largely by those in the middle class moving up. There are more millionaires and multi-millionaires than ever before in America, and the vast, vast, majority are self-made; (2) at the other end of the spectrum the poor and near poor are much better off today than they have ever been. Politicians who make "income inequality" an election topic whose problem can be solved by hobbling the successful would, if successful in their plans, do great harm to Americans in general, and the poor specifically.
- **With Democrats now controlling the Virginia General Assembly, one thing on there is raising the minimum wage.** If they are successful, this will reduce opportunities for the least skilled for this simple reason: there will be more people competing for those jobs. With more people competing, it is less likely that the least skilled will be hired. There are more reasons than this to oppose government control of wages, but this is an argument you don't see made much. Just ask any employer how they choose employees.
- **Bet you didn't know this:** In Virginia it is a crime, punishable by up to a year in jail, to import more than one gallon of alcoholic beverages. *Import* means cross a state boundary with. More stupid and unnecessary government regulation. ■

This publication is intended to educate the general public about personal injury, ERISA disability, and small business 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.