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Joe, Lori and Gary



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Please Vote Lori Ashmore Peters for Judge of Probate Court No. 2 in Dallas County

## what does a probate judge do exactly...



A probate judge deals with families when they are at their most vulnerable, whether due to the loss of a loved one, the possible incapacity of a loved one, or dealing with an end of life decision on behalf of a loved one. What exactly does all of that mean? A probate judge deals with the administration of estates. When a person passes away, whether they have a Will or not, it is a probate judge that will either admit the Will to probate or determine who is going to control the assets and make the distributions for the estate. A probate judge also determines the heirs who will receive the estate. A probate judge deals with matters of guardianship. If you have someone that is suffering from Alzheimer's, dementia, or some other physical or mental disability, it is going to be a probate judge that determines number one, whether that person meets the definition to be legally incapacitated (it is only a probate judge that can declare someone legally incapacitated). And number two, it is a probate judge that determines what constitutional rights are taken away from that individual: the right to

vote, the right to drive a car, the right to spend their hard-earned money that they have worked so hard to earn, among others. A probate judge also hears the difficult matter of end-of-life decisions, which means whether or not to withdraw any and all life sustaining treatments. I hope you can now see the importance of an experienced probate judge and how their decisions can affect our lives and the lives of our loved ones. ■

# one vote makes a difference

**1714:** One vote placed King George I on the throne in England and restored the monarchy.

**1800:** One vote kept Aaron Burr, later charged with treason, from becoming president.

**1839:** One vote elected Marcus Morton as the Governor of Massachusetts.

**1845:** The U.S. Senate passed a convention to annex Texas by a vote of 27 - 25.

**1850:** One vote made California a state.

**1859:** One vote made Oregon a state.

**1868:** One vote saved President Andrew Johnson from being removed from office.

**1889:** One vote made Washington a state.

**1890:** One vote made Idaho a state.

**1920:** Tennessee ratified the 19th amendment, which allowed women to vote, by one vote.

**1941:** One vote made the term for selective service 2 ½ years instead of 1. ■

# thanksgiving greetings

The Ashmore Law Firm would like to wish you and your family a very happy and safe Thanksgiving. During this busy time of year, we hope that you can find a few quiet moments to reflect on what you have to be thankful for, and we encourage you to share those thoughts with those closest to you. ■

## PUMPKIN PIE

Nothing tops off Thanksgiving dinner quite like a slice of pumpkin pie. Please enjoy this scrumptious pumpkin pie recipe from the Food Network's Paula Deen.



Cook Time: 50 min   Level: Easy   Yield: 6 to 8 servings

### Ingredients

- 1 (8-ounce) package cream cheese, softened
- 2 cups canned pumpkin, mashed
- 1 cup sugar
- 1/4 teaspoon salt
- 1 egg plus 2 egg yolks, slightly beaten
- 1 cup half-and-half
- 1/4 cup (1/2 stick) melted butter
- 1 teaspoon vanilla extract
- 1/2 teaspoon ground cinnamon
- 1/4 teaspoon ground ginger, optional
- 1 piece pre-made pie dough
- Whipped cream, for topping

### Directions

Preheat the oven to 350 degrees F.

Place 1 piece of pre-made pie dough down onto a (9-inch) pie pan and press down along the bottom and all sides. Pinch and crimp the edges together to make a pretty pattern. Put the pie shell back into the freezer for 1 hour to firm up. Fit a piece of aluminum foil to cover the inside of the shell completely. Fill the shell up to the edges with pie weights or dried beans (about 2 pounds) and place it in the oven. Bake for 10 minutes, remove the foil and pie weights, and bake for another 10 minutes or until the crust is dried out and beginning to color.

For the filling, in a large mixing bowl, beat the cream cheese with a hand mixer. Add the pumpkin and beat until combined. Add the sugar and salt, and beat until combined. Add the egg mixed with the yolks, half-and-half, and melted butter, and beat until combined. Finally, add vanilla, cinnamon, and ginger, and beat until incorporated.

Pour the filling into the warm prepared pie crust and bake for 50 minutes, or until the center is set. Place the pie on a wire rack and cool to room temperature. Cut into slices and top each piece with a generous amount of whipped cream.

# the McDonald's hot coffee lawsuit

## SEPARATING MYTH FROM REALITY

In February of 1992, an incident occurred that would become a flashpoint in the debate over frivolous lawsuits, and for many people, seemed to provide irrefutable proof that lawsuits were out of control.

Stella Liebeck, a 72-year-old resident of Albuquerque, NM, had stopped at a local McDonald's with her grandson for a cup of coffee. While attempting to add cream and sugar to the cup, she accidentally dumped the coffee in her lap and suffered burns. Liebeck eventually filed a personal injury lawsuit against the fast food franchise, claiming that the coffee was too hot and could cause serious injuries.

ABC News referred to her case as "the poster child of excessive lawsuits".

Most of us have heard this story, but how many of us know what really happened? As usual, there were two sides to the story. Here are some important facts about the case that you probably never heard:

- Mrs. Liebeck was a passenger in the car, not the driver as initially reported. She had been portrayed as an unsafe driver trying to fix her coffee while driving.
- The car was not moving. Her grandson had stopped the car so that Mrs. Liebeck could safely add cream and sugar to her cup.

- Mrs. Liebeck's injuries were very serious. She was hospitalized for eight days with third degree burns over six percent of her body that required debridement and skin graft surgeries. She went through two years of medical treatment for the burns.
- McDonald's knew of the danger. More than 700 people had previously filed claims of burns, many similar to Mrs. Liebeck's.
- McDonald's representatives acknowledged they knew of the burn risks, but refused to warn customers, and had no intention of lowering the temperature of their coffee, typically served at 185 degrees.

The jury sided with Mrs. Liebeck, awarding her \$200,000 in compensatory damages and \$2.7 million in punitive damages, which was based on only two days of coffee sales! The judge reduced the combined amount to \$640,000, at which point both parties appealed. They subsequently settled out of court for an undisclosed amount believed to be less than \$600,000.

The bottom line is that despite all the sensational headlines and jokes about her claim being a frivolous lawsuit, a closer look at the facts reveals that Mrs. Liebeck's case had merit and that she deserved her day in court. ■

## November fun facts:

### Why do we vote on a Tuesday... in November?

The short answer: We used to be a nation of farmers.

The long answer: Congress chose November because the harvest was over and the weather wouldn't be bad enough to prevent people from traveling.

As for Tuesday, people used to have to travel overnight to their polling location. (In 1845, horse was the preferred method of transport.) In an effort to avoid religious days of rest, Congress chose Tuesday, leaving Monday and Wednesday as travel days. Tuesday was voting (and horse-resting) day.

Psephophobia is the fear of voting.

### Let's talk turkey!

- Americans feast on 535 million pounds of turkey on Thanksgiving.
- Benjamin Franklin wanted the turkey to be our national bird.
- President Abraham Lincoln established the original date for our National Thanksgiving Day celebration in 1863.
- Congress did not declare Thanksgiving a national holiday until 1941.
- The average person consumes 4,500 calories on Thanksgiving Day. (Now that's a lot of turkey!)

## November Important Dates

Nov 1 – All Saints' Day Nov 2 – Election Day Nov 7 – Daylight Saving Time Ends Nov 11 – Veterans Day Nov 25 – Thanksgiving

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# Lori Ashmore Peters

FOR JUDGE PROBATE COURT #2

# Vote Election Day Tuesday, November 2nd

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