



990 West 190th Street | Suite 500 | Torrance, California 90502

July 2016 Newsletter

I Almost Had the Wrong Surgery!

By: Attorney Phil Kavesh



If you open a newspaper today, you'll probably find numerous ads hawking treatments for back and foot pain. Apparently, an astounding number of people now suffer with these afflictions. I did, too.

What a Pain!

The pain running down my left leg and into my foot got so great that, after 8 months, I couldn't walk more than a few yards. So I finally decided to see a doctor.

The first doctor I saw was a general orthopedist and he spent all of about 3 minutes with me and then sent me to a lab for magnetic resonance imaging (an "MRI"). When I returned to the doctor, he opened the lengthy MRI report, quickly read the one paragraph summary on the top page and without looking at the rest said, "You have sciatica. I can operate on you if physical therapy doesn't work. Here's a therapy prescription."

Time For A Second Opinion

Well, I tried the therapy, but my leg and foot weren't getting any better. I didn't want to undergo any back surgery, so instead I decided to get a "second opinion". The new doctor I chose was a spine specialist. He actually looked at a few of my MRI images this time, and in less than 5 minutes he said, "Yep, you've got sciatica. It's occurring because you have narrowing of your spinal openings (stenosis) at L-5. Your choices are, first, physical therapy, then second, epidural shots to relieve the pain (yes, like pregnant women often get!) or, third, back surgery. But I wouldn't recommend surgery because it is tricky, risky and you'll have to be under anesthesia a long time." So he gave me a referral to another doctor to get the epidural shots.

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INSIDE THIS ISSUE

- Phil's Story.....1-4
- Seminars.....2-3
- Office Locations.....4
- Featured Article.....4-5
- Quote of the Month.....6
- Recipe of the Month.....6
- A Special "Thank You".....7
- Subscribe NOW!.....7

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Living Trust Seminars

For the public and also for our existing clients who want to bring family or friends!

Saturday, July 9

Torrance Double Tree Hotel
9:00am
21333 Hawthorne Blvd.

[Register Here](#)

Tuesday, July 12

Torrance Main Office
9:30am
990 W. 190th St., #500

[Register Here](#)

Thursday, July 21

Torrance Main Office
9:30am
990 W. 190th St., #500

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Well, like the physical therapy, the epidural shots only produced temporary pain relief (while giving me a big pain in the wallet, since insurance refused to totally cover them!). Now I was beside myself because I definitely didn't want to get back surgery. I negatively fantasized I might like the deep sleep of anesthesia so much that I wouldn't wake up! Or, I visualized myself walking like Frankenstein's monster for the rest of my life if the surgery didn't work out!

A Third Opinion

So, again, I sought another option. This time I looked for a doctor who not only specialized in the spine but was knowledgeable about neurology (nerves) as well.

When I arrived at the third doctor's office, the receptionist handed me a huge, multi-page questionnaire, a clipboard and a pen. I didn't want to fill out all this paperwork, particularly since my two previous doctor files had already been sent ahead (and I didn't bring my reading glasses to help make out all the fine print!). But the receptionist insisted I had to complete it, otherwise I couldn't see the doctor.

After 45 minutes, I grudgingly finished the questionnaire and handed it back. Then, after about another 30 minutes of waiting in the lobby (and next in a private room), I finally got to see the doctor. At this point, I was frustrated and just wanted to speed things up and get out of there! But, unlike the two previous doctors, who spent a total of less than 8 minutes with me, this doctor took 15 minutes just reviewing my questionnaire and looking at all of my MRI images. He then proceeded to manipulate and examine my leg and foot and ask me a bunch of other questions. Another half hour went by and I was thinking, "Will I ever get out of here?" But just then my visit became very interesting.

The doctor paused and said, "There are some things here that don't make sense. The narrowing of your spinal openings isn't that great that you should be experiencing this much pain. And the narrowing is worse on the right side of your spine, but your left leg is the problem. Plus, you've told me (thanks to his additional questions) that the pain is worst when you walk, yet that's a common therapy for people with sciatica. I don't think you have sciatica!"

Let Me Poke You!

I was relieved for a moment, until he asked me to stand and bend over and said, "I'm going to poke you" (while showing me his pointed index finger)! The doctor pushed a spot in my left buttocks and immediately I shouted in pain. He then said, "Tell me if the pain diminishes when I pull my finger away." Miraculously, the pain almost completely stopped!

"Just what I thought," he said. "You've got a commonly mis-diagnosed condition called piriformis syndrome. In plain English, you've got a cramped, inflamed deep muscle in your buttocks that's pressing against your sciatic nerve. It's not coming from your back! You won't need any surgery - - in fact, any back surgery would have been risky and completely worthless! You can just relax the muscle with physical therapy and, if that doesn't work, I can just give you a steroid shot into the muscle. I'll send you to get a nerve study (an "EMG") just to verify my conclusion. Ok?"

After months of suffering, numerous doctor and treatment visits, and considerable loss of time (and money)... Yes, that was more than OK!

All's Well That Ends Well

As it turned out, that third doctor was right. The EMG confirmed his diagnosis. All I had to do was get a few massages, and what I had previously been told was "sciatica" was quickly gone!

A Cautionary Tale?

I've related this story because if you, or someone you know, has been diagnosed with sciatica, maybe it's time for another opinion.

But there's another reason I've shared this story.

Often, people don't understand or appreciate the importance of choosing the right professional and of undergoing thorough examination and proper diagnosis - - not only when you're dealing with a doctor, but also with an estate planning attorney.

Often times, people will just select their estate planning attorney based on price (would you choose your doctor that way?), rather than also considering the desirability of working with a Bar Certified Estate Planning Specialist, particularly one who is also knowledgeable in the related fields of tax law (both estate and income tax) and elder law (including Medi-Cal), like we are. Plus, many people fail to look for an estate planning attorney who will not only take two hours to educate and prepare you before your initial meeting (like through a seminar) but also will spend an hour and a half or more going over your detailed questionnaire responses and asking other pertinent follow-up questions and counseling you on your key decisions - - like we do.

These are some of the reasons why we often find that other attorneys' estate plans wrongly diagnose or inadequately deal with the real client issues (as happened with my first two doctors). And why people find out there's a big difference when they come to our seminar, complete our questionnaire, sit with us through a lengthy diagnosis meeting - - and get the right estate plan custom-built for them and their loved ones.

Long-Term Nursing Care Planning Seminar

Tuesday, July 5

Torrance Main Office

9:30am

990 W. 190th St., #500

[Register Here](#)

Saturday, July 30

Torrance Main Office

10:00am

990 W. 190th St., #500

[Register Here](#)

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So Forgive Us...

When we ask you to fill out our long questionnaire (even if you're already a client and we have an old one in our file), remind yourself (as I now do), "I love Questionnaires!"

FEATURED ARTICLE

Three Estate Planning Items Everyone Needs

Many people mistakenly believe that estate planning is only necessary for the wealthy. In reality, a basic estate plan is essential for everyone, regardless of income or net worth, because we all want to minimize confusion, unnecessary costs, and stress for loved ones after a death.

As discussed in a recent *Yahoo! Finance* article featuring WealthCounsel, estate planning can be a difficult topic for many families to address, but it's a necessary one. Without proper preparation and documentation, assets-like houses, retirement plans and savings accounts-can end up in limbo for years, sometimes requiring expensive legal assistance to straighten matters out.

At a minimum, everyone should have the following three items in place:

An up-to-date will or trust.

Wills are easy to create, but they require the distribution of assets to go through probate. Probate is a legal process that involves:

- Validating a deceased person's will;
- Identifying, inventorying, and appraising the deceased person's property
- Paying debts and taxes;

And ultimately distributing the remaining property as the will directs.

The probate process often requires a lot of technical paperwork and court appearances, and the resulting legal and court fees are paid from estate property-reducing the amount that's passed on to heirs.

A trust can be more expensive to set up and requires professional assistance, but it provides benefits that a will cannot. First, when they're structured properly, trusts will help avoid guardianship or conservatorship if you become incapacitated. A will only works after you've died; a trust, by contrast, works all the time, including periods of incapacity before death.

OFFICE LOCATIONS

For your convenience, we have multiple office locations throughout Southern California.

Main Office:

Torrance Office
990 West 190th Street
Suite 500
Torrance, California 90502

Other Local Offices:

Pasadena Office
790 E. Colorado Blvd. 9th Floor
Pasadena, CA 91101

Woodland Hills Office
5850 Canoga Avenue, 4th Floor
Woodland Hills, CA 91367

Orange Office
333 City Drive West 17th Floor
Orange, CA 92868

Newport Beach Office
5000 Birch Street Suite 8000
Newport Beach CA, 92660



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Trusts usually avoid probate, which helps beneficiaries gain access to assets more quickly as well as save time and court fees. Depending on how it's structured, a trust may also reduce estate taxes owed and can protect an estate from heirs' creditors.

A durable power of attorney.

A power of attorney is a written authorization that allows someone else to make financial and legal decisions for a person if that person should become hospitalized, disabled or otherwise incapacitated.

Not all powers of attorney are created equal. Some are put in place for short periods of time only-while a person is vacationing overseas but dealing with legal matters at home, for example. That's why it's important to have a durable power of attorney in place, which simply means that the agreement is not for a temporary period of time. It may be valid immediately when it's signed, or it may go into effect at a later point. But what makes it "durable" is the fact that it will survive your later incapacity. (If a power of attorney is not durable, it is revoked when you become incapacitated - the very moment when you need it most.)

Powers of attorney for property should only be given to trusted individuals, ideally those who are good with financial and legal matters. Medical powers of attorney can be separated and given to someone else, if desired.

Updated beneficiary designation forms.

Beneficiary designation forms on life insurance policies, 401(k) accounts and other assets will generally override any conflicting provisions within a will or trust. It's essential to make sure all forms are checked and updated regularly, ideally on an annual basis.

An estate planning professional can help anyone create or update these basic items as well as provide suggestions for additional steps, if needed.

Article written by: Matthew T. McClintock, J.D.

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QUOTE OF THE MONTH

“As we celebrate our nation's freedom (this month), we honor the courageous men and women dedicated to preserving it”

Unknown

RECIPE OF THE MONTH

Red, White, and Blue Strawberry Shortcake

18 servings, total cooking time: 50 minutes

Ingredients

- 1 package of yellow cake mix
- 1 (8 ounce) container of whipped topping, thawed
- 1 pint fresh blueberries, rinsed and drained
- 2 pints fresh strawberries, rinsed and drained



DIRECTIONS

1. Prepare cake according to package direction and bake in 9" x 13" pan. Cool completely.

Frost cake with whipped topping. Place blueberries in a square in the corner, and arrange sliced strawberries as stripes to make an American flag. Chill until serving.

A recipe from [All Recipes](#)

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A SPECIAL “THANK YOU”

Here is a very special THANK YOU to all of our clients who have referred family and friends, or forwarded our newsletter to them! If you are part of a group or club and you would be interested in having us speak to the members on important estate planning topics of interest, please contact us at info@kaveshlaw.com.



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(or just ask the receptionist)**

Also, if you have any suggestions, comments or questions regarding the content of this newsletter, please contact us at 1-800-756-5596 or by e-mail at info@kaveshlaw.com.

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CONTACT US

You may contact us to make an appointment for your initial consultation, to schedule a review of your current estate plan, or to make a referral.



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Estate Planning Specialists
for your peace of mind®

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www.kaveshlaw.com

Also, visit our blog to keep up on the latest developments in estate planning.