

Lawyer Explains The Eggshell Doctrine And How It Can Help Win Fair Compensation

June 04, 2021

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The Dallas, Texas based Mullen & Mullen Law Firm recently published a new blog post that explores the ins and outs of the Eggshell Doctrine and how it can help clients win fair compensation. This is part of the firm's latest efforts to raise awareness about the various strategies that can be used to gain an edge when disputing an injury case.

"When used properly, the Eggshell Doctrine can be one of the most effective weapons in a personal injury lawyer's arsenal," states Doug Callaway, a representative of the Mullen & Mullen Law Firm. While both attorneys and insurers know this tactic all too well, Callaway notes that few outside the legal field know what it involves and how it can influence their cases. This can lead to missed opportunities, thereby reducing their chances of securing fair compensation in their injury cases, especially if their attorney is also not familiar enough with the subject.

The Eggshell Doctrine states that, should a victim who suffers a pre-existing health condition be injured due to someone else's negligence, the offender will be responsible for any additional harm the victim may experience due to their pre-existing health condition. The defendant must take the victim as they are, and

they can not make an argument to pay only for the damages that a typical person would have suffered.

The Mullen & Mullen Law Firm explains that a good example of this is when an individual is involved in a low-speed rear-end collision. Most people would come out unharmed, with their seatbelts lessening the strain on their body, and they would not need any medical treatment. This would not be the case for someone with an aggravating condition that may make them more vulnerable to receiving significant, debilitating injuries in the same circumstances.

In the article, Callaway explains, "Someone with brittle bones syndrome, for example, would sustain significant injuries even from a minor car collision. The Eggshell Doctrine states that if such a person sustains significant injuries in such an accident, the person responsible for the condition is not off the hook, and they are still responsible for all of the victim's injuries. Their insurer cannot deny them compensation because of pre-existing health conditions that perhaps most typically healthy people do not have."

The firm notes that the Eggshell Doctrine is based on the principle that the offender is always responsible for the injuries caused to the victim, even if these can not be foreseen. So long as someone else's negligence is involved in causing harm to another party, the offender can be held accountable for the damages caused, even if the victim shares a condition with only a handful of people in the world.

The Eggshell Doctrine dates back to England in the year 1901, where the jury came to a decision in favor of the victim in the Dulieu v. White & Sons case. In this case, the defendants drove a pair of horses pulling a carriage into a pub. During the crash, a pregnant woman was working behind the bar of the pub. She did not suffer any physical injuries. However, the crash shocked her emotionally. As a result, she had a premature birth, and her child was born with some form of mental deficiency. Despite the fact that the plaintiff only suffered shock ? and no physical injuries ? White & Sons were still required to pay damages.

Several other cases of this nature have occurred over the years in which the victim has benefited from this precedent which dates back over 100 years. The Mullen & Mullen Law Firm notes that as long as the victim possesses proper legal representation, the odds of coming out with a favorable result should be in their favor. They advise, however, that it is wise for a victim to seek the best personal injury lawyer they can find to advocate on their behalf.

The Mullen & Mullen Law Firm specializes in such injury cases, and they invite the Dallas community to reach out to them for a consultation on their specific case. More information regarding the Mullen & Mullen Law Firm and their services can be found on their official website, along with other news and interesting blog posts on other topics of interest. Similarly, clients are welcome to contact Doug Callaway to

schedule a consultation or discuss their cases in further detail.

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Mullen & Mullen Law Firm

Mullen & Mullen Law Firm has been representing injury and accident victims in Dallas since 1982. Mullen & Mullen has offices throughout Dallas and Fort Worth and offers free case evaluations for anyone in Texas.

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