

**FOR IMMEDIATE RELEASE:**

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**STROM & ASSOCIATES RECEIVES RULING IN FAVOR OF  
INJURED WORKER CAUGHT ON TAPE**

CHICAGO - Since its introduction, video tape has often been offered as visual evidence in court cases. However, in the case of Paul Buffington vs. Carlson Heating & Cooling Company, Neal Strom of Strom & Associates used a rare procedure in the Workers' Compensation Act to discover undercover surveillance tape intended to be used as evidence against his client.

"In this case, Paul Buffington was not filmed doing anything suspect. It was a bluff. Using videotape can be an effective way to expose fraudulent activities, but it shouldn't be used just to stall. For those with legitimate injuries like Buffington's, it unnecessarily delays the case and the injured worker's ability to receive help."

Ultimately, Buffington's case was resolved by agreement after the validity of the tape put the company's claim into question.

As the issue of surveillance tapes being used in workers' compensation cases continues to rise, Strom has used the law in this instance to benefit his client. He attributes the problem to the lack of discovery, meaning defense lawyers do not have a legal obligation to disclose surveillance tapes.

Unlike normal personal injury litigation, workers' compensation cases work without the function of "discovery", which enables both the defense and prosecution to show their evidence to one another prior to the start of a trial. In this case, Strom knew the tape existed, but was not privy to its contents until he argued under an emergency provision of the Workers' Compensation Act for its disclosure.

Carlson Heating & Cooling Company, Inc. hired a private detective to sit outside Buffington's house hoping to catch him acting in a manner inconsistent with his injuries. The tape showed him entering and exiting a store with a package using a hand truck. Strom was able to articulate that the evidence portrayed in the tape could not show his client acting inconsistent with his doctor's orders.

"It is a matter of principle and methodology. So long as there are insurance frauds out there, we will have to deal with this issue," Strom explained. "In the end, it is really only harming the victims of work related injuries because it's creating an atmosphere where everyone, even those legitimately injured, are subject to invasive scrutiny."

**ABOUT STROM & ASSOCIATES**

The Chicago law firm of Strom & Associates represents individuals injured in a work environment who are seeking to enforce their rights under workers' compensation laws. The firm also represents the victims of personal injury. The law firm combines over 50 years of experience working in personal injury and workers' compensation. For more information, visit [www.stromandassociates.com](http://www.stromandassociates.com).

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