



**TO: INJURED ACCIDENT PLAINTIFFS - SOMETIMES I WISH THAT I WASN'T  
ALWAYS RIGHT**

From: New York attorney Gary E. Rosenberg (personal injury and accident attorney and lawyer; serving Brooklyn Queens Bronx; Bronx Accident Lawyer)

Let's recall my blawg post from August 25, 2009 ([www.blog.GaryRosenberg-Law.com](http://www.blog.GaryRosenberg-Law.com)). Loyal Readers will remember that I discussed video surveillance by insurance companies of accident victims - plaintiffs who are hurt and claim to be limited in their ability to engage in physical activity. I also pointed out that:

"MySpace. FaceBook, etc. By now you've no doubt read about companies that check out prospective employees' social networking sites over the Internet. Is the job applicant shown in photos doing something incompatible with the company's values? Is she using drugs? Or is he in a state of undress? Or making obscene gestures? Or showing a gang or prison affiliation? These occurrences are all too common these days.

Be especially careful if you're an accident victim. Be wary about posting photographs to a website that are inconsistent with your claims of physical limitation. And if you can't engage in sports, don't show your blue ribbon for winning a swim meet or a hockey trophy, and so forth."

My point was and is that the Internet and Cyberspace never forget. Everything put out there can be found by a determined investigator. So the answer is simple: If you're hurt or injured from an accident, don't put anything into the on-line universe that contradicts your claims! Don't give the insurance companies evidence against yourself.

This leads to today's blawg topic which has to do with a woman in Canada, Nathalie Blanchard. What happened to her could happen to anyone hurt physically or, as in Nathalie Blanchard's case, hurt or unable to function due to psychological injury or sickness.

Nathalie Blanchard, age 29, worked for IBM, the big computer company.

For reasons unknown to your humble blawger, Blanchard went out on leave from her job at IBM in Quebec, Canada, some year and one-half ago due to major depression. We do not know what caused her depression, or how it was diagnosed and whether it was treated with medication or talk therapy or both or by nothing at all.

We do know that Blanchard got a monthly check from IBM's insurance company, Manulife, until her insurance agent spotted photos of Blanchard on Facebook . . .are you ready? Having fun. Now Manullifer alleges that Blanchard can't be depressed because, "Look, she's having fun."

The photos showed Blanchard at a Chippendales show and on vacation on the beach.

Blanchard says her doctor advised her to get out and have some fun to forget about her problems.

**Depressed Woman Loses Benefits Over FaceBook Photos**

He also recommended exercise. Basically, she says that the photos show part of her medically-prescribed treatment for depression - to go out and try to have fun - and don't mean that she was cured.

Blanchard and her lawyer are taking legal action, says the insurer stopped paying Blanchard, costing her thousands of dollars.

Comment: What's peculiar here is this: How did Manulife get into Blanchard's Facebook photos when her profile was locked and only her "friends" can look past her name?

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