

# DERZON & MENARD

Attorneys at Law

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## Legal Update



Summer/Fall 2007

### IN THIS ISSUE

This issue of *Legal Update* discusses a new CNN investigation which shows how insurance companies mistreat accident victims by delaying and offering unfairly low settlements. It also tells about a new study affecting senior drivers.

If you have a question about any article, please call us.

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## CNN Investigation Exposes How Insurers Mistreat Accident Victims

**T**wo CNN reporters did an 18-month investigation of how insurers handle car accident claims. Their findings were troubling, but no surprise to anyone who has been victimized by insurance industry tactics.

The report focused on common types of car accidents — fender benders that cause moderate damage and injuries to the victim's soft tissue, which are hard to see and hard to show by medical examination or x-ray. The report found that insurance companies often:

- Delay handling your claim.

- Deny that you were hurt.
- Cost you money by forcing you to go to court.

The reporters even obtained an insurance company's training manual which told claims adjusters to try to force small settlements.

A former adjuster told CNN she used these tactics, sometimes offering poor victims as little as just \$50. The adjuster knew poor people would take small settlements, fearing that otherwise they would get nothing. An insurance company lawyer admitted the company's strategy was to make

*Continued on other side*

### About Our Firm

We handle all types of personal injury cases, including:

- Auto Accidents
- Slip and Falls
- Product Injuries
- Medical Malpractice
- Dog Bites
- Work Injuries

### Free Consultation

(414) 276-2100

or

1-800-249-4LAW

## Personal Injury Q & A

**Q.** *I was in an auto accident. Can any lawyer help with my insurance claim?*

**A.** Though lawyers can handle different kinds of cases, after a car accident, it's usually best if your claim is handled by lawyers experienced in personal injury claims, such as our office. Accident claims are complex, and a lawyer's training, skills, experience and resources can pay off for you in the form of a higher financial recovery. Personal injury lawyers who have successfully handled many accident cases are often the best equipped to handle complicated issues, tough negotiations with insurance companies and, when

necessary, trial of your case.

**Q.** *How do I know how much to settle my accident claim for?*

**A.** This is a crucial question, since after your claim is settled, you usually cannot get any more money. Your lawyer can be especially helpful with this question, since lawyers know the different types of damages you can receive after an accident. They also know what courts have awarded for accidents and injuries like yours, and can evaluate the strength of your case. By considering these and other factors, your lawyer can help estimate the value of your claim. You can then evaluate if a settlement offer is fair.

## **Man Injured By Air Conditioner Makes Product Liability Claim**

Every year, thousands of people are injured by defective products. A recent case is a reminder that people injured by a defective product can make a claim to recover compensation for their injuries.

A man suffered severe injuries to his arm and wrist while moving an air conditioner. He made a claim against the manufacturer, saying the machine was not safely designed, since it had poorly-shielded sharp parts that caused his injury. The parties reached an out of court settlement, with the man receiving damages.

### **CNN Investigation, *continued***

fighting the company so costly and time-consuming that even lawyers would not be willing to fight for clients

According to the CNN report, these tactics have forced accident victims to settle and walk away from billions of dollars, letting insurers keep these amounts for themselves.

Another former employee told the CNN reporters that insurance companies profit from using these practices; that the profits are good and as long as the public lets this occur, insurance companies will get richer and people will not get fair and reasonable settlements.

Insurance companies naturally deny using these tactics. But many people feel they have been

victimized twice. First in a car or other accident. Then when a claim is submitted and the insurer wrongly delays and denies the claim, offers only low-ball settlements, and runs up the victim's cost by forcing the claim to court. CNN's investigative report tends to show this is true.

Don't be a victim of unfair insurance company practices. After a car accident, consult your lawyer about your rights to make a claim, and about fair value of your claim. Getting a lawyer's help with your insurance claim can help you get a larger and faster settlement. If the insurance company won't make a fair settlement, your lawyer can advise you on your rights to pursue a claim.

This newsletter is published for this firm's clients and friends. It has general information. Due to changes in the law, exceptions to general rules of law, and variations of state laws, seek professional legal advice before acting on any matter. ©2007 ANSI

## **Study Shows Top Risk For Senior Drivers**

A new study by an insurance trade group is important for all motorists, and especially senior drivers. It showed that over 40% of fatal crashes involving senior drivers are at intersections. This is much higher than any other age group.

The study gave several reasons why seniors have so many intersection accidents. The key one is many seniors don't yield to oncoming cars when making turns, even though they see cars approaching. Many seniors simply misjudge if there's enough time to safely turn. Younger drivers often do not see vehicles coming because they are distracted.

This study is an important reminder for seniors to be extra cautious when driving.

### **If An Injury Occurs**

No one expects to be in an accident. But if you are in one, call us to find out about your rights. We will fight to obtain the maximum compensation for you.

Please also give our name to a friend or family member if they are in an accident.

Thank you for letting us serve your legal needs.

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