



The Hameroff Law Firm

A professional corporation emphasizing cases involving personal injury and wrongful death claims.

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Brought to you by
The Hameroff Law Firm

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PERSONAL INJURY PRACTICE

- Free consultation
- Home appointments available
- 24-hour emergency service
- No recovery, no fee.
We do not get paid unless you do.
- Hospital appointments available

Insurance claims

If you meet with a claims adjuster...

Part of the follow-up on a claim for a business casualty, home damage, or an auto accident might be an invitation to the insured to meet with a claims adjuster.

Any such meeting is actually part of negotiating with the insurer, and it is probably best to seek legal counsel prior to a meeting. If significant liability issues are at stake, a lawyer should attend every meeting. However, if the parties elect to meet, experts suggest the following guidelines.

- Be pleasant, firm, and serious.
- Don't admit responsibility.
- Meet at a place and time convenient to yourself.
- Have a witness present.
- Tape the talk or take very good notes.
- Avoid expressing interest in settling quickly.
- Don't lower expectations, and be prepared to negotiate by asking for concessions from the other side.
- Have all agreements reviewed by an attorney.



Claims against Allstate

One insurance company, Allstate, actively discourages those making claims against its insureds from hiring lawyers. Its "Do I Need An Attorney?" campaign has been found in violation of various states' laws.

AUTO INSURERS "SCORCHED EARTH" TACTICS

A Tucson, Arizona, jury awarded damages to victims of an insurance company's "scorched earth" litigation tactics following an automobile accident.

Here's how the case unfolded: Allstate Insurance Co. records showed that although the driver it insured was 100 percent at fault for the rear-end collision and that the plaintiffs' emergency room fees were fair, the company initially refused to make a settlement offer. When the injured people filed suit, Allstate offered \$101, which was refused. The suit went to mandatory arbitration, which Allstate appealed, seeking a jury trial.

The plaintiffs' attorney earned the jury's verdict by demonstrating that Allstate had used "win-at-all-costs" litigation procedures to avoid fairly compensating the plaintiffs for the harm they suffered. Allstate's aggressive approach includes delay tactics and low-ball settlement offers to claimants who hire lawyers. Allstate's attorneys defended the company—even when litigation exceeded settlement costs—by threatening the plaintiffs with more litigation and promises of continued appeals of losses.

Anyone who may be a victim of insurance company scorched earth tactics should consider obtaining legal counsel.

Attorneys helping people.

FDA mandates pain-drug warnings

The Food and Drug Administration (FDA) has increased consumer protection by requiring expanded warnings for many over-the-counter pain relievers and fever reducers.

Now drug makers must...

- ◆ place clear warnings on containers and outside packaging;
- ◆ prominently identify key active ingredients on containers and outside packaging;
- ◆ caution that nonsteroidal anti-inflammatory drugs (NSAIDs) may cause stomach bleeding, which will worsen with use of alcohol, by taking the drugs for longer than directed, or by taking several different NSAID brand medications simultaneously;
- ◆ warn that acetaminophen can cause serious liver damage;
- ◆ advise users who take blood-thinning medications or steroids to consult physicians about acetaminophen use, since it may increase stomach-bleeding risk.



Patients can become aware of risk by surfing to the FDA's pain-medication online guide: www.fda.gov/cder/drug/analgesics/default.htm.

Fair credit collection



The Federal Trade Commission enforces the Fair Debt Collection Act, which protects us all from unfair practices.

Did you know that debt collectors, in their zeal to obtain payment, may not...

- threaten you in any way?
- falsify information about you to anyone, including credit-card issuers?
- mail or hand deliver you an official-looking court or government document?
- make up a false company name to try to talk to you?
- threaten to seize your property?
- send you a debt-collection postcard?
- charge you interest fees on top of any amount you owe?
- apply your payment to vendors other than ones you identify and select?

A consumer-rights attorney can represent victims of unfair debt-collection practices. In egregious cases, victims may obtain compensation for statutory damages and emotional distress.

Jurors in the Internet era

Trial judges are adding new instructions to empanelled jurors.

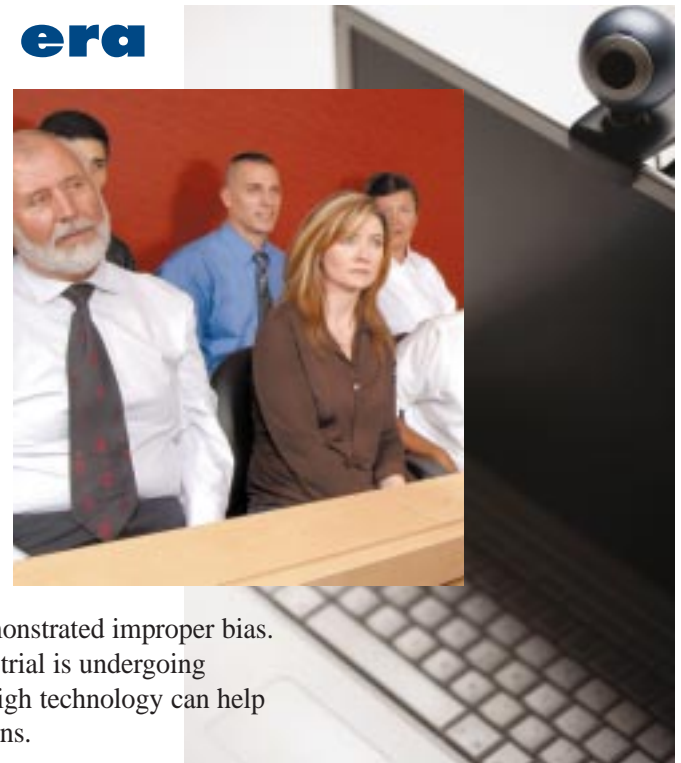
Judges have always instructed sitting jurors to avoid newspapers or not talk to friends about a trial to avoid bias or partiality. Jurors should reach verdicts solely on a judge's instructions as well as facts and evidence presented by prosecutors and defense attorneys.

For today's "wired" jurors, judges are adding cautions about blogging, e-mailing, twittering, or posting trial comments on Facebook or personal Web pages.

Some jurors, equipped with wireless PDAs or cell phones, have done their own online research and shared information with jurors and others about trial plaintiffs, defendants, or witnesses.

Others, violating the bench's instructions, have issued up to 60 outgoing opinionated "tweets" about individuals or companies on trial. One juror's online communications led to litigation. Owners of a building-materials company appealed a \$12.6 million jury verdict, noting a juror posted messages on Twitter during deliberations and alleging the posts demonstrated improper bias.

The status of facts, data, and outside opinions that may be introduced at trial is undergoing thoughtful consideration. Evolving case law will help courts resolve how high technology can help or hinder trials. Until then, jurors should comply with the judge's instructions.



Between 9 and 18 percent of all identity-theft victims take four or more years to discover they have been victimized.

Prevent identity theft

Here are seven simple suggestions to deter theft of your identity by wrongdoers:

1 When paying credit-card accounts by check, write only the last four digits of your account number, not the entire number.

2 Shred all bank and credit statements.

3 Shred all credit-card offers.

4 Photocopy both sides of your driver's license and credit cards to have all account numbers, expiration dates, and phone numbers if your wallet or purse is stolen. File away for safe keeping.

5 Mail all bill payments at the post office.

6 Don't carry your Social Security card with you, and never write your number on a check.

7 Review your credit report from each of the three major credit-reporting agencies annually.

Pain

If you have suffered injury from an auto accident, a fall, or some other way, you may experience temporary or permanent pain.

To help you obtain fair compensation for harm done to you from others' negligence, it is important to describe your pain accurately to an examining physician, during depositions, or when testifying in court.

Expressing pain isn't easy, so doctors may ask a patient to rate pain on a 1–10 scale.

However, to help patients accurately describe their pain, the American Pain Foundation suggests using a “**L-O-C-A-T-E-S**” memory aid to talk about pain to a doctor.

Location of the pain and whether it travels to other parts of your body.

Other associated symptoms, such as nausea, numbness, or weakness.

Character of the pain, such as throbbing, sharp, dull, burning, or other.

Aggravating or alleviating factors, such as what helps or hurts?

Timing of the pain: how long it lasts and whether it is continuous or intermittent.

Environment in which the pain occurs.

Severity of the pain, using a 1–10 scale.

“**L-O-C-A-T-E-S**” helps most accident victims to more easily describe their pain.



Premises liability

When a person is injured because of another's negligence, an attorney familiar with premises liability accidents can counsel. Victims can obtain compensation for medical bills, lost wages, pain and suffering, and other damages.

An experienced personal injury lawyer can assess the incident, communicate with property owners, negotiate with insurers, locate witnesses and experts to testify for the plaintiff, and, if required, present the case at trial.

A faulty deck guardrail

A man and a woman were enjoying a party on a neighbor's deck. When they leaned against a wooden guardrail, it pulled away from the frame and the couple fell four stories to the ground. The woman suffered severe spine, pelvis, shoulder, and rib fractures, as well as a concussion and a right lung bruising. Her date fractured his left shin and shoulder blade and now suffers from posttraumatic stress disorder. The couple sued the building's owners, alleging they accepted shoddy deck construction in violation of the city building code. The parties settled prior to trial.



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Thank you

David E. Hameroff, Esq.



Please accept our firm's deepest gratitude for allowing us to serve as your lawyers for the past 26 years.

It seems like we opened our doors for business just yesterday, but in the time that has passed, we have made lots of good and lasting friendships in our community. We hope that we have returned just as much as we have received.

These 26 years have passed all too quickly, and your consideration, loyalty, and support have been more important to us than you could possibly know.

Thank you for 26 years!

Clients with special needs

We realize that injuries or disabilities may present difficulties to some clients. Our offices are handicapped accessible, and we can make arrangements for travel for all clients. We'll recommend assistance for mobility, visual, hearing, and other limitations. Just ask for more information. Remember, we're here to help.



You may not have already won!

In case you wondered, you didn't win. Publisher's Clearing House agreed to pay \$34 million to settle lawsuits in 34 states accusing the sweepstakes giant of deliberately misleading entrants into believing they had won or could increase their chances of winning prize money by buying magazine subscriptions.

