

V&B ATTORNEYS

BOARD CERTIFIED ACCIDENT & INJURY LAWYERS

the Newsletter

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Contest of the Month



Congratulations to the winner of December's Trivia Contest, Daniel Winn

The answer to the question: "Most of you know that Vuk Vujasinovic is a Serbian name.

What does the name "Vuk" mean in English?" is "wolf"



This Month's Contest

Brian loves college football, and has been a long-time season ticket holder to Texas A&M

football games. He is an Aggie diehard.

Little known fact about Brian, though: He has a second favorite college football team. Can you guess who it is?

Hint: Check out Brian's Facebook page. On one of his older posts, you can find a comment Brian made which will give you a really good clue about his second favorite college football team.

This month's winner is going to get a couple of really neat prizes. First one to email Brian at Brian@vbattorneys.com with the correct answer wins.

(P.S. If you're not friends with Brian on Facebook, send him a friend request and he'll confirm it.)



by Brian Beckcom

Enthusiasm

Ralph Waldo Emerson once said, "Nothing was ever achieved without enthusiasm." I think Emerson was right.

Think about the times when you achieved something in your life that was really worthwhile. Were you enthusiastic about the work you had to do to achieve your goal? Wasn't it a lot easier to achieve that goal because of your enthusiasm? Enthusiasm creates energy, it makes work easier and more enjoyable, it keeps you from getting discouraged and keeps you going when the going gets tough.

When I was in high school, one of my only goals was to play basketball in college. I was a decent athlete but nothing special. But man, was I fired up and enthusiastic about practicing hard enough to get good enough to play in college. I remember I used to stay at the gym until 10:00 at night, practicing 5 and 6 hours a day. I would wake up on Saturday mornings and drive an hour to find pick-up games against good college players. I would watch games and read books about great basketball players. I attended basketball camps.

There is absolutely no way I could practice basketball for even an hour a day now. I don't read books about basketball, and I only watch the occasional basketball game. I'm just not enthusiastic about it any more. But when I was, I could practice and watch basketball and play forever, and it was easy. It's because I was enthusiastic.

Here's the thing: Enthusiasm is a **choice**. You can choose to be enthusiastic. It doesn't happen automatically.

So this month, figure out something you really want. Figure out why you want it. Think about how you would feel if you achieved your goal. And then **choose** to be enthusiastic about it. ■

Brian

You + The Insurance Adjuster = A Bad Relationship

It may have seemed impressive when the insurance adjuster contacted you right after an accident. You may have thought to yourself—“wow, this person really appears to care about my situation and wants to do everything to help me get fair compensation.” Wrong!

Insurance adjusters are not bad people by any means, but an adjuster is also not your friend, pal or buddy. This person is an employee of the insurance company and his or her loyalty is not with you. The insurance company wants to make money, by collecting regular premiums from clients. They don't want to pay money out, which is why the adjuster's focus will be on settling your claim for as little as possible.

When the insurance adjuster starts calling after an accident, be prepared. Have your facts straight and be ready to provide documentation supporting your injuries and other damages. When questions are asked of you, which they will be, do not become argumentative. Also, don't let the adjuster intimidate you and avoid giving a statement on record.

You need to make it clear to the adjuster that you have done your

homework by collecting documents that support your claim. Be firm when working with the adjuster and be ready for a battle. The adjuster might not be willing to offer you a fair settlement. If that happens, you have some options. You can counter the adjuster's offer or you can contact a lawyer to help you resolve your case. Either way, don't let the adjuster bully you into accepting a settlement that is far below what your claim is worth. ■

WE GET QUESTIONS

Q: For How Long Are Texas Truckers Legally Allowed To Drive at One Time?

A: Federal trucking regulations have been put in place to reduce the number of truck accidents caused by fatigued truckers and truckers who fall asleep behind the wheel. All Texas commercial truckers who are carrying property must follow these regulations and track their hours in a logbook.

Here are the general guidelines for trucking Hours of Service:

- Truckers may not drive more than 11 consecutive hours at a time after a ten-hour block off duty.
- Truckers may not be on duty more than 14 hours after coming onto duty a ten-hour block off duty.
- Truckers may not drive more than 60 hours in seven consecutive days after 34 hours off duty.
- Truckers may not drive more than 70 hours in eight consecutive days after 34 hours off duty.

Unfortunately, many commercial truckers are under pressure to deliver their loads in unreasonable amounts of time, while others are simply negligent. These federal trucking regulations are violated far too often, and truckers will often have inaccurate or blank logbooks.

Not Feeling Loved By the Insurance Company?

When you are in an auto accident, it is a very scary time period, and we're not just talking about the event itself. While the actual crash might still be giving you nightmares, the aftermath is also going to be unnerving.

Sometimes car accidents cause serious injuries and when that happens, the insurance companies typically get involved. Drivers purchase auto insurance to protect themselves against loss. If you were in an accident caused by the other driver and you were injured, you may be able to get a settlement from that driver's insurance company. However, it is not going to be easy.

As you work with the insurance adjuster, keep in the back of your mind that he or she will be looking for a reason to deny your claim. The adjuster might ask you to provide a recorded statement by explaining that it will help the claims process. Don't do it. In reality, the adjuster is hoping you will say something that could be used to deny your claim. Also, be mindful of your actions after an accident. If you were hurt, go to the doctor. If the doctor prescribes treatment, follow through. Failing to take the right steps in the days, weeks and months after your accident could give the insurer ammunition to use against you.



As you work with the insurance adjuster, keep in the back of your mind that he or she will be looking for a reason to deny your claim.

Insurance claims are denied often, leaving injured victims wondering how they will pay for their losses. Insurers have been known to unfairly deny claims, which is why it is typically in your best interests to work with an attorney at the onset of your case. A lawyer can walk you through the process of recovering compensation and will be the one working directly with the insurance company, so you don't have to. ■



Avoid the Top Valentine's Day Blunders

Buying your wife a new broom and dustpan for Valentine's Day might have seemed thoughtful at the time, but it probably wasn't received well.

Purchasing that embroidered sweater for your boyfriend might have appeared clever, but the gift wasn't appreciated. You might have even made the decision that Valentine's Day is just too commercial and that you wouldn't celebrate it, yet, your significant other didn't share the same sentiment about this romantic holiday.

We all make mistakes from time to time, including on Valentine's Day. This year doesn't have to be that way. Make sure you avoid the common Valentine's Day blunders. **Below is a top 7 list of slip-ups that occur on the most romantic day of the year.**

- 1** Giving a gift that the other person *needs*, but doesn't necessarily *want*. (Like a broom and dustpan).
- 2** Showing up at the restaurant without a reservation.
- 3** Spelling your date's name wrong on the card.
- 4** Re-gifting a past Valentine's Day present.
- 5** Falling for the line "I don't want anything for Valentine's Day this year."
- 6** Deciding not to celebrate Valentine's Day, even though your loved one looks forward to the holiday.
- 7** Forgetting about Valentine's Day all together.

Whatever your feelings are about Valentine's Day, if you have someone special in your life, make sure he or she knows how much you love and appreciate him or her. Gifts and actions that come directly from the heart can go a long way on Valentine's Day and throughout the year. ■

What You Have Never Heard About Valentine's Day

February 14th. It is a day that many people look forward to, while others dread. The pressure is on during the holiday to come up with the "perfect" gift and in some situations to find a date to share it with.

Valentine's Day is a major holiday in our society. As you prepare this year, take a brief moment to educate yourself on some random and interesting facts about the most romantic day of the year.

- Every year, 141 million Valentine's Day cards are exchanged (not including packaged children's cards), which makes this day the second most popular day to send greeting cards.
- More than half of the Valentine's Day cards sold each year, are purchased just six days before the holiday.
- Teachers receive the most Valentine's Day cards.
- Cupid, the icon of Valentine's Day, is believed to be the son of the Roman goddess of love and beauty, Venus.
- Over 35 million heart-shaped boxes of chocolate are sold on Valentine's Day.
- About 110 million roses, with red being the most common, will be bought and delivered within the three-day Valentine's Day time period.
- Approximately three-quarters of the people who buy flowers for Valentine's Day are men.
- The oldest love poem on record can be found on a clay tablet dating back to 3500 B.C.
- Even pets receive Valentine's Day gifts – about 3 percent of pet owners will give their animals presents.

Whatever your situation is this year, make Valentine's Day a fun-filled holiday for you and your loved ones. ■

Reminder About Our Firm's Communication Policy

Our goal when we are working on our clients' cases is to obtain the best possible result as quickly as possible. When we are working on your case, our lawyers do not accept unscheduled phone calls or respond to emails. We believe this allows our lawyers to be much more productive and provide fast and effective legal services to our clients. Remember, if you are a client of the firm, you can always call our firm and schedule an appointment to talk with a lawyer at any time about your legal matter.

We will call you back within 24-48 hours unless it is not possible to do so. We will also respond to your emails in the same time frame. We have found that focusing on our clients' cases helps us to provide the best service possible.

This newsletter is provided to clients, friends, and colleagues who have requested it. We provide information on a variety of topics we think our subscribers will be interested in. We do not provide legal advice in this newsletter and receipt of this newsletter does not create an attorney-client relationship with our firm. We are happy to discuss your legal case with you, and if you want to talk to one of our lawyers, don't ever hesitate to call us toll free at 877.724.7800. To add a friend to the newsletter, call us toll free at 877.724.7800. To be removed, call the same number.



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- "Nothing was ever achieved without enthusiasm." *Emerson*
- Avoiding the most common Valentine's Day pitfalls.
- What you may not know about Valentine's Day.

000135 THANKS FOR YOUR REFERRALS!

Readers of this newsletter have referred 135 clients to our firm since 2009. Thank you so much!

WHAT OUR CLIENTS ARE SAYING

“As a current client of the firm, I am happy and satisfied with the service that I have received thus far. My case is still in the negotiating stages, but the staff members have kept me informed of the case status along the way. The doctor and his staff are pleasant and professional. I will definitely recommend the firm to friends, family and colleagues.”

Sincerely, Denise D., Houston, Texas

SUPERSTAR SPOTLIGHT

Jennifer Kahn



This month's superstar is Jennifer Kahn. Jennifer is a lawyer in Houston who runs the Kahn Law Firm with her husband.

I've had the pleasure and privilege of working on cases with Jennifer and her husband John. What I like most about the Kahn's approach to legal cases is that they always put the interests of their clients first. John and Jennifer handle a heavy case load of criminal matters and also have been very successful handling civil cases for injured people.

Jennifer is also a full-time mother of four young children, runs another business, participates in the church and community activities, and runs the business side of her office. She was also in charge of the firm's recent office relocation from downtown Houston to Pearland. How she has enough time to do all the things she does (and do them exceedingly well) I can't really figure out, but Jennifer is truly a legal and family superstar in every possible way.

For more information about Jennifer and John's law firm, go to their website www.thekahnlawfirm.com. Congratulations to Jennifer Kahn, this month's Superstar.

MARITIME INFORMATION:

Q: How do I know if my company is planning to discredit me?

A: If you have been in a boat accident recently, your life probably seems pretty confusing. Ideally, you'd like to trust that everyone around you—including company representatives and insurance adjusters—are on your side and focused on helping you recover. But this is often not the case. *How do you know when your company is "up to something" and plotting to strip you of possible legal rights?*

Here are eight "red flags" to look out for:

- 1 Company officials pressure you to give a recorded statement to an insurance adjuster.
- 2 Your company automatically schedules an appointment for you with a "company approved" doctor. Why not let you choose your own physician?
- 3 Your company quickly offers you a settlement that doesn't seem "quite fair" to you.
- 4 Your company makes real or veiled threats along the lines of "you will never work with this boat/company/industry again if you refuse these terms."
- 5 Your company seems to be acting fairly, but instinct tells you that something is amiss. Our intuitions can pick up on signals that our conscious minds fail to see.
- 6 Your company has been known to (or even rumored to) mistreat injured workers.
- 7 You feel a strange pressure to go back to work from co-workers, direct superiors, or higher-ups in the company.
- 8 You are concerned enough about the potential loss of your rights that you've been Googling to research maritime attorneys.

Before you engage the company—or even retain a lawyer—educate yourself. Learn the tactics that insurers and companies use on injured boat workers. ■