

# V&B ATTORNEYS

Board Certified Injury & Accident Lawyers

Toll Free: 877.724.7800  
[www.VBAttorneys.com](http://www.VBAttorneys.com)



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*“Just when we thought we would never find someone who would listen to our story, V&B opened their doors to us. For one month, I spoke to 25 lawyers and the answer I received was “your case is a lost case, no one will ever represent you.”*

*Aridana Perez (mother of Miguel Perez, Jr., auto accident victim) Houston, Texas*

## Mindset Matters

*“You can chain me, you can torture me, you can even destroy this body, but you will never imprison my mind.” - Gandhi*

In the December issue of this newsletter, I wrote about a book called "Talent is Overrated." I liked it so much I gave away a bunch of free copies.

After reading the newsletter, one of my good friends recommended a book called "Mindset: The New Psychology of Success," by Professor Carol Dweck. What a great recommendation! I've just had a chance to finish the book, and it was awesome.

The book teaches us all a really good lesson.

Professor Dweck, who teaches psychology at Stanford University, has studied high-achievers for decades. Professor Dweck's work focuses on why some people succeed even though they have to overcome obstacles while others quit before achieving true happiness and success.

Professor Dweck concludes that people have one of two "Mindsets"--"fixed" mindsets and "growth" mindsets. People with a "fixed" Mindset believe their talents are fixed. They are born with certain talents. People with a "fixed" Mindset believe that if they fail at something, it's because they just aren't that good at it. So if they aren't that good at something, they tend to get frustrated easily when they don't initially succeed and even quit the activity altogether.

Professor Dweck calls the other Mindset a "growth" Mindset. People with a "growth" Mindset believe that their talent is not fixed--that with practice and persistence, they can improve themselves and their talents. They don't see failure as anything more than a lesson to learn, or motivation to work harder.

The good news, according to Professor Dweck, is that your Mindset is not fixed. You can change it. According to Professor Dweck, you can change your mindset at any time to help you achieve success and happiness in your life.

Do you have a fixed Mindset or a growth Mindset? Do you believe you can improve your life? You can. As long as you really believe you can.

Sincerely,

Brian

P.S. Thanks so much to my good friend David Bissinger for recommending this book. By the way, David is a lawyer who represents investment and energy industry cases. If you need good lawyer for this type of case, shoot me an email at [Brian@vbattorneys.com](mailto:Brian@vbattorneys.com) and I will put you in touch with David.

## Client Spotlight

Our client, Jose, was driving his van home from work late at night in Houston when a semi-rig rear ended him, then fled the scene. Jose hurt his neck and back in the impact. Jose could not find out who hit him, so he hired us to help him.

V&B lawyers investigated. We tracked down the trucker who we believed hit Jose. But the trucker said it was not him, and his automobile insurance company took his side (of course).

The insurance company offered a very small amount of money, so we went to trial. We proved that not only was it this trucker who hit Jose, but that he was DRUNK when he

did it and fled the scene. We even called several police officers as witnesses at trial who supported Jose's case.

The jury was not fooled by the insurance company and the trucker's lies. The jury found that this trucker indeed hit Jose, and awarded PUNITIVE DAMAGES. The total award was \$662,109.

Insurance companies are stubborn, stubborn, stubborn, and do not look out for any interests other than their own. Sometimes it takes A JURY to set an insurance company straight!



## VB ATTORNEYS

Board Certified Attorneys  
Representing Injury & Accident  
Victims

1001 Texas Avenue, Suite 1020  
Houston, TX 77002

Phone: 713.224.7800  
Toll Free: 877.724.7800  
Fax: 713.224.7801  
www.VBAttorneys.com

### We Get Questions

**Q: What kind of compensation can I expect after a serious car or truck crash?**

**A:** If you've been hurt in a serious car or truck accident, you are probably wondering what kind of compensation you deserve. While we can't give you a dollar amount, there are certain things that you may be able to receive compensation for after a crash.

You may be eligible to receive compensation for:

- Damage to your vehicle
- Damage to any of your property involved in the collision
- Alternate transportation while your vehicle is being repaired
- Medical bills resulting from the accident
- Ongoing medical costs or rehabilitation costs resulting from the crash
- In-home assistance if you are unable to care for yourself or your property after a crash
- Missed work
- Loss of ability to work at the same level as before the accident
- Change in quality of life or leisure
- Pain and suffering

Compensation will depend on the facts in your case. To find out more about what you may deserve after a serious car or truck, please contact the law offices of Vujasinovic & Beckcom to learn more.

## Get Organized in 2010 - 4 Tips to Tackling Clutter

Just the mere thought of organizing your home may seem overwhelming, especially if you have children who enjoy nothing more than making messes. If you are like most people, you procrastinate when it comes to organizing your cupboards, closets, garage and other areas of the house. By following the simple tips below, you can conquer your clutter:

**Plan your attack.** Organizing your home without a plan is similar to grocery shopping without a list. It becomes easy to get distracted. Get out a piece of notebook paper and write down every area of your house that you want to organize. This paper can serve as your checklist.

**Set a deadline.** If you are among the many people who work the best when given deadlines, then set a timeframe for each room, closet, cabinet, etc. Deadlines will help you stay on track.

**Have someone keep you accountable.** It is too tempting to put aside tasks that we set for ourselves. Get a friend or family member to hold you accountable. Share your goal of getting organized and have this person check on your progress.

**Don't forget to reward yourself.** No matter your age, everyone likes being rewarded. Be sure to reward yourself each time you finish organizing something that was on your list. Your reward could be a much needed nap, dinner out or sitting down to read a book.

You can begin 2010 clutter free by following these simple steps. Reaching a goal, even if it seems like a minor one, gives you a sense of accomplishment.



## Toyota Has Announced Solution for Over 4 Million Recalled Vehicles

Following an announcement of its biggest recall in history, Toyota has come up with a solution for a dangerous auto defect. Over 4 million Toyotas were recalled in the United States after a pedal entrapment hazard was identified. By the time this recall was made, lives had already been lost, including a family in San Diego, California. A California Highway Patrol Officer and three of his family members died in an accident near San Diego after the accelerator pedal appeared to have become stuck.

The massive recall involved the auto manufacturer's most popular model, the Camry, as well as the Avalon, Prius, Tacoma and Tundra. Some Lexus models were also involved in the recall, including the ES 350, IS 250 and IS 350. For a full list of the recalled models, visit [www.toyota.com](http://www.toyota.com) or [www.lexus.com](http://www.lexus.com).

According to Toyota, the company has taken these steps to address the root

cause of the potential accelerator pedal entrapment. Toyota plans to remedy the pedal entrapment hazard by reconfiguring the accelerator pedal shape and floor surface and replacing floor mats in some vehicles.

It is estimated that within the last eight years, the National Highway Traffic Safety Administration (NHTSA) has received reports of at least 1,000 incidents of unintended acceleration in Toyota vehicles. A class action lawsuit has already been filed against the auto manufacturer, claiming that the plaintiffs experienced numerous instances of unintended acceleration.

If you are driving one of the recalled Toyota or Lexus models and have questions, call the Toyota Customer Experience Center at 800-331-4331 or Lexus Customer Assistance at 800-295-3987.

# Your Recorded Statement Could Be Used Against You

If you have been injured in an accident, there is a good chance that the insurance company will be calling you and requesting a recorded statement. From the insurer's perspective, getting this recording is extremely convenient, but for you, it can be detrimental.

The insurance adjuster might have told you that he or she needed your version of the accident to confirm liability. What probably wasn't explained to you was that your recorded statement could impact your settlement amount.

It is not in your best interest to give a recorded statement. Just think about who is pressuring you to give one. Adjusters work for the insurance companies and they will be looking to protect their employers.

Most people are not prepared to give recorded statements



when asked by the insurance company. Insurance adjusters often request a recorded statement at the beginning of the case and at this point, it can be difficult to recognize the full impact the accident has had or the extent of injuries.

If you give a recorded statement without being prepared, you might forget important details and provide insufficient answers. The worst thing about giving a recorded statement is that once you give one, it is nearly impossible to retract or revise what you said.

Don't let yourself be tricked into giving a recorded statement, especially if it is right after your accident. It doesn't matter how friendly or pushy the insurance adjuster may be, do not let this person pressure you into doing something that could hurt your accident claim.

## 'Pain in the Neck' Defined

The term may be used to describe an aggravating person, but if it describes an actual physical symptom, the causes and treatments should be determined.

Neck problems vary from stiffness to a sharp or dull pain, sometimes accompanied by back, shoulder or arm pain.

Muscle strain is often the cause. It could be triggered by leaning over a steering wheel, a computer or a desk for long periods. Muscles at the back of the neck become fatigued. It's called tension myalgia. In the future, hold your head in a different way to determine which is less stressful to the neck.

\* Home treatment includes use of creams such as Flexall and Bengay. The external rubs are less likely to irritate the stomach or kidneys.

\* Over-the-counter tablets such as acetaminophen (in Tylenol and others), naproxen (Aleve), ibuprofen (Advil) and aspirin are good for relieving pain.

\* Lie down for 10 minutes during the day to take the load off your neck.

Massage is also helpful.

Osteoarthritis, disk degeneration and whiplash are more serious causes.



*We are often so caught up in our destination that we forget to appreciate the journey, especially the goodness of the people we meet along the way.*

*Appreciation is a wonderful feeling. Don't overlook it.*

Author unknown

***We Appreciate Your Many Referrals! Thank you for continuing to refer your family and friends to our firm for their legal needs.***

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 the 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.



**Vujasinovic & Beckcom P.L.L.C**

1001 Texas Avenue  
Suite 1020  
Houston, TX 77002  
Phone: 713.224.7800  
Toll Free: 877.724.7800  
Fax: 713.224.7801  
Email: Brian@VBAttorneys.com  
www.VBAttorneys.com

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## Blow to the Head Requires Medical Attention

Sometimes a bump on the head that doesn't cause loss of consciousness may not seem like a serious matter. Even if a person isn't "knocked out," however, a traumatic brain injury (TBI) may have occurred.

Last year, the death of an actress, who walked away from a skiing accident, brought the risks of head injury into the public eye. She died the following day.

A TBI causes blood vessels in the brain to bleed or burst.

Symptoms do not begin immediately and may not appear for several hours. They include headache, nausea, double vision, speech difficulties, confusion, and difficulty with walking and balance.

If you have an accident that involves head impact and you experience even minor symptoms, go to a hospital to be evaluated. Doctors at Johns Hopkins say this is especially crucial if you are taking blood thinners, which increase the risk of bleeding.

### Firm Communication Policy

Our goal when we are working on our clients' cases is 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 also will respond to your emails in the same time frame. We have found that focusing on our clients' cases helps us to provide the best services possible.