

VUJASINOVIC & BECKCOM, P.L.L.C.



1001 Texas Ave., Suite 1020
Houston, Texas 77002

A T T O R N E Y S

Telephone: (713) 224-7800
Fax: (713) 224-7801
www.vbattorneys.com

VUK STEVAN VUJASINOVIC
BOARD CERTIFIED PERSONAL INJURY TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

██████████ 2010

****CONFIDENTIAL CASE REVIEW & STRATEGY RECOMMENDATIONS****

Mrs. ██████████
██████████
██████████

Dear Mrs. ██████████

Please accept this as our review and strategy recommendations for your truck accident claim arising out of the ██████████ 2010 crash. At the outset, I would like to again express to you our deepest condolences for your loss of your husband.

Overview & Basis

Our review and strategy recommendations are based on our initial consultations with you, the information and materials you provided us, the information and evidence we have independently procured, and on our expertise in handling these types of claims. As I mentioned, we are providing this Review to you free of charge and with no obligations. I am certain you will find this document very useful, and that it will answer many of the questions you have during this difficult time. It is important that you keep this document strictly confidential, as it contains our candid opinions about a variety of sensitive legal issues.

The evidence we independently procured is attached to this document. This evidence includes the trooper's investigation report and video, photographs of the vehicles and scene taken by our accident reconstruction expert along with his preliminary expert report, recorded statements of the two eye witnesses procured by our private investigator, the FMCSR compliance record and citation history of the ██████████ trucking company, the criminal and driving record of the truck driver, Mr. ██████████ and information on ██████████ Ventures, the company that loaded the commercial truck before the trip in question. You may keep these materials regardless of how you decide to proceed on your claim.

Case Review

You have potential claims against several companies. At this point, based on the factual information we have reviewed, you have claims against Mr. ██████████ ██████████ Trucking, and ██████████ Ventures.

In our opinion, these companies and the truck driver were negligent in causing the crash, as set forth in detail in the attached report of our expert. In fact, we feel there is a likelihood that the defendant parties will be liable for punitive damages because their conduct likely amounts to "gross negligence."

However, please understand the defense will probably try to argue that your husband was partially at fault because he was driving above the speed limit. If this case went before a jury, and if the jury determined that your husband was 50% or less at fault, then any damages the jury awards would be reduced by the percentage figure they place on your husband. If the jury were to put 51% or more responsibility on your husband, then you would not recover any damages. Nevertheless, we believe we will be able to defeat this argument and keep the fault on your husband between 0% and 10%, based on the facts of the crash.

So, in our review, the worst case scenario is that you will recover 90% of your damages, although we think we will be able to achieve 100%.

We are very familiar with the insurance companies that cover the defendant parties. Most of the time these carriers only provide high limit policies, usually \$ [REDACTED] and up. Because the truck in question was hauling hazardous materials, we feel it is probable that the insurance limits are at least \$ [REDACTED].

Because you were injured in the crash and also lost your husband, you have several different types of claims.

With respect to your husband, you have a "wrongful death" claim as well as a "survival" claim. As the surviving spouse, your wrongful death claim entitles you to seek damages for pecuniary losses, loss of companionship and society, mental anguish, and lost inheritance. Based on our review, your claims for these items should be valued at \$ [REDACTED] to \$ [REDACTED].

Your survival claim allows you to seek compensation for your husband's pre-death pain and suffering, the \$ [REDACTED] in medical expenses incurred for treating his injuries, and the \$ [REDACTED] in funeral and burial costs. In our opinion, these items should be valued at \$ [REDACTED] to \$ [REDACTED].

With respect to your own injuries, you have an individual injury claim. On your claim, you are entitled to seek compensation for medical bills, lost wages, physical impairment, disfigurement, physical pain, and mental anguish. Your medical bills thus far are \$ [REDACTED]. You will likely need more medical treatment, including the neck surgery your doctor is already recommending. You have missed eight and a half weeks of work, and you will likely miss significantly more work. We estimate these claims at \$ [REDACTED] to \$ [REDACTED].

Based on our consideration of the facts of the crash and the damages you are entitled to claim under law, we feel the value of your case is in the range of \$ [REDACTED] to \$ [REDACTED].

Strategy Recommendations

You should immediately stop talking to the trucking company's insurance adjuster. I know you feel she is being professional with you and that you two grew up in the same area, but her job is to reduce your claim by as much as possible. As an example, she is refusing to give you a copy of the recorded statement she got from you. If she was looking out for your best interests, wouldn't she allow you to see your own statement?

Do not give any more statements to anyone. We reviewed the statement you gave this adjuster, and fortunately you did not say anything that will significantly impact your case.

Do not sign the medical release forms this adjuster gave you. We reviewed them, and they are not proper. Among other things, if you sign these, you are authorizing them to get every single one of your medical records dating back as far as they want. And, these medical forms allow them to get highly sensitive records that you are not required to divulge.

Some injury and death cases can be settled without filing suit, but we feel suit will likely need to be filed in your case if you want to obtain fair compensation.

Although the crash occurred in ██████ County, Texas, you have the option of filing suit in ██████ County, Texas, because the loading company has its headquarters there. In our opinion, your case will carry much more value if filed in ██████ County, based on the respective demographics of these counties, as well as the sitting judges.

You should continue to consult with your orthopedic doctor, Dr. ██████. Your neck MRI shows some serious herniated discs, and Dr. ██████ feels you need neck surgery. You indicated you want a second opinion. As I mentioned, we can provide you a list of board certified orthopedic surgeons who practice in the general area where you live, and you can choose to see one of them if you like.

You should procure experts to support your case. We suggest the following:

- An accident reconstruction expert (to analyze fault of the crash)
- A life care planner (to estimate your future medical treatment and associated costs)
- A vocational rehabilitation counselor (to determine what type of jobs you will qualify for with your limitations)
- An economist (to calculate your wage and inheritance losses)

We know many experts in their respective fields and would be very happy to give you our recommendations.

You should take the depositions of the truck driver, company representative, eye witnesses, and investigating troopers. We suggest videotaping all of these depositions.

After depositions, you would want to position your case for mediation, which is a settlement process. We work with the best mediators in the area and I would be happy to give you our recommendations for a mediator for this type of case. I estimate your case should be ready for mediation no more than six to nine months after suit is filed.

I estimate out of pocket costs for bringing your case to the mediation phase at about \$█████

If your case does not ultimately settle, it would go before a jury. This would likely double the out of pocket costs. However, I believe it is extremely unlikely that your case would go to a jury. I feel that there is about a 95% chance that your case would settle, in the hands of a qualified attorney.

As I mentioned, we work on a contingency fee. If there is no recovery on your case (a highly unlikely proposition), you would not owe us anything for fees and you would not have to re-pay us any of the out-of-pocket costs. If there is a recovery, the percentages in our attorney

contract would apply. And remember, we will give you our recommendations, but it is your final decision on whether or not to settle at a given number. We will advise you exactly what net amount you would recover after fees and expenses before you would have to make that final decision.

Conclusion

Thank you for allowing us to review your claim and provide our strategy recommendations. We hope you are able to put this document to good use.

If you have any questions or would like to discuss your situation further, please do not hesitate to contact us.

Very truly yours,

Vuk S. Vujasinovic

Index of Attachments:

1. Trooper investigation report
2. Trooper videos
3. Photos by our accident reconstruction expert Mr. [REDACTED]
4. Preliminary expert report of our expert Mr. [REDACTED]
5. Recorded statement of witness Mrs. [REDACTED]
6. Recorded statement of witness Mr. [REDACTED]
7. FMCSR compliance record and citation history of [REDACTED] Trucking
8. Criminal and driving record of Mr. [REDACTED]
9. Information on [REDACTED] Ventures

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