

YOU & the LAW



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Can you get a fair settlement for wreck injuries without a lawyer?

Perhaps one of the most dangerous things the average American does each day is travel in a motor vehicle.

The National Highway Traffic Safety Administration reports that in 2012, 33,561 people were killed and 2.36 million were injured in vehicle crashes. In addition to these crashes, millions more involving only property damage occur each year. The annual cost of these accidents runs in the billions of dollars.

A big decision you will face if involved in a crash that was not your fault is whether you need professional legal assistance to pursue your claim against the responsible party and his or her insurer. A minor accident that involves property damage but no physical injury can often be resolved directly with the other party/insurer. However, consider seeking services of a lawyer experienced in these types of cases if you are in an accident involving injury, death or extensive property damage.

When resolving a claim with an insurance company, it's important to understand that you will usually be dealing with an adjuster who is employed by the company to represent its interests — not yours. Besides being extensively trained and experienced in handling claims, many



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insurance adjusters rely on sophisticated computer programs to place a "value" on your claim.

Insurance companies and adjusters are aware that many crash victims desperately need to reach a speedy settlement so they can pay their medical bills and repair or replace their vehicle. Injured victims can also lose income because they missed work while recovering. Families of deceased victims lose the earnings that those who died contributed to their household income.

It's important to keep careful records if involved in an accident. That process begins at the accident scene where you should write down the names and contact information of those involved in the crash. If it's safe to do so and you have a camera,

take photos of the scene and vehicles involved. Write down the names of the investigating police officers and find out how to obtain a copy of their report.

You will need copies of medical expenses associated with your injuries and costs of repairing or replacing your vehicle. If you miss work and lose income because of the accident, it's important to maintain careful records that support your claim. Also keep written records that explain the pain and suffering that you experience because of the accident.

Whether you choose to represent yourself or hire an attorney, it's important to keep in mind that pursuing a claim could take months or even years. The vast majority of accident claims are resolved through a settlement rather than going to trial.

When selecting an attorney, look for a lawyer whose practice focuses on representing plaintiffs. These are sometimes called trial lawyers, personal injury attorneys or consumer attorneys. You can conduct your own basic research on a specific law firm by using the Internet and meeting with a member of the firm. A good strategy is to ask relatives, friends, coworkers and others you trust to recommend attorneys they have used.



Nation's top 10 consumer complaints

From troubles dealing with pushy debt collectors to issues resulting from identity theft, hundreds of thousands of Americans are turning to state and federal agencies for assistance in handling consumer complaints.

Scores of state and federal agencies are set up to assist consumers with complaints, but the most active in helping to unravel such problems are often the Federal Trade Commission and the offices of state attorneys general. Sometimes intervention by a consumer protection agency can help resolve an issue for a consumer, but the real effort usually rests with the consumer himself.

The FTC and the National Association of Attorneys General file annual reports listing the types and numbers of consumer complaints they receive. The FTC received more than 2 million complaints in 2013, and it enters the complaints it receives into the Consumer Sentinel Network, a secure online database that is available to more than 2,000 civil and criminal law enforcement agencies.

You can contact the FTC online at ftc.gov or by phone at 877-382-4357.

The top 10 complaints to state attorneys general involve:

- Debt collection
- Auto sales
- Home repair/construction
- Telecommunications/ slamming/cramming
- Automotive
- Telemarketing/do-not-call
- Financial/investments
- Retail sales
- Internet goods and services
- Sweepstakes/ contests/prize promotions

The top 10 consumer complaints to the FTC involve:

- ID theft
- Debt collection
- Banks and lenders
- Imposter scams
- Telephone and mobile services
- Prizes, sweepstakes and lotteries
- Automotive
- Shop-at-home and catalog sales
- TV and electronic media
- Advance payment for credit services



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How to resolve a problem with a product or service

For those consumers who experience a problem with a product or service, the Federal Trade Commission website, ftc.gov, provides a consumer problem-solving guide.

That guide recommends first seeking help from the company's store or its website. You should do so as soon as possible after the purchase

because some companies have time limits on returns and refunds.

Some companies maintain toll-free customer service lines that will address customer complaints. If you feel that the first person with whom you speak doesn't offer a reasonable resolution, ask to speak with a supervisor or manager.

If a phone call doesn't work, you may want to try sending a complaint letter. The FTC website provides a sample letter and other letter-writing tips. You may want to send your letter by certified mail with a return receipt requested.

The FTC website also suggests other sources of outside help.

Keeping old prescription drugs can be risky

Chances are that your medicine cabinet contains one or more prescription or over-the-counter drugs that are expired or that you no longer need. Safety experts say this can be a dangerous practice, and the Environmental Protection Agency warns against flushing drugs down the toilet or a drain. So what do you do?

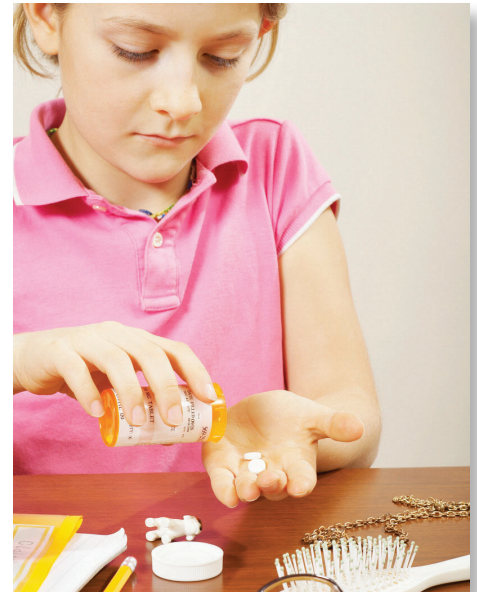
Prescription drugs — especially pain relievers — can be poisonous if taken by children. Other members of your household or visitors who have a drug problem can also surreptitiously take them.

While many people believe flushing unneeded drugs down the toilet or a drain is a good solution to this problem, environmental experts disagree.

The Environmental Protection Agency warns that improperly disposed-of medicines can end up in drinking water sources because municipal water-treatment systems are generally not equipped to remove

them. In fact, a recent EPA study of 50 water-treatment plants across the nation found traces of more than 20 medications in the water samples taken. Drugs in lakes, streams and other bodies of water can be dangerous to aquatic life as well as humans. The EPA recommends that you contact your local household trash and recycling center and ask if a drug take-back program is available in your community. If no such service is available, then the EPA recommends consumers take the following steps:

- Take the unwanted drugs out of their original containers.
- Mix the drugs with an undesirable substance, such as cat litter or used coffee grounds.
- Put the mixture in a disposable container with a lid and seal it.
- Conceal or remove any personal information on the empty drug container by covering it with a



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permanent marker or duct tape, or by scratching it off.

- The sealed drug mixture and empty drug container can be placed in the trash.

Are you a victim of 'mobile cramming'?

It's estimated that each year as many as 20 million people are victims of "mobile cramming," a common scam that's so obscure that many people had never heard of it until a legal settlement between the Federal Trade Commission and AT&T. Under the settlement with the FTC, AT&T will pay penalties and reimbursements totaling \$105 million to customers who were "crammed."

Mobile cramming is when a third party adds an unauthorized charge to your mobile phone bill. Many consumers are so bewildered by the numerous itemized charges on their monthly phone invoices that they don't notice when an unauthorized charge is slipped in. Mobile phone scammers are able to fool many consumers by making their

unauthorized charges for modest, odd amounts like \$1.99 or \$9.99. These bogus charges can be for a wide range of "services" such as diet programs and club memberships.

The FTC believes that only a tiny fraction of victims are aware that they've been scammed. Cramming scams



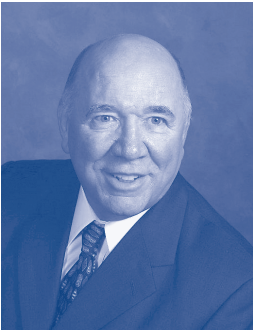
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are possible because mobile phone companies are allowed to include in their invoices to customers charges from third-parties. Scam artists obtain consumers' mobile phone numbers and other information through a variety of tricks, such as offering fake club memberships or contests.

The FTC advises consumers to review their mobile phone bills carefully and contest any charge they don't recognize or understand.

The agency also recommends that you don't enter your mobile phone number on unsecured websites, be wary of unsolicited text messages, and ask your phone carrier about services to block third-party charges.





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Lawsuits hold wrongdoers accountable, expose dangerous products

Special corporate interest groups spend millions of dollars trying to convince the public and political leaders that Americans are “lawsuit happy.” One reason they do this is because lawsuits have, in fact, been highly effective in exposing and getting off the market dangerous products that harm and kill innocent consumers.

The American Association for Justice compiled examples of numerous consumer products and services whose use resulted in deaths and injuries — some involving thousands of victims. The public might never have become aware of these products’ dangers were it not for lawsuits by victims.

A website established by AAJ provides examples of these dangerous products. These include:

Asbestos. Diseases linked to asbestos exposure annually kill at least 10,000 Americans. Asbestos company executives knew and covered up for decades the fact that asbestos is linked to deadly diseases. In the 1970s, a lawsuit filed by a Texas worker who died from mesothelioma — a cancer caused by asbestos exposure — while his lawsuit was still in the courts exposed the dangers of asbestos.

Faulty tires. In 2001, Firestone and Ford agreed to settle a lawsuit brought by a 43-year-old mother who was left paralyzed when a tire on the Ford Explorer she was driving suddenly started to separate, causing the vehicle to skid and roll over. More than 250 people died and many more were injured in crashes involving defective Firestone tires on Ford

Explorers before the companies issued the largest tire recall in history. Company documents showed that the corporations for years knew of problems with the tires.

Medical mistakes. Each year an estimated 440,000 patients die — many in hospitals and nursing homes — from preventable medical errors. Despite this shocking statistic, many states have laws that shield from lawsuits corporations and individuals that provide health-care services. Consumer and legal groups have fought to make health-care providers more accountable for mistakes that kill and injure patients.

You can learn more about how lawsuits have helped to make consumers safer by visiting takejusticeback.com/real_stories.