

LAVIS LAW FIRM

A t t o r n e y s A t L a w

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Top-ten worst U.S. insurers

Insurance industry uses "Deny, Delay, Defend" strategies and puts profits over policyholders

Following a comprehensive investigation involving thousands of insurance company legal documents and financial filings, the American Association for Justice (AAJ) ranked the top-ten worst American insurance companies for consumers.

The Ten Worst Insurance Companies in America: How They Raise Premiums, Deny Claims, and Refuse Insurance to Those Who Need It Most outlines highly aggressive tactics these companies use against consumers to increase profits.

Allstate tops the "worst" list.

AAJ CEO Jon Haber said, "While Allstate publicly touts its 'good hands' approach, it has instead employed a hidden 'boxing gloves' strategy against its policyholders. Allstate ducks, bobs, and weaves to avoid paying claims to increase its profits."

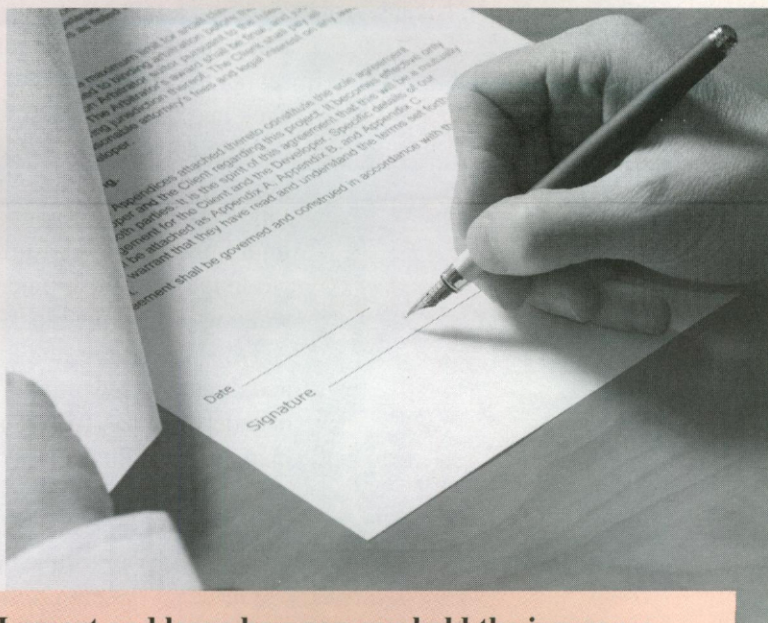
According to AAJ's study, Allstate set new benchmarks for insurance company greed. In the 1990s, the insurer contracted with consulting leviathan McKinsey & Co. to design tactics to systematically force consumers to accept lowball settlement offers or face its "boxing gloves," an aggressive strategy designed to deny claims at any cost.

While Allstate ranked worst, the report also revealed a clear-cut pattern of misconduct among all ten ranked industry insurers that regularly deny paying fair and just claims, use hard-line tactics against policyholders, compensate corporate executives with extravagant salaries, and boost customer premiums while amassing excessive profits.

Top-ten worst U.S. insurers

The AAJ study identified the worst companies in rank order:

1. Allstate
2. Unum
3. AIG
4. State Farm
5. Consec
6. WellPoint
7. Farmers
8. UnitedHealth
9. Torchmark
10. Liberty Mutual



To read the full AAJ report and learn how you can hold the insurance industry more accountable to your needs, go to

<http://www.justice.org/docs/TenWorstInsuranceCompanies.pdf>.

Attorneys helping people.

SECRET COURT AGREEMENTS

Negligent corporations that produce dangerous and hazardous products use court-secrecy agreements to avoid accountability and hide potential public-safety issues.

Victims of dangerous products are often forced to sign court-secrecy agreements to settle product liability cases. These agreements have hidden the ongoing dangers of prescription drugs, hazardous toys, deadly tires, and collapsing baby cribs.

Dangerous tires

Upon learning of the tread-separation dangers of Firestone tires, Johnny Bradley changed his truck's tires to the Cooper brand. While being driven cross-country to a new military assignment, Bradley's vehicle left the road and rolled over four times when a Cooper tire tread separated. Bradley's wife, Timica, who was driving, was killed instantly, but the family's baby survived. While recovering from injuries, Bradley was unable to attend Timica's funeral. In the course of litigating Bradley's case, his attorney uncovered documented evidence of Cooper tire-design defects. These documents, which could have saved Timica's life, were kept confidential through protective orders in more than 200 previous lawsuits against Cooper. Before the end of the federal trial, Cooper Tires settled with Bradley but demanded that almost all litigation documents be kept confidential under a broad protective order.

How injuries can affect us deeply

In representing people who have suffered physical injuries or psychological harm, a key practice goal is to employ our civil justice system to "make them whole again." That may seem hard to understand, until you think about how your own life might change if you were to be injured.

Would you be the same parent, for instance, if you were disabled in an auto accident? Probably not, because your condition might limit your

ability to drive your children to school, or wash their clothes, or even hug them.

Would you be the same physical person after a slip-and-fall? Perhaps not, if your spinal injury prevented you from working out at the gym or even walking around the block.

How about your ambitions and dreams? How might loss of independence, for example, increase your financial worries, or darken your normally optimistic outlook that things always work out for the best?

Our legal system provides justice to those injured by the misconduct of others and deters future misconduct by holding wrongdoers accountable. Our civil justice system makes a difference by making us feel "whole again."

Emergency rooms

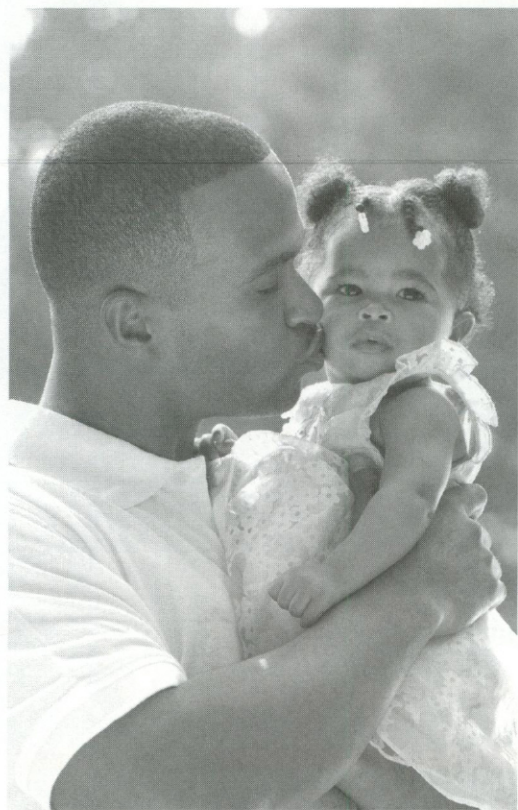


Most patients receive prompt and effective medical diagnoses and care in our nation's emergency rooms; however, there are concerns. The American College of Emergency Physicians reports that treatment delays may occur because of...

- triage, treating the most serious cases in priority order;
- keeping a patient in an emergency area until a hospital bed becomes available;
- a shortage of on-call physicians;
- local large-scale epidemics or disasters.

Motorcycle trauma

A motorcyclist who was in a serious accident was airlifted to a medical center, where he began vomiting heavily. He died in the emergency room after physicians delayed ordering nurses to drain several liters of fluid from his stomach. His family's attorney demonstrated that the patient died because physicians failed to resolve a fatal stomach-fluid buildup in a timely manner. A jury granted the plaintiff's family a significant award for their loss.



Recalled product roundup

Here are some recently recalled products you may have in your home or at work:

- ✓ **Nautilus Inc.** has recalled 78,000 Bowflex® Ultimate 2 Home Gyms with horizontal seat rails that, when not manually latched, can fall unexpectedly and injure users or bystanders.
- ✓ **Old Navy, LLC**, asked buyers to return 35,500 (in the United States) and 5,400 (in Canada) Stuffed Animal and Creature Toys that have two button eyes that can detach and choke young children.
- ✓ **Dorel Juvenile Group USA** recalled 100,000 Safety 1st SmartLight Stair Gates. Hinges holding stair gates in place can break and pose a fall hazard to children if the gate is placed near stairs.
- ✓ **Intermatic Inc.** asks consumers to return 200,000 Intermatic DT17 Heavy Duty Digital Timers that have faulty ground connections, which can give electrical shocks to users.
- ✓ **Nordica USA** recalled 4,500 pairs of XBi ALU Skis. Binding plates can crack or break, causing injuries to skiers.

"What's my case worth?"

As you can probably guess, no two personal injury cases are alike. Attorneys can't respond to "What's my case worth?" until they do a lot of case homework. Here are some factors we weigh:

1. Nature of injuries
2. Injury treatment needs
3. Treatment cost and amount already paid
4. Future medical treatment costs
5. Types of treatment, from surgery to rehabilitation
6. Where the suit will go to court
7. If you were partially at fault
8. Your prognosis
9. Preexisting medical conditions
10. Wage, benefit, and vacation losses
11. Future wage-earning limitations
12. Third-party insurance coverages
13. Emotional- and mental-stress value
14. Loss of spousal consortium
15. Property-damage deductibles
16. Similar verdicts in local courts
17. Defendant's insurer
18. Judge assigned to case
19. Defendant's counsel

Answers to these questions help build mutual trust between a client and attorney. With mutual trust and credibility, we can strive to earn injury victims fair outcomes.

Toxic-injury questions and answers

Q: What's a toxic injury?

A: An individual is said to suffer a toxic injury if his or her body functions have been disturbed by exposure to dangerous substances, devices, or energy forms.

Q: Dangerous exposure? To what kinds of things?

A: There are many, including asbestos, chemicals, cosmetics, electromagnetic energy, hazardous waste, medical devices and products, pesticides, pharmaceuticals, radiation, and tobacco.

Q: What are toxic-injury symptoms?

A: Warning signs are hard to narrow: mild cold or flu symptoms; unusual skin problems; alarming tight-chest sensations and difficulty breathing; dizziness; convulsions; coma; and even death.

Q: Where do these toxins come from?

A: Just about everywhere. From air and water in the environment, building materials, cosmetics, cleaning products, food, fuels, landfills, manufactured materials, pharmaceuticals, textiles, and many, many others.

Q: What should someone do if he or she suspects toxic injury?

A: Consult an attorney experienced in investigating causes and recovering compensation.



Referrals

We want you to think of us as your law firm.

If you have legal matters that need attention, please let us know. If we cannot handle the matter, we will refer you to a competent firm that can.

Please feel free to refer us to your family, friends, and neighbors for their legal needs. We welcome the opportunity to help.



CALL US. YOU'RE GOING TO FEEL A
WHOLE LOT BETTER ABOUT THINGS.

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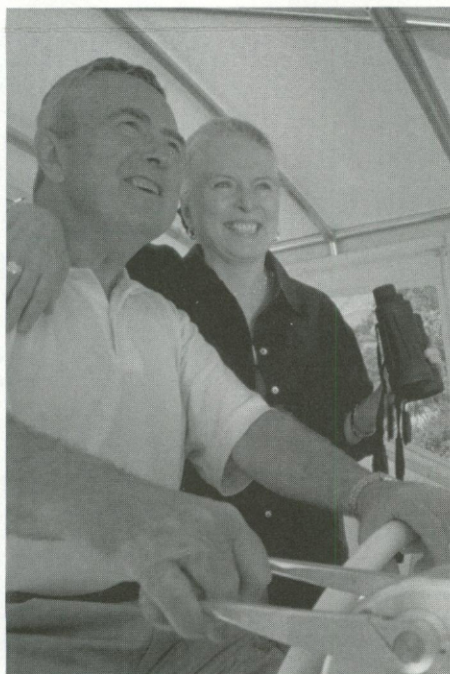
Long-term-care insurance cancellations

If you or an elderly loved one gets an insurer's letter stating that long-term-care policy benefits are "no longer medically necessary," contact an attorney immediately. A lawyer may be able to have benefits restored.

Here's what's going on with many benefits denials.

In the 1980s and '90s, insurers entered the lucrative long-term-care market in droves. Sales to baby boomers, who clamored for nursing-home and assisted-care insurance, exploded.

Today, however, insurers have four problems. Boomers maintained policy payments, they got older, they began filing claims, and the economy took a tumble. The industry went from boom to bust, so insurers had to actually start paying on policies.



Executives quietly created internal policies to compensate claims handlers for reevaluating the status of elderly policyholders receiving payments. The goal was simple: Find ways to reduce or eliminate benefits. Deny as many claims as possible, for as many reasons as possible. For instance, some claims had been "accepted in error." Many claimants had been rehabilitated and "no longer qualified" for payments.

An attorney experienced in dealing with insurers can help policyholders recover denied benefits by researching customers' policies, sales transactions, and correspondence, as well as insurers' internal claims manuals, procedure guides, and training materials.

AUTO ACCIDENTS Cell-phone camera

If you are in an auto accident, take photos with your cell phone's camera to capture details that might help you later. Photos can provide important evidence and affect the validity and value of any claim.

Here are images that accident victims have photographed to document incidents:

- ◆ Alcohol containers
- ◆ Auto damage
- ◆ Bumper stickers
- ◆ Dash or rear-view mirror clutter
- ◆ Downed or obscured road signage
- ◆ Food and containers
- ◆ Law-enforcement badges and cruiser ID numbers
- ◆ License tags
- ◆ Medical personnel
- ◆ Personal injuries
- ◆ Road debris
- ◆ Skid marks
- ◆ Tow trucks
- ◆ Traffic controls
- ◆ Vehicle positions
- ◆ Vision-blocking shrubs or signs
- ◆ Weather conditions
- ◆ Witnesses

