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LAVIS LAW FIRM



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- Representing You In ...
- ◆ Social Sec. Disability
 - ◆ Worker's Compensation
 - ◆ Injury & Death Claims
 - ◆ BP Oil Spill Claims
 - ◆ Hurricane Insurance Claims

What to do if BP Denies Your Economic Loss, Wage Loss or Property Damage Claim

If you have a claim against BP related to the recent oil spill you must go through BP's claims office first; however, if BP denies your claim you can then present your claim to the Oil Spill Liability Trust Fund (OSLTF), administered by the National Pollution Funds Center (NPFC).

What Claims may be submitted to the OSLTF:

- Removal Costs
- Real or Personal Property Damage
- Loss of Profits and Earning Capacity
- Natural Resource Damage and other government costs

Who is Eligible to Submit a Claim to the OSLTF:

- An individual
- A corporation, partnership, or association
- Several other government entities

The NPFC cannot evaluate any claim if it is part of a court case. Additionally, NPFC will not pay removal costs or

damages that have already been paid. Any insurance that a claimant has must be reported to the NPFC. A claimant must first submit a claim to BP. The claimant's submission to BP must state that you are filing under Section 2713(a) of the Oil Pollution Act. If BP denies your claim or fails to pay it within 90 days, then the claimant can submit a claim to the NPFC.

OSLTF Claim Format:

The claim must be in writing and supported with evidence, information, and documentation, including but not limited to: amount and type of damages; total amount claimed; your name, address, phone number(s); a general description of the impact of the spill; description of actions taken to minimize or avoid damages; costs of assessing the damage (do not include attorney's fees); copies of any written communication and content of any verbal communications with BP; and your signature. Any additional information that is needed will be requested by

the NPFC and will need to be submitted within 90 days.

Once the NPFC receives the claim holder's documentation and claim information, they will send out a claim determination, which will need to be accepted or rejected within 60 days. Determinations which are accepted are usually paid within 30 days. Determinations which are rejected will be reconsidered by the NPFC.

If your claim is denied by the NPFC you may still then bring a suit against the responsible parties for any damages not recovered.

Claims for Personal Injuries are not covered by the Oil Spill Liability Trust Fund (OSLTF). Personal Injury claims should first be presented to BP and, if not satisfied with the outcome, suit should be timely filed.

Please consult with your attorney prior to making a claim with the OSLTA or filing suit as procedures may change due to the magnitude of the spill.



"There remains a high likelihood that the season could be very active, with the potential of being one of the more active on record."

"Rip Out Problem Chinese Drywall"-Federal Agencies Recommendation to Chinese Drywall Victims

The Consumer Products Safety Commission ("CPSC") and the Department of Housing and Urban Development ("HUD") have issued [Interim Remediation Guidance](#) that advises Chinese drywall homeowners to remove all possible problem drywall from their homes, and replace electrical components and wiring, gas service piping, fire suppression sprinkler systems, smoke alarms and carbon monoxide alarms. Taking these steps should help eliminate both the source of the problem drywall and

corrosion-damaged components that might cause a safety problem in the home. Most Chinese drywall victims report that their homes were built in 2006 to 2007, when an unprecedented increase in new construction occurred in part due to the Hurricanes Katrina, Rita and Wilma. Common to many reports submitted to the CPSC regarding homes believed to contain problem drywall have been the following:

- Health concerns such as irritated and itchy eyes and skin, difficulty in breathing, persistent cough, bloody noses, runny noses, recurrent headaches, sinus infection, and asthma attacks;
- Blackened and corroded metal components in their homes and the frequent replacement of components in air conditioning units.
- "Rotten egg" smell within the homes;

NOAA Still Expects Active Atlantic Hurricane Season



The Atlantic Basin remains on track for an active hurricane season, according to the scheduled seasonal outlook update issued today by NOAA's Climate Prediction Center, a division of the National Weather Service. With the season's peak just around the corner - late August through October - the need for preparedness plans is essential. Across the entire Atlantic Basin for the whole season - June 1 to November 30 - NOAA's updated outlook is projecting, with a 70 percent probability, a total of:

- 14 to 20 Named Storms (top winds of 39 mph or higher),

including:

- 8 to 12 Hurricanes (top winds of 74 mph or higher), of which:
 - 4 to 6 could be Major Hurricanes (Category 3, 4 or 5; winds of at least 111 mph)
- These ranges are still indicative of an active season, compared to the average of 11 named storms, 6 hurricanes and 2 major hurricanes; however, the upper bounds of the ranges have been lowered from the initial outlook in late May, which reflected the possibility of even more early season activity. "All indications are for considerable activity during

the next several months," said Gerry Bell, Ph.D., lead seasonal hurricane forecaster at NOAA's Climate Prediction Center. "As we've seen in past years, storms can come on quickly during the peak months of the season. There remains a high likelihood that the season could be very active, with the potential of being one of the more active on record." Be prepared for the hurricane season with important information available online at hurricanes.gov/prepare and at FEMA's ready.gov.

Injured U.S. Civilian Contractors in War Zones Struggle to Receive Benefits under Outdated Defense Base Act

In his books "Disposable Army: Civilian Contractors in Iraq and Afghanistan," and "Blood Money: Wasted Billions, Lost Lives and Corporate Greed in Iraq", Christian Miller investigates the medical services available to injured civilian employees operating overseas.

The United States government has increasingly relied on private contractor services in Afghanistan and Iraq. Particularly in times of economic trouble, thousands of ordinary citizens are drawn to war zone contractor work because of the opportunity to make a higher salary while supporting their country. Approximately 1,700 contracted civilians have been killed in Afghanistan and Iraq while another 31,000 have been injured. Insurance guidelines for private contractors operating in war zones are outlined in Congress's Defense Base Act (DBA).

The DBA requires every private contractor operating for the U.S. government to purchase a specialized type of workers' compensation insurance for all

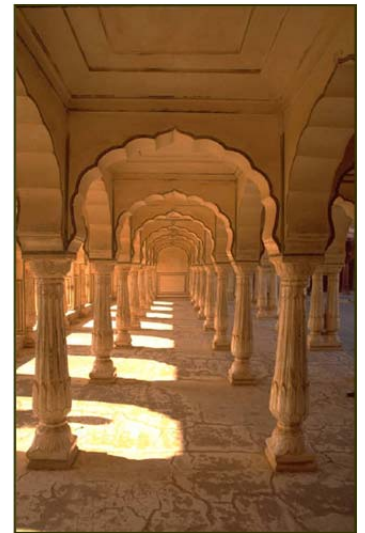
employees. When enacted in 1940, the DBA was not intended to cover the types of war zone injuries private contractors in Iraq and Afghanistan now face. The typical slip and fall injuries experienced by private contractors of the 1940's have been replaced by injuries such as post traumatic stress disorder (PTSD), amputation, and death.

Because the contractor buys the policy and taxpayers pay for the total price of the contract which reflects the insurance policy, taxpayers share the burden of the outdated DBA. If a contractor is injured in a combat situation, the U.S. government reimburses the insurance company, effectively causing taxpayers to foot both the pricy insurance premium and hospital bill. Because private contractors do not have a system of care similar to the healthcare received by U.S. military members, emergency response in war zones is dependent on who you are and the situation.

Back home, many claims made by private

contractors operating in war zones are denied by private insurance while other injured contractors never file claims as a result of confusion over coverage. Nearly 44% of claims filed by injured contracted civilians are initially denied by insurance companies while nearly half of all psychological claims are denied, often spurring lengthy court battles. Many contracted employees, particularly foreign employees operating in war zones, are not aware of their insurance rights.

Contracted civilians are in a strange position. Although often well paid, these individuals provide support service for military personnel and are at risk daily. Upon returning from Iraq or Afghanistan, civilian contractors do not have veteran status and often must fight with insurance companies to receive injury benefits. While studies show contracting out services in the short term often saves money, the long-term benefit of outsourcing jobs through private contractors in Iraq and Afghanistan is unknown.



"Nearly 44% of claims filed by injured civilians are initially denied by insurance companies"



Meet Charles E. Lavis, Jr.

Charles Lavis is the founder and managing shareholder of Lavis Law Firm, APLC. He was born in New Orleans in 1965 and has practiced law there for 15 years. Charles represents workers, consumers, homeowners and business owners against insurance companies and corporations. He represents clients in matters involving BP Oil Spill Claims, Job Injuries, Accidents, Products Liability, Hurricane Insurance Claims, Personal Injury, Wrongful Death and Survival Actions, and Insurance Bad Faith. If you have questions, please call Charles at **1-866-558-9151**.

***Please Think of Us
As Your Law Firm***

***If you have a legal
question or problem,
please don't hesitate
to call or e-mail.***

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Oil Spill and You- Protecting Your Health

Worried about the recent BP oil spill and what it could mean for your health? Here's what you can expect and how you can best protect your family's health.

Routes of exposure

Humans can be exposed to hazardous materials related to the oil spill via

- Inhalation (air)
- Ingestion (via food or water)
- Skin absorption through touch

Air Quality

You may be able to smell the

oil spill from the shore. Symptoms from low-level exposure to these fumes may include irritation of the throat, skin, eyes, and nose. If you have asthma or other respiratory illnesses, you may be especially susceptible to these symptoms. If you smell gas, see smoke, or know oil burning is occurring nearby, the CDC recommends you stay inside your home, set the air conditioner to reuse indoor air, close the windows, and avoid intense physical activity.

Water

Drinking water and household water are not expected to be compromised by the spill. The

CDC does not recommend swimming in water contaminated by the oil spill. Local and state guidelines and warnings should be followed for coastal water recreational use. More [information about beach safety is available](#) at The Official Site of the Deepwater Horizon Unified Command.

Dispersants

Most people will be unharmed by brief exposure to a small amount of oil spill dispersants. Longer contact, however, may cause eye and skin irritations. If you are concerned that you have been exposed to oil or dispersants, see your doctor.

Please Refer Us To Your Family and Friends

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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