

**SPECIAL
EDITION**

DIG Disparti Law Group

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Disparti Law Group

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PERSONAL INJURY PRACTICE

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Referrals

Thanks to all of you who have recommended our firm to your relatives, friends, and neighbors. We appreciate your vote of confidence and pledge to care for these "VIPs" as well as we care for you.



Judson Calkins, Michael Blickensderfer, William Hemmers, Lawrence Disparti, and Kenneth Brown

Stop creditor harassment

We have established a practice area that is designed to help people who are being harassed by debt and bill collectors. If you have experienced, or think you have experienced, a violation of the Florida Consumer Collection Practices Act (FCCPA), then contact the **Disparti Law Group** today.

The FCCPA is a consumer protection law that prohibits any person from engaging in conduct that is abusive or harassing when collecting a consumer debt. **Florida Statute 559.72 (the Fair Debt Collection Practices Act)** lists the specific conduct that is against the law.

Whether money is owed or not, the bottom line in determining if a violation occurred is whether an individual has been harassed in any manner concerning a consumer debt.

Since many of our social security disability clients are suffering financial hardship while waiting for the resolutions of their cases, many times they are the targets of debt collectors. The attorneys here at the Disparti Law Group, P.A., are dedicated to teaching collection-harassment operators that they cannot afford to take advantage of the consumer.

Fosamax[®], Ortho Evra[®], and hormone therapy

Fosamax[®], manufactured by Merck & Co., has been linked to **jawbone decay** and **osteonecrosis of the jaw**. It is routinely prescribed to women in an effort to treat or prevent osteoporosis. We are currently reviewing claims in which individuals took this drug and **experienced jaw decay, osteonecrosis, and infection of the jaw, or related problems.**

Ortho Evra[®] is a hormone contraceptive available in a transdermal patch. Ortho Evra is manufactured by Ortho McNeil (a subsidiary of Johnson & Johnson). Recently, the FDA disclosed that excessive levels of estrogen delivered by the birth-control patch can cause serious injuries and even death. According to the FDA, **women who use the patch are exposed to 60 percent more estrogen** than those who are taking the pill, therefore increasing their risk of a serious adverse event, including **blood clots, pulmonary embolism, heart attack, stroke, deep vein thrombosis, and death.**

For years, women have undergone **hormone therapy (HT)** to reduce the symptoms of menopause. Studies now show that HT medications such as **Prempro[™]** and **Premarin[®]** can increase the **risk of breast cancer, ovarian cancer, stroke, and heart disease.** We are currently reviewing potential claims against the manufacturers of HT medications.

If someone you know thinks they need to pursue a claim, please contact us here at **Disparti Law Group, P.A.**

We take your family's safety and security personally.

What you need to know

Shopping for auto insurance



The seven steps in buying auto insurance that will best protect you and your family include:

1. Educating yourself about state auto insurance requirements.
2. Comparison-shopping coverages.
3. Meeting with several insurance agents.
4. Reading the entire policy very carefully.
5. Listing all drivers.
6. Paying premiums promptly.
7. Disclosing past claims.

Types of coverage

Auto insurance policies include several coverage elements, specifically costed out, that you should understand:

Bodily injury liability—protects you against injury, death claims, and legal expenses from an accident.

Property damage liability—covers property damaged by your car in an accident. Since liability covers other parties, almost all states require it.

Medical payments—compensates for injuries your passengers suffer. In some states it's optional. In “no-fault” states, personal injury coverage replaces basic medical compensation coverage.

Uninsured/underinsured motorist protection—pays for your and your occupants' accident injuries from uninsured, inadequately insured, or hit-and-run drivers.

Collision coverage—after you pay the deductible, it reimburses for damage to your vehicle, up to its book value.

Comprehensive—covers physical damage to your car from fire, flood, theft, vandalism, wind, and other nonaccident causes, also with deductibles.

What affects auto insurance rates?

The insurance industry uses data that weigh the following risk factors in calculating your policy payments:

- **Accidents**—Every fender bender increases a driver's risk quotient.
- **Age**—Youthful males and older drivers can be expected to have more accidents.
- **Credit rating**—Lower FICO credit scores translate to higher insurance risk.
- **Gender**—Women are safer drivers than men.
- **Location**—Rural drivers are lower risks than urban drivers.
- **Marital status**—Married individuals are considered safer drivers.
- **Occupation**—Significant business-related driving increases risk.
- **Traffic citations**—Every speeding, red-light running, and other traffic ticket raises the risk ante.
- **Vehicle**—Sporty vehicles are more risky than conservative family sedans. Also, air bags, braking-safety systems, theft-deterrent devices, and other features decrease risk.
- **Others**—Insurers also factor annual mileage, distance to work, and years behind the wheel into risk assessment.



How about auto insurance

Auto insurer tactics

Insurers are profitable because they increase premiums and deductibles, and then reduce liability coverages whenever they can. Many drivers report abusive and unfair behavior by insurance companies.

Pressure to settle

A woman sustained lifelong, debilitating injuries as a result of an auto accident. The at-fault driver's insurance company tried to pressure her into a speedy, unfair settlement. Incredibly, when she refused, insurance company representatives demanded money from her for the driver who caused the accident. If she disagreed, they threatened to ruin her credit!

Silence from adjusters

A driver didn't hear from an insurance adjuster until two months after a wreck in which she was seriously injured and not at fault. She tried to settle her claim for the amount of her expenses, but was refused. With bills piling up and creditors calling, she finally settled her claim after a year of battling the at-fault insurance company. She was still forced to pay \$2,500 out of her own pocket for damages.



Special considerations

Rental car liability insurance

Personal auto insurance will usually cover you for a rented car. However, you should confirm this with your insurance agent.

Most auto policies provide rental car liability. However, collision damage to rental cars is covered only under a policy's comprehensive and collision coverage. Be sure your auto policy includes these coverages.

Your credit cards may also provide insurance accident coverage. To be eligible, you may have to decline the collision damage waiver (CDW) and charge the full amount of the rental car on your card. Reconfirm that your card issuer offers these services, and review the limitations and exclusions your credit card may impose, such as limited rental contracts and approved rental dealers. If in doubt, purchase the CDW for peace of mind.

Consult an attorney experienced with auto accidents for counsel.



Auto accident attorneys

No matter how carefully you drive, you can't control other drivers' behavior on the road. Attorneys experienced in representing drivers who have gotten into auto accidents as a result of others' negligence and poor judgment can obtain fair and just compensation in courts of law.

Accident cases

Insurer fails to pay underinsured motorist claim

A pickup truck backed into a car driven by a driver recovering from back surgery. The injured driver's doctor determined that the accident caused the patient's initial disk-fusion surgery to fail, which necessitated two additional surgeries. When the injured driver sued for medical expenses, the truck driver's insurance company refused to pay the full underinsured motorist claim. When the injured driver's attorney filed a bad-faith claim on his behalf, a jury's verdict resulted in a significant award.

Passenger killed by drunk driver

A husband and wife were passengers in a car allegedly driven by a drunk driver who lost control of the vehicle and struck a utility pole. The husband was killed instantly by a section of the pole that entered the car. The defendant pleaded guilty to impaired driving, and the wife's attorney sued for her husband's significant lost income and her own posttraumatic stress disorder. The parties settled prior to trial.

Work-related accidents

Employees injured in auto accidents during employment-related driving customarily have three protections:

■ Workers' compensation benefits. Workers' compensation benefits, such as wage-loss coverage,

often face insurance-company-imposed limitations, so check with human relations specialists. Consult an attorney experienced with workers' compensation for counsel.

■ Personal liability insurance coverage. Be sure your liability and UM/UIM coverages are adequate.

■ Personal injury claims against at-fault drivers. Contact an attorney for counsel.



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Identity Theft Brochure

**What To Do in Case of
Automobile Accident
Brochure**

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The information included in this newsletter is not intended as a substitute for consultation with an attorney. Specific conditions always require consultation with appropriate legal professionals.

INCREASE family protection

In addition to purchasing adequate UM/UIM insurance, here are several other auto insurance coverage options to talk to your auto insurance agent about.

Coverage “stacking” can help if your household insures more than one car. Stacking increases uninsured/underinsured motorist limits based on the number of autos insured. If you purchase \$100,000/\$200,000 coverage and insure two cars, stacked limits equal \$200,000/\$400,000.

Add a wage-loss benefit. If your insurance company doesn't provide a wage-loss benefit, you can ask for it. Although many carriers cap benefits at 80 percent, some insurers offer additional wage-loss-expense enhancements.

Increase medical-expense benefits to obtain additional coverage for larger medical bills in case of serious injury. Many policies place a minimum of \$10,000 for medical expenses, but that may not be adequate. Health insurance

coverages have large deductibles for serious injury, and auto insurance medical coverage may pay for chiropractic or other specialized medical treatment excluded by health insurance.

Purchase more bodily-injury insurance. The customary \$20,000 minimum coverage may not protect you if you are sued for causing a collision in which someone else is seriously injured. Bodily-injury coverage can protect your home, cars, and other assets.



Lower your insurance costs

Here are nine more ways to reduce your auto insurance premiums:

1. Drive carefully.
2. Purchase a safe vehicle that costs less to insure.
3. Maintain the vehicle's safety.
4. Increase deductibles.
5. Reduce older car coverage.
6. Maintain a good credit rating.
7. Obtain low-mileage discounts.
8. Investigate group insurance plans.
9. Seek other discounts.