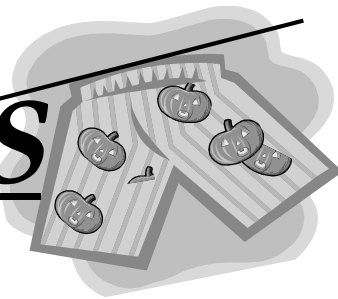




CARROLL & CARROLL, P.C.

LEGAL BRIEFS

DON'T LET INACCURATE INFORMATION
HANG YOU OUT TO DRY...



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This newsletter is published by the law offices of Carroll & Carroll, P.C.. It is for informational purposes only and no legal advice is intended. Each case is unique and you are invited to discuss your legal question with our office at no initial cost.

WHAT WE DO

C&C Law is here to help our injured neighbors in PA and NY. We will fight to protect your rights in the following areas:

- Workers' Comp
-
- Auto Accidents
-
- Slip and Fall
-
- Serious Injuries

We appreciate your referrals. If you know of someone who has been injured through no fault of their own, please encourage them to call C&C Law.



C&C Law is a proud sponsor of the Valley Youth Soccer Program. Kids ages 3 and up grab their shin guards every Saturday morning and have a great time playing soccer. In the picture above, Carrie and Coach Paul Romano pose with the C&C Law team.

Danger . . . War Zone Ahead!

The day you were injured you entered a war zone with the insurance industry. Insurance companies spend billions of dollars on advertising to spread false and misleading information about accident claims. They want people to believe that the justice system is out of control and that people who file lawsuits are getting millions of dollars for minor injuries. This advertising has created the false belief among many people that the court system needs fixing.

You need to be aware that many insurance companies will use any means necessary to pay out as little as possible, even on legitimate claims that involve serious injuries. Insurance adjusters receive a lot of training on how to save the company money, and not necessarily on how to examine a claim and pay a fair settlement. Many insurance companies reward their adjusters with bonuses or promotions based on how much money that person saves the company rather than how many claims are settled. The insurance company does this in several ways:

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“A Rose By Any Other Name”

A few issues ago, we reported on the name change from the American Trial Lawyers Association to the American Association for Justice. Since then, The National Chamber of Commerce has criticized the American Trial Lawyers Association for its name change, saying that the new name is misleading for the trial lawyers' group. The Chamber is also critical of numerous state associations which are following suit and changing their names to use some form of the word "Justice" and remove the term "Trial Lawyers".

A little background is appropriate, and as usual missing from the news coverage. For years there have been two primary organizations within the legal profession that do trial work. The American Trial Lawyers Association has been an organization for those who represent plaintiffs in civil court cases. The other side of the fence is the Defense Research Institute which, as its name suggests, focuses on issues for the defense of civil cases. Neither organization pays much, if any, attention to criminal work on either side.

In recent years, the media has very effectively demonized "trial lawyers" as being one of the many societal problems in America, by telling half-baked versions of stories of excessive verdicts such as the so-called McDonald's cup of coffee case. These stories virtually always blame the lawyers who represent the plaintiffs, leaving out the fact that it is Judges who allow these cases to proceed to trial, and juries made up of a cross-section of citizens who decide on these verdicts. Nope, it's those evil "trial lawyers" who somehow mesmerized those poor jurors to cough up millions of dollars of Ray Kroc's money.

This demonization has reached all of us who do our work in the courtrooms. It is not just Plaintiff's lawyers, but Defense lawyers (meaning they represent the companies and individuals who are being sued by the ATLA guys) as well. As litigators, we find ourselves put on the defensive more and more by people who

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Easy-Bake Oven Recall

Another day, another toy recall. This time it is Hasbro Inc., the world's second-largest toymaker, which has recalled about one million Easy-Bake Ovens after receiving reports of serious burns and 278 incidents of children getting hands or fingers caught in openings. The company, based in Pawtucket, R.I., had offered repair kits for the ovens in February after receiving 29 reports. It decided to recall the toys after learning that part of a 5-year-old girl's finger had to be amputated because of a severe burn, a spokesman, Wayne Charness, said. People should stop using the ovens and contact Hasbro for instructions to exchange the toy for a voucher, the company said. Ovens sold before 2006 are not part of the recall.

FREE LEGAL ADVICE!

That's right—Free Legal Advice is yours if you can catch us as Jim, Carrie and the girls run in the turkey Trot! Pop your turkey in the oven and come on out for what promises to be a great morning of walking, running, racing and fun! Give us a call or use the contact info below to register:

1st ANNUAL BCMSA TURKEY TROT

5K run/walk & Kids' Fun Run

Thursday, November 22, 2007

Thanksgiving Day!

Check-in: Sayre Theatre, Sayre, PA

Kids' Fun Run - 9:30 am, 5K run/walk - 10 am

Pre-registration \$15 by Oct. 31

Race Day: \$20 - Kids' Fun Run is FREE!

Sponsored by: Bradford County Medical Society and Alliance

Proceeds benefit the BCMSA health projects

Canned food drive race morning for

Sayre House of Hope

5K entrants will receive a t-shirt

(first 40 entrants)

For more information call:

Beth Herbst 570-888-4849

or email: bherbst@stny.rr.com

War Zone... *(Continued from page 1)*

****Using Delay.** The claims adjuster is a master of using delay tactics to wear people down. He knows that many people will at some point throw up their hands and say "Enough!" while finally accepting the company's last offer just to be done with the whole process.

****Requesting Unnecessary Information.** Another method is when the adjuster makes repeated requests for "documentation" even if the information will have little or no bearing on the amount that will be offered in settlement. Repeated requests for unnecessary documentation can easily frustrate people and wear them down so they're more likely to accept a lower settlement offer.

****Disputing the Medical Treatment.** Another way the adjuster may minimize your claim is to dispute or question your need for medical treatment—even if the treatment is prescribed by your own doctor!

****"Nickel & Dime" the Medical Charges.** Often times the adjuster will only agree to "accept" 70, 80 or 90% of your past medical charges, while having no medical background to support such a position. By "nickel and diming" the consumer, the well-trained adjuster knows that most people will not hire a lawyer to challenge just a small portion of the medical bills.

****Tell You Not to Hire an Attorney.** Other times the insurance company will tell you not to hire an attorney—and may even falsely tell you that any money you receive will go only to the attorney. Still other times the adjuster may threaten to "deny" or "lowball" the claim if you hire a lawyer.

****Misrepresenting Insurance Policy Benefits.** Sometimes the adjuster will misrepresent the amount of insurance coverage that is available to you. Or worse, the adjuster doesn't even tell you that the insurance coverage or certain types of benefits even exist.

****Acting as Your Friend.** There are times when the claims adjuster will make it look like she is watching out for your interests when in fact she is not. Sometimes the adjuster will give you advice about the type or frequency of your medical treatment, and then decide later on not to pay for the treatment because it is "excessive."

****Making False Promises.** There are times when the adjuster will make promises to you that he or she knows can't be met. For example,

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Did You Know...

- Carla's daughter, Sonya Weldy, recently graduated from Northern Tier Career Center's nursing program. Sonya passed her State Boards on October 15, 2007, and is now an LPN. Congratulations Sonya!!
- Peg, our filing professional, was once a flight Attendant for American Airlines?
- Jim would give his right arm to have a telescope and an astronomy observatory? (Carrie says "keep dreaming!")

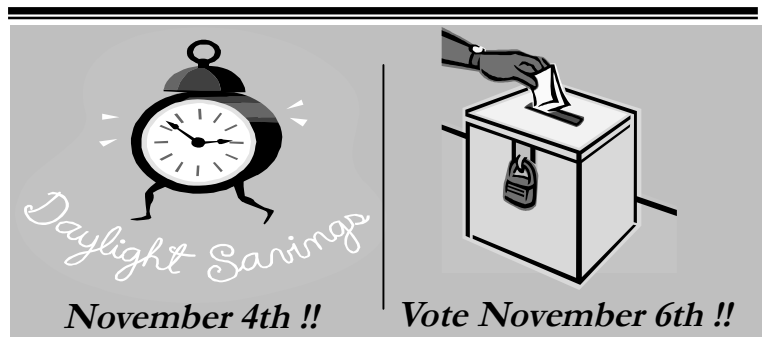
A Rose... *(Continued from page 2)*

have swallowed the media bias against "trial lawyers" without truly thinking about why they have formed these opinions.

Are there bad apples amongst those of us at the Bar? Absolutely. But there are hundreds more "trial lawyers" who do good honest work vigorously representing clients in civil court cases every day. I cannot and do not blame them for wanting to move away from what has become a negative label by removing the "trial lawyers" term from the association's title.

Certainly there are dozens of organizations in America who do not act in a manner consistent with their title - many churches, for example - and the Chamber of Commerce isn't after them.

As members of both the nation-wide American Association for Justice and the Pennsylvania Trial Lawyers Association (which is considering a name change), C&C Law is proud to fight for the rights of injured people regardless of what the media would have you think. If you've been injured, let us fight to get you the benefits you deserve. Give us a call, shoot us an email, or check out our website www.WeKnowInjuryLaw.com



www.WeKnowInjuryLaw.com

*Check us out online for the latest legal news and resources for injured persons as well as Jim's daily blogs
(will someone please post a response to his rantings?!?!?)*



Auto Accidents
—
Slip and Fall
—
Workers' Comp
—
Serious Injuries

***Free Legal
Advice!***
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War Zone... *(Continued from page 3)*

we had a client who was promised that the insurance company would continue to pay her medical bills every month until she recovered. This went on for four months until the adjuster decided that four months of treatment was enough. The problem was that the client didn't find out about the insurance company's decision to stop paying until she had racked up many more months of medical bills!

The strong backlash created by the insurance industry against our justice system is a very strong movement in many parts of our country. The movement has a name, it is called Tort Reform. The success of the Tort Reform movement has emboldened the insurance industry to withhold fair settlements until you convince them that you are ready, willing and able to go to trial. But do not be discouraged.

You CAN achieve fair compensation for your injuries and beat the insurance industry at their own game. It may take time and effort - but C&C Law is here to fight for and protect your rights. Give us a call today and see how we can help you get the benefits you deserve.

And The Winner Is . . . We received many, many fabulous entries in our 'Name Our Newsletter' contest! Although it was a tough decision, we are pleased to announce the winners of the contest are Lezley Gehman and our very own Carla Weldy (both came up with the same clever name). We appreciate each and every one of the great ideas you all contributed—Thank You!!!

If you wish to be removed from this newsletter please call us at 1-866-380-8683 or email Carrie Carroll at carrie.carroll@cclaw.cc.