



YOUR BEST LIFE

MAY
2019

Honest. Excellent. Real.

When a Settlement... is NOT a Settlement

Insurance adjusters can be pretty tricky sometimes. Let me tell you about how they tried to trick one of our great clients, "Steve".

Steve was hit by a lady who was not paying attention, crossed 3 lanes of traffic, and t-boned him. The impact totaled Steve's car, and sent him to the hospital in an ambulance. Steve had bruises all over, as well as a cut on his right thumb, but knew of no other serious injury at that time. The insurance adjuster told him that she would take care of everything and pay all the bills, and that put his mind at ease. The adjuster also told Steve that he was "entitled" to \$1000 "up front" to pay for various out of pocket expenses and for his inconvenience, to which Steve replied, "Thank you!" Steve received the check for \$1000 in the mail, and in less than 10 days from the date of his wreck he deposited same to pay for his out of pocket expenses.

About 2 months later, Steve is still having pain in his right hand, and he goes to an orthopedic doctor. The doctor does an MRI and finds some serious ligament damage to the thumb and middle finger, and tells Steve he needs a surgery to repair the damage. Steve calls the adjuster to get some of these bills authorized and at that point, the schemes of the adjuster are revealed:



"I'm sorry Mr. (Steve), you cashed that check for \$1,000, so we owe you NO MORE MONEY.

GOODBYE!" Now Steve is facing over \$20,000 in medical bills to pay for the surgery and follow-up rehab he has incurred due to a careless driver. The adjuster has told Steve to go jump in the lake, so-- he called me.

When I sat down with Steve to discuss his case, he said EXACTLY what 99% of you say when I first meet with you, which is, "I am not the type of person who would ever sue someone, but let me tell you what just happened to me..." He proceeded to tell me how the adjuster NEVER said this was a final settlement; how he NEVER signed any release; how the adjuster said he was "entitled to \$1000 up front" and they would pay for all the medical bills. He trusted the adjuster at her word, and he was betrayed.

We filed suit, and the insurance company moved to dismiss the case based upon their allegations the case was already resolved the moment Steve cashed the check for \$1000. The judge agreed with me that the insurance adjuster did not make it clear her intention this was to be a full and final settlement of all claims. There also was no "offer" in the legal sense, since the parameters of the offer were never defined, even if it was an "offer." Additionally, the court held that since the client did not know the significance of his injury at the time the adjuster told him he was "entitled" to the \$1000, there was a "mutual mistake" of fact and therefore, no agreement to settle existed.

Not all tricks by the adjusters can be undone. Before you sign anything, you need to know what it is your are signing, the parameters of it, and how it may be used against you. Steve was not insurance savvy; he never signed a release; and he had NO IDEA what the adjuster was trying to trick him to do.

As a result, the case will now proceed to trial, or we may be able to now settle it. If we do try it, the jury will never be allowed to hear anything about car insurance unfortunately, or the fact this adjuster tried to royally take advantage of a great and trusting man.

I hope your spring is great so far. Be safe.

GRIFFITHLAW GIVES BACK

Preston Taylor Ministries

While Spring Break is a time for many students to relax and go on vacation, a group of students in the Preston Taylor Ministries program have opted to shadow professionals in the Middle Tennessee area to obtain a broader understanding of jobs and opportunities that are available. During Spring Break, students are matched with businesses that they find interesting, and they learn about differing office cultures and skill sets. Sydney was matched to our Sydney at GriffithLaw because of her professional interests.

While it is important that Sydney was able to learn and take away skills from our office, she truly gave us far more. When asked her favorite quote, she replied without hesitation, "You are fearfully and wonderfully made." What a gift she gave us in sharing her time.



Sydney J. with Sydney R.



YOUR TURN

Joe M.
Nashville, TN

Griffith law firm genuinely I cannot say enough, they are truly a strong team of professionals with deeply rooted Family values. When Griffith Law handled my collision case they treated me as Family not a client.

They had answers for questions I never thought of. Because of my collision. I stumbled in blindly not knowing what to do after becoming a victim of a collision. The team at Griffith law diligently guided me through step by step. They always inquired how I was doing and asked is there anything we can do to help. Never neglecting me. I Thank them for everything they have done for me.

Again thank you all at Griffith Law for being there for me . GOD Bless you all.

SHARE YOUR STORY!

Email sydney@griffithinjurylaw.com

Compass

Every Tuesday night in the Spring and Fall, case manager Kirby White volunteers in Columbia, Tennessee with an organization called Compass. The purpose of Compass is to mentor 6th to 12th grade kids who have gotten in trouble with the law. These kids go before the Juvenile Court Judge and are given the option of completing a session of Compass, or doing some other type of community service.

Kirby says, "For most kids, Compass is their last chance to get their life on track before they end up in a juvenile detention center or jail. We mentor these kids and give them a chance to express their feelings in an environment where they feel comfortable. We help them find their Compass and get their life pointed in the right direction."



For more information on Compass or if you are interested in getting involved, please email Kirby at kirby@griffithinjurylaw.com.

Do I Need An Attorney?

8 Things to Consider After a Car Wreck

Not all car accidents will require a victim to hire a lawyer. In fact, it is perfectly legal in Tennessee for victims to file injury lawsuits, and even accept settlements from an insurance company, without hiring an attorney. However, there are circumstances when victims should have an experienced crash lawyer working on their behalf.

When Should I Consider Hiring an Attorney for My Crash Case?

If you have suffered minor injuries and are getting enough payment from an insurer to cover all of your medical costs and property losses, you may not need legal representation. In most other cases, however, it is a good idea to at least consult with an accident attorney to ensure you will receive enough to cover all of the damage caused by the accident.

For example, you may need an attorney after a car accident in Tennessee if:

- 1 You suffered significant losses.** Two of the biggest causes of financial difficulty after a car accident are medical expenses and lost wages. An attorney can help you total the amount of compensation you will need for hospitalization, surgery, physical rehabilitation, prescription medications, future medical care, and the time you have missed from work in order to ensure you are not out of pocket for these expenses.
- 2 Your insurance won't pay.** Once of the biggest benefits of having an attorney on your side is having your lawyer deal with an insurance company on your behalf. Insurance companies are financially motivated to pay out as little as possible for each claim. If there is a dispute over who is at fault for the crash, the limitations on coverage, or a disagreement about how much of your costs will be covered, an attorney can review your policy to make sure you will be properly reimbursed for the crash.
- 3 You won't be able to go back to work.** If you are not sure if you will be able to return to your old job or do another form or work, you should definitely involve an attorney in your case. A lawyer can be instrumental in getting you an amount for your crash claim to compensate you for your future loss of income.
- 4 Your accident involved a minor.** In Tennessee, any injury settlements involving minors must be approved by the court and may require witness testimony if the settlement amount is greater than \$10,000. The court may choose to release the funds to the child's guardian or require it be deposited with the court until the child turns 18, so an attorney may be vital in getting you compensation for your child as soon as possible.
- 5 You have permanent effects or ongoing costs.** A case where injuries are expected to heal without complications is very different from one that has caused permanent difficulties. If your injury will not heal in a way that will you restore you to your pre-accident state, you may need an attorney to estimate the future losses caused by the injury, including loss of earning capacity, lost quality of life, and pain and suffering.
- 6 A defective part caused the crash.** If a tire blowout, malfunctioning accelerator or brake pedal, or other faulty car part caused the accident, it is best to speak with an attorney as soon as possible. These cases may qualify you to file a lawsuit against the manufacturer of the defective component or vehicle to hold the maker accountable for your economic and non-economic damages, and may include an award for punitive damages.
- 7 The other driver was doing something negligent.** If you suspect that the other driver caused the crash, you should consult with an attorney to determine whether the driver was negligent. Negligence can take many forms, including texting while driving, speeding, or running a red light, and an accident attorney can help gather the proof you need to show that the other driver was at fault.



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Someone was killed. If a child, spouse, or family member was killed as a result of the accident, you may be able to file a wrongful death lawsuit. An attorney can pursue the claim to get you the amount you deserve for the deceased's medical costs, funeral and burial expenses, and lost future income, but also the survivors' emotional pain and suffering.

We Can Tell You Whether You Need an Attorney at No Cost to You

Even if victims can settle their claims by themselves, there is no downside to speaking with an attorney about the case. At GriffithLaw, we provide injury consultations at no cost to the victim, and our legal fees are paid with a portion of the settlement we secure for you. The time limit to bring a case is only one year from the date of injury, so we recommend that you contact us as soon as possible. To learn more about your rights, request a free copy of our book, *The 10 Worst Mistakes You Can Make With Your Tennessee Injury Case*.



WE ❤️ OUR CLIENTS ➔ **WE WANT YOUR REVIEWS**

We are privileged and honored to serve you.
To share your story, email sydney@griffithinjurylaw.com



 **Make sure your are following us on Facebook for Summer Giveaways!**