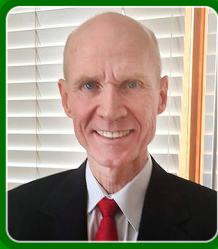




HOW TO GET THE MOST \$\$
FOR YOUR

INJURY CASE

Let A Former Assistant District Attorney With More Than
30 Years Of Trial Experience In Pennsylvania
Help You Get The Most \$ For Your Claim



by **Bernard M. Tully**
Attorney At Law

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INTRODUCTION

What is the most important thing your attorney can tell you? Think about it. What is the best news you can hear from your personal injury attorney? Is it that she wrote a good brief in your case? Is it that she answered the interrogatories in your case? Is it that she got your deposition scheduled with a court reporter?

Probably not. The most important thing that your injury attorney can tell you is that he or she got you \$\$ for your case. That is what I do.

I hope you are not turned off by the title of this book. But the fact is the law can only give you one thing for your injuries. \$\$
It cannot restore you to your pre-injury condition!

We try to get you more \$\$ for your injury case. That is our sole purpose in representing you. Our goal is to get you the most \$\$ we can for the injuries you received.

Want an example? Recently we had a case where a female client was injured in a car accident. Nothing catastrophic by any means. In fact, it was a soft tissue injury.

We sent a complete package to the insurance adjuster. We included in it all of our client's medical records, her bills and photographs depicting the parts of her body that were injured. Then we negotiated with the insurance adjuster. Hard negotiations for more \$\$.

About a month ago the adjuster called me back and said the absolute top dollar that we will ever pay on this case is \$20,000. Do not come back to me and ask for more money because there just isn't any more \$\$.

 Either take the \$20,000 or go to trial.

My client did not want to go to trial, but I wanted to get her more \$\$. So I waited about three weeks. Then I called the adjuster and never mentioned our last conversation when he said \$20,000 was his absolute top offer. I casually told him that we could get the matter resolved for \$30,000. He screamed and vented and said, "No, that is more than what the case is worth." However, I got him to increase the offer. The case settled for \$26,000!

Needless to say, my client was ecstatic because that was \$6,000 more than what she told me I could settle the case for.

If you want that kind of fighter as your attorney, one who is willing to go the extra mile to get you every penny he can for you, then I am the attorney for you. That is what we do and that is all that we do.

Call our 24 hour toll free number NOW at 1-800-518-0050 or 412-281-8700 to talk about your injuries!

FOREWORD

Why Did I Write This Book?

I wrote this book to explain, in an easy non-lawyer way, how **YOU** can get the most \$\$ possible for the injuries you sustained in your injury case. Even if you do not hire us, use the ideas in our book anyway!

It doesn't matter whether you are involved in **an AUTO ACCIDENT, a SLIP & FALL CASE, a PRODUCT LIABILITY CASE, a WORKERS COMPENSATION CASE, OR ANY OTHER TYPE OF CASE IN WHICH YOU WERE INJURED.** In all of those situations, you are hurt and continue to suffer with problems from your accident. We do **ALL** those types of cases.

The law cannot give you your life back. It cannot restore you to how you were before your injury. It cannot make up for the time you lost at work or keep your job open for you.

THE ONLY THING THE LAW CAN DO FOR YOU IS TO PROVIDE YOU WITH COMPENSATION. \$\$ That is the foundation of our entire book.

The question then becomes **HOW** you get the most \$\$ for your injuries. One person who is injured in a slip & fall case and has soft tissue injuries (meaning no bones are broken) might settle their case for \$20,000.

Another, who is also involved in a slip & fall case, and has soft tissue injuries, might settle their case for \$50,000.

What Is The Difference?

Why does the injury victim in the 1st example get \$20,000 and in the 2nd example gets \$50,000? That is what this book is about.

There are different techniques and ways that we can position your case to get the most \$\$ from the insurance company. How do we do this? There are a variety of ways which we have found to be pretty unique in this area of money compensation. Three quick examples might help you see the how of this book.

- 1st, if you agree, we have a color videographer who can go to your home or other convenient location and take as much time as necessary to video what you, the injured victim, go through on a daily basis. We have found this simple procedure, which is not that expensive, can dramatically increase the value of your case.

I am not sure how many other personal injury lawyers use this procedure to increase the \$\$ they get for their clients, but I know that it has worked wonders for our law firm. There is just something about a video, along with medical records, that captures the insurance adjuster's eye and gets them to dramatically increase their offer. A Day-In-The-Life video can work like magic!

- 2nd, our law firm sends out a FREE written monthly Newsletter each month to over 7,000 satisfied current and former clients. This is a FREE service that we provide to YOU that talks about injury law and related matters and is designed to inform you of developments in the law.
- 3rd, we have an email list of former and current clients that we regularly send blogs to about issues related to their case.

I hope you enjoy reading this book.

I also hope you will call our 24 hour toll free number at 1-800-518-0050 or 412-281-8700 if you think our law firm is right for you!

Thanks for reading.

Bernie Tully, Esquire

DEDICATION

This book is dedicated to my deceased sister Patty. Patty is my older sister in Heaven!

Patty was the victim of medical malpractice while she was being delivered. Because of the doctor's and hospital's carelessness, Patty was deprived of oxygen for a long period of time at birth. She was brain damaged as a result of this medical negligence. We never sued the hospital or the doctor because that was almost 70 years ago and it just wasn't done back then.

Patty was the kindest, most forgiving person I ever knew. Her life was a living hell. She was tortured throughout her school years by other kids who called her retarded. Even the teachers were not nice to her because she was mentally slow. Patty's life was a startling example of what an injury victim often has to go through on a daily basis. I saw it and lived through it. Yet I never heard her complain, even when she was made fun of by others because of her severe mental challenges.

Seeing what Patty went through taught me at an early age that injured people and fragile people need someone to fight for them and to care about their rights.

Hopefully, in some small way, I do that as an injury lawyer.

Thanks, Patty, for your inspiring life!

DISCLAIMER

This publication is intended to be used for educational purposes only. No legal advice is being given, and no attorney-client relationship is intended to be created by reading this material. The author assumes no liability for any errors or omissions or for how this book or its contents are used or interpreted or for any consequences resulting directly or indirectly from the use of this book. For legal or any other advice, please consult an experienced attorney or the appropriate expert.

**Bernard M. Tully,
Attorney At Law**

428 Forbes Avenue
2301 Lawyers Building
Pittsburgh, PA 15219
(412) 281-8700
www.telltully.net

TESTIMONIALS

“Several years ago I had a very serious accident. I was recommended to Attorney Tully by a family member and I’m so happy I called Bernie. He was very helpful sorting out the craziness when I was not able to. His fees were extremely reasonable. He would call all the time to see how I was doing because that is how nice he is! It took me two years to recover. My future needs are not a concern for me now because of the settlement he was able to provide for me. I am so pleased with the outcome and very thankful to him for his caring and professionalism. I would recommend him to anyone, and I have!”

- Elaine C.

“I’d like to take a minute of your time to say a few words about a SUPER GUY that happens to be an attorney.

Attorney Bernie Tully. I call him Bernie. He is very professional. But he makes you feel like you’re one of his own.

My husband was in a car accident. And thank the Good Lord we were referred to Bernie. He came right to our house. We didn’t ask him to. He told us that’s what he wanted to do. That’s the kind of guy Bernie is. You come first.

Attorney Tully listened to my husband’s situation. He respected every bit of what we had to say. After taking in all of our information and making us feel very confident that he knew the law inside and out, we were very happy to ask Attorney Tully to represent my husband. And what a great job he did!”

- Marlene D.

“Hello Everyone... I just wanted to share my experience with others about the friendliness and efficiency of this wonderful law firm in which I personally have had such favorable results! I and my husband both have nothing but praise and thanks for all the magnificent work everyone has done. I have been a client for almost 10 years with Attorney Tully helping me and my family in several different situations.

Most people are already stressed and nervous when they are calling an attorney, not knowing what road they are about to head down. What struck me most was how I was treated. It was like being part of a family. What do families do, they help each other out. They put you at ease with understanding. It seemed everywhere I was with Mr. Tully everyone knew him and greeted him with pleasantries. When Attorney Tully calls he refers to himself as “Bernie Tully”. He’s like the father everyone would like to have. He first listens and ponders all you have to say and then his wisdom comes into play. Bernie will advise you as to what can and cannot be done, sometimes it’s not what you expect or even want to hear (just like a dad). But you know his years of experience will guide you in the right direction.

Mary, the secretary, does more than answer calls. She takes messages, transfers calls and will go the extra mile when needed. All the rest of his staff and night service are also patient and helpful.

I have referred many people over the years to this firm and if they could help they would or refer you to someone who could. How’s that for honesty? I will always be grateful for his firm’s beliefs and efforts.”

- Leslie F.

“Dear Bernie: I wanted to write you to thank you for all the ways you have helped my family over the years, most recently with my son’s motorcycle accident. Often you are involved when things are not at their best, but I really appreciate how you handle these problems with a goal of helping and not judging. Somehow you make the tough situations a little better. You have always dealt with me honestly, respectfully and with courtesy and I appreciate it. You have always been available when I needed to reach you and your legal skills have always helped me get the best possible outcome; again much appreciated. Please feel free to use me as a reference anytime. My best to you and your family.”

- Kenneth S.

“My daughter was in a near fatal car accident. While she was in the hospital, I contacted Mr. Tully’s office. Mr. Tully came to my home, asked about Juliet’s condition, specifics about the case, and explained to me how he would proceed with the case if we signed on with him. We did and Juliet and I are very glad we chose Mr. Tully. Any time I had a question or concern that I phoned the office with, I spoke with Mr. Tully. I always got a call back from Mr. Tully. I found Mr. Tully to be straight forward, concerned, and very organized. I knew what was going on with the case at all times; No song and dance that I have experienced with other law firms. Mr. Tully sent her copies of the police report and also her medical records. The case was settled in a timely fashion, Juliet is very happy with her award, and God has returned her to good health. Mr. Tully was a blessing in a nightmarish experience. I would highly recommend Mr. Bernard Tully.”

- Jonelle B.

“Dear Attorney Tully & Associates, I just wanted to express my deepest gratitude for all of your efforts in securing me a fair settlement for both the loss of my auto and also for the injuries that I sustained. Your team provided me with excellent legal advice and was timely in processing the numerous documents involved in my case. But most of all, I was impressed with the kindness of your staff and the concern for my well-being!!! Also, I appreciate receiving the monthly fliers for the past 2 years! Finally, I will certainly refer your law firm for anyone in need of legal counseling!! May God bless all of you for the good that you do!”

- Nicholas J.

“If you are in need of an attorney, in my humble opinion, you should contact Mr. Tully. An open and honest appraisal of your situation, a clear and precise explanation of your options and a straight forward approach to get the job done and get you the best results possible, in a very professional manner. Mr. Tully will not judge you, he will not talk down to you and he will be sure you get the help you need.”

- Dicky R.

“Bernie M. Tully, Jennifer (paralegal), and staff were very helpful, kind and supportive. They fought to the fullest for me and still cared to ask me continually if I need anything and how am I feeling. They are all very personable and professional, too! THEY ARE REAL PEOPLE! Thanks. Sincerely and much gratitude.”

- Jennifer H.

“I want to thank you for your generous offer. The way the money was allocated made me very happy. I will call at a later date. I do want to let you know, I sincerely appreciate all your kindness and efforts. Take care. Happy Easter to you, Jennifer and your staff.”

- Pat K.

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ABOUT THE AUTHOR, BERNARD M. TULLY, ESQ.



I have been practicing INJURY LAW for over 30 years. I am Pittsburgh born and raised. You and I probably root for the same teams. The Pittsburgh Pirates, the Pittsburgh Penguins and of course the Pittsburgh Steelers. Any team in Pennsylvania is my favorite team!

A long standing joke in our office is that I am available to talk to my clients at any time, except when the Pittsburgh Steelers are playing.

I was born and raised in the West End of the City of Pittsburgh and graduated from Canevin High School in 1970.

In high school I was on the wrestling team. In my senior year, I came in second in the state in my weight class at 138 pounds. I don't know if it's a blessing or a curse, but I'm still around that same weight today at age 64.

After high school, I went to Duquesne University for college. I had a great experience there.

After graduating from Duquesne University in 1974, I worked for an environmental company called NUS Corporation. We worked in the Finger Lakes area on Cayuga Lake in Ithaca, New York. I was working with 4 other people about my age, all of us on our own in New York. Wow!

Then I got the bright idea of going to law school, and I did so in 1976.

I went to Ohio Northern University Law School in Ada, Ohio, near Lima, Ohio.

The University itself was in the middle of nowhere. As a matter of fact, when my brother Jimmy and I drove there to check the place out, we nearly passed it up because it was so small. But boy did we study there!

I graduated from Law School in 1979. Then I moved back to Pittsburgh. After all, that is where my entire family is from. But before I did that I had to pass the Bar Exam. Fortunately I did pass it on my first try. Then I got the job of a lifetime for a young attorney. I was hired as an Assistant District Attorney. An Assistant District Attorney gets to go into Court immediately. That is unlike most law firms where it might be five or six years until you get to try your first case.

I started my first jury trial a week after I passed the Bar Exam and it never slowed down. I tried over 150 jury trials working at the District Attorney's office in Allegheny County.

After 5-1/2 years there, it was time for change. I got a job working at a civil law firm in Pittsburgh. They did mostly car accident and injury cases. That's how I made the transition from criminal law to civil law. I was able to get into the courtroom a lot with the firm doing injury cases. Car Accidents, Slip and Falls, Product Liability and any type of case where a person was injured were my cases to try.

After 2 years, I thought it was time to go out on my own. Injury cases just started flowing in from the first day.

I finally got around to getting married in 1991 to my lovely wife Michelle. Marrying Michelle was the best thing that ever happened to me. We just had our 26th wedding anniversary.

Along the way we had three lovely children. Twins, Michael and Jessica and our youngest daughter, Katie. Michael and Jessica just graduated from Duquesne Law School and Penn State Dickinson Law School, respectively.

Our youngest daughter Katie graduated Phi Beta Kappa from Penn State University. Katie is going on for her Ph.D. in psychology. Phi Beta Kappa is for students with a grade point average of 3.90 or better out of a possible 4.0.

So with Michelle's two children, Kevin and Beth, we have five children. Kevin works as an attorney for a major law firm in Pittsburgh. He got married to his lovely wife Brandy in September, 2015. I am very proud of Kevin. He is a tremendous young man.

Beth, who also graduated Phi Beta Kappa, is a wonderful, caring mom with three children. Along with her husband Ryan, they're happily married and living in Des Moines, Iowa.

If you think I am proud of all 5 of my children you are right! Michelle and I are empty nesters now. Sigh! We live in the Wexford area, north of Pittsburgh. We have done about 25 cruises over the years because the boss (Michelle) likes them. Royal Caribbean Cruises are our favorites, but Carnival Cruises are cool too.

I really do love my job as a personal injury lawyer. It gives me a wonderful opportunity to meet different people and try to help them with their problems. For this I am eternally grateful. It's a wonderful life.

Thanks for reading.

Bernie Tully

www.telltully.net

CHAPTER 1

AUTO ACCIDENTS THAT BERNARD TULLY'S LAW FIRM HANDLES



The most common type of injury cases that we represent people in include the following: Pedestrian accidents, rear-end auto accidents, passenger accident cases, slip and fall cases, premises liability cases, truck accident cases, and wrongful death cases. In short, any situation where you are injured through no fault of your own, because someone else was careless and caused you injuries. We, of course, do workers compensation cases and dog bite cases on a regular basis. With my dedicated

staff of paralegals and my secretary, we are trying to get you the most \$\$ we can for what you are going through. When you call our office, you will know that our staff cares for you. That is what we pride ourselves in at our firm. We take your case personally, and we care about getting you the most \$\$ we can for your injuries.

Misconceptions About Working With Personal Injury Attorneys

One of the biggest misconceptions that I have found is that attorneys are only out to do what is best for them, and not the client. I try to always put your interests first, not mine.

Another common misconception is that you, as the injured party, will have to pay me whether we win the case or not. That is not true with our firm, because we work on a contingency basis.

A contingency fee agreement puts all of the risks of trial on us, not you. If we do not get you \$\$, you do not owe us. It is as simple as that.

I want to emphasize that when you choose us to represent you in your personal injury case, you will NEVER pay us a single penny in fees or anything else unless we get you \$\$.

CHAPTER 2

15 THINGS WE DO FOR OUR CLIENTS



Some attorneys will tell you they can do things that Superman can't even do! But let's talk specifically about how my law firm helps our clients.

- 1st, we return phone calls in a BIG WAY! Any client who calls our office and says it's important that they speak to me, will get a call back quickly. We regularly contact clients and let them know what the status is of their case. Sometimes there is not a lot happening legally, but we do call anyway.

- 2nd, when someone becomes a client of our law firm, they have me, Bernie Tully, with my 30 years of experience, working for them directly. Why is that important?

Other law firms may tell you that the senior partner is going to handle your case. That sounds great. However, unless your injuries are extremely serious, life threatening, or are catastrophic in nature, the likelihood is your case will be handled by a younger associate of the law firm. Not the attorney you envisioned when you signed on with them. That is not how we do it at our law firm. If you become our client, you will have me or someone with as much experience as I have, handling your case.

- 3rd, we copy clients, if they ask us, on all correspondence and records in their case. We also provide them copies of all their medical records as we accumulate them if they wish.
- 4th, we follow up on a regular basis with our clients and check in with them about how they are coming

along medically. We do not just sign clients up and then talk to them two years later, as we have heard some other law firms do. We like to think our clients become like family to us.

- 5th, we ask our clients, at the beginning of the case, how often they want us to contact them. Some clients want us to contact them weekly, and other clients want us to call them monthly. Some clients don't want us to contact them at all until we have an offer on the case. We tailor our responses to our client's needs based on what their comfort level is.
- 6th, for all of our clients, we provide them at no charge a FREE monthly Newsletter. In the Newsletter, which I write myself each month, we talk about important things that are going on in the law and how those things affect their case. We hopefully provide some humor in the Newsletters. You can check out some of our Newsletters that are on our Home Page at www.telltully.net.

- 7th, we have a free monthly drawing and if you are one of our clients, you may have a chance to win a \$50.00 prize each month. We have the drawing once a month and we ask a ridiculously easy question for anyone that reads the Newsletter. To answer, all you need to do is call in at 1-800-518-0050 with the answer.

We have 7,000 former and current clients who receive the monthly Newsletter. Again, this is sent to the client for free and it is published each month.

We feel we are doing right by our clients because about 90% of our new clients are referred to us by current or former clients. That is huge! Think about it. Obviously, clients would not be referring us friends, neighbors, and associates if they didn't think we did a good job for them in their case. Consider that when deciding whether you should call us.

- 8th, for our current and past clients we notarize documents for them for FREE. This service is a lifetime

one for you whether you are a current or a former client.

Did we mention that this service for our clients is FREE?

- 9th, we give our clients a realistic value of their cases and what their injuries are worth. Some law firms will tell you your case is worth millions of dollars when you initially sign on with them. We evaluate your claim realistically and honestly. We will not tell you your case is worth a million dollars, if it is only worth \$50,000. Clients want an honest \$\$ assessment from their lawyer.
- 10th, we tell our clients why we think the case has the value that it does. It is not just enough to tell people that their case is worth \$50,000. We explain to our clients how we arrived at that number and the reasons for it.
- 11th, we will not settle a client's claim without their specific approval. We suggest what the value of their case is. We update clients regarding what the insurance company offer to settle their case is. We advise clients

what we feel the case is worth. However, we always follow the client's wishes. Even if we disagree with our clients and their assessment, we believe our clients control how they will proceed in their claim. Why? Because they are the ones who have suffered the injuries!!

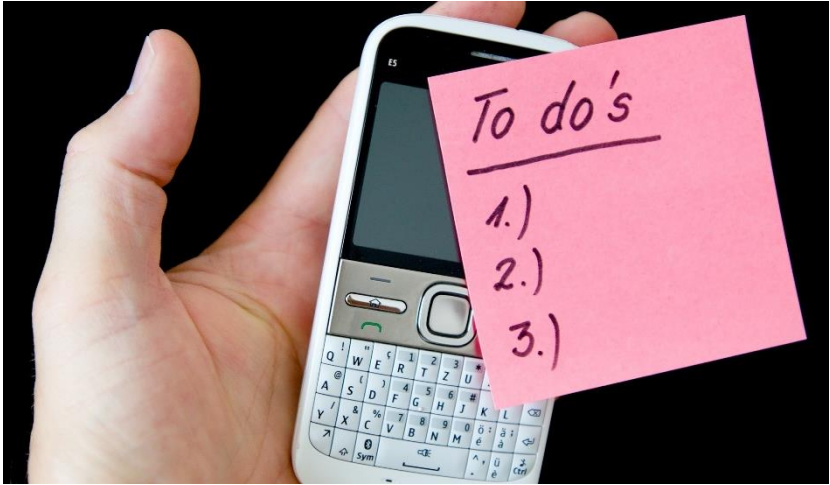
- 12th, if they want, all clients get my personal cell phone number that they can call me 24/7. That means you don't have to go thru a receptionist or secretary to get to talk to me if it is important. You get my personal cell number and I am available 24/7 to all current clients (except during Pittsburgh Steelers games)!
- 13th, all clients get our written guarantee that they will not be charged any fee unless we get a \$\$ recovery for them. Further, we give our clients a written guarantee that they will not be charged any money for costs incurred in pursuing their case, unless their case settles or we get a jury verdict.

- 14th, our clients get the experience and stability of an established law firm. We have been in business for decades. Our Paralegals, Jenni and Denise, have been with me many years. Mary, my secretary, has been with me for a long time too. The same goes for our private investigators. Ditto for our economics expert. All this spells one thing and that is stability. We are not a fly-by-night law firm that jumps around from one office to another and takes a scatter gun approach to things. And thank God for Jenni, Denise and Mary! They are fantastic!
- 15th, in auto accident cases, we help our clients get the fair market value for their car which was damaged in the collision. We do it for free. We do not charge anything extra for helping our clients receive a fair value to replace their damaged car or to repair it.

If you hire us **YOU** will get these 15 benefits too!

CHAPTER 3

THINGS TO DO AFTER AN AUTO ACCIDENT



After being involved in an accident, you should hire an attorney that you can trust, and one that has experience in all areas of personal injury cases.

I have been practicing law in the injury field for more than 30 years. If you hire me, we will take care of all the individual steps you have to go through in order to preserve your claim.

We can get a copy of the police report for you. The most important thing is you do not want to talk to their insurance company. Why? Because they often try to use what you tell them against you.

We can help you with getting valuable information in that regard. The problem that happens often in trucking accidents and wrongful death cases, for example, is the following:

As soon as an 18-wheeler truck driver is involved in a collision, and severe injuries occur, or even a fatality, the insurance company for the trucking industry immediately sends a team that goes to the scene of the accident, collects information, gets records, and witness statements. They are building their case from the very first day of the accident.

Many times, if you wait to hire an attorney, you are playing a catch-up baseball game, because they are so far ahead. That is why I suggest you immediately

contact an attorney that you can trust, who has experience in these types of cases. I think that I am both trustworthy and experienced.

On many occasions, clients have told me that they trust my judgment in their cases, and the strategy I use to get them the most \$\$ for their claim. That is very satisfying to me that clients place their trust in me.

Notify Someone Of Your Intention To File A Claim

You should notify your insurance company if you are going to file a claim. Getting your medical bills paid is done through the application of first party benefits. It is correct that you normally have 2 years from the date of the accident to file a complaint with the Courts, but it is important to keep in mind that in Pennsylvania, we are under something called the No Fault Law. That means that regardless of who is at fault, your medical bills for the injuries you sustained from the accident are turned in to your insurance company. It does not raise your rates, or have any negative affect on your future premiums. You

should notify an attorney that you know and trust immediately, so that someone like me can obtain a copy of the police report, and send for your records. We need to let the other side know about this claim so they can set a reserve on the claim.

Seek Medical Treatment

If you are hurting, you should seek medical treatment immediately after an accident. In fact, I just did a blog on this very issue. Some people think that if they wait for a while that the insurance company will give them credit for their honesty in not trying to just run up a bill. I must tell you this is wrong. Why? Because, you do not get any credit at all for living in pain. If you do not seek treatment, the likelihood is you are going to get a very small offer for your injuries. The longer you wait to seek your initial treatment, the more skeptical the insurance company is about your reasons for delaying treatment.

We tell you never to get treatment just to run up a bill. That is not the idea. However, there is a two-fold advantage to immediately getting medical treatment if you are hurting.

One, it lets the insurance company start to put a monetary value on your injuries, and those doctor's records and reports are now recorded. Second, it helps you heal faster.

The best part is your bills are going to be legally covered in almost all instances.

You have what is called First Party Benefits with your auto policy. They will cover all bills you incur up thru the first \$5,000.

Follow Your Doctor's Advice

It is very important to follow all doctors' orders, because if you miss appointments, you are going to raise

many questions in the minds of insurance adjusters who are going to be offering you \$\$ for your injuries.

If you go to physical therapy, for example, and you are supposed to go for 16 visits, and for whatever reason, you only make 6 of them, the insurance company will penalize you for this. As a rule, if you dutifully go to every physical therapy appointment, your settlement will be higher.

When insurance adjusters call us about offering you \$\$, they will often point out that you missed several treatments as a way to offer you less \$\$.

They will question how hurt you really are if you miss physical therapy appointments. In short, you are giving ammunition to the other side that they can use against you.

We fight that, and tell adjusters there is a legitimate reason why you cannot attend every appointment, but you want to try to keep that to an absolute minimum.

Keep A Log Of Events

We do advise clients to keep a diary as a way to get more \$\$ for your claim. We even provide clients blank calendars so they can document how they were feeling on any particular day. We have found that as time goes by one's recollection may not be as sharp as it was in the first weeks after an accident. A diary will keep you organized and drive up the value of your claim.

In addition, using a diary will jog your memory as to the date that you could not get out of bed, or the date that you could not get up from your chair, because your shoulder, back, or neck was bothering you that day.

The more you are able to write down how you are feeling at any particular date, and time, the better it is for your case.

Help Us

You can help us by sending us any bills or records you have that are related to the case. We find that even after we have been retained the healthcare providers send bills directly to the client's house. The best way we can be sure that we get all those bills paid is if we have a copy of them. You can see how you and I work together to build the \$\$ value of your case.

The more you can help us, the more we can maximize the value of your claim.

CHAPTER 4

WHAT HAPPENS AFTER A PERSONAL INJURY LAWSUIT IS FILED?



After we file the Complaint in Court in your behalf, the other side must file what is called an Answer to our Complaint. In their answer, they must admit or deny each paragraph in our Complaint. After that, we will enter into what is called the discovery period. Discovery involves both sides sending Interrogatories to each other asking the other side to provide certain information about the claim. Questions may include how the accident happened, did you have issues before the accident, what medical treatment are

you receiving, and what your current medical condition is. We then send the answers over to the other side.

After that is completed, the defense will schedule you for a deposition. A deposition is a series of questions and answers that are asked under oath in an attorney's office.

We find that there are 4 basic areas covered in these depositions. They may ask about your background, how the accident occurred, your medical treatment, and finally they ask about how you are doing currently. This is an important part of the discovery process. At the deposition, they are also trying to evaluate how you would come across in front of a jury.

Would you be argumentative or would you answer the questions directly? Are you likable is a big, big issue. Juries generally give more money to people they like than to those they dislike, despite what the injuries may be. We spend a lot of time preparing you for the deposition, and

bringing these points across. I will be with you for each step of this process, including your deposition.

Mistakes Detrimental To A Personal Injury Claim

Trying to exaggerate the extent of one's injuries is the biggest mistake people can make in a personal injury lawsuit. In my last jury trial, I asked the jury pool "Who tends to think that clients exaggerate their injuries?" Incredibly, every single juror raised their hand and said, "Yes, we think that people exaggerate how bad their injuries are". When you have that kind of mindset from the people on the jury, and you try to add value to your case by saying that the extent of your injuries are more than they are, that can cause a major problem at trial.

Pittsburgh is a great city. People admire others who are willing to live with their problems, and try to go to work. It is why we like the Pittsburgh Steelers so much. You seldom hear anybody in that organization making excuses for why they lost the game. We try to convey that to our clients at their deposition, and that usually works.

Make A Good Impression In Court

Appearances really do matter in Court. If you dress appropriately, like you are going for a job interview, you are telling the other side that you respect the process, and you respect what the process involves. Plus, the other side, through their attorney, will know that you are taking the matter seriously. If, by contrast, you come into your deposition wearing casual clothing, then it is going to negatively affect how much money we can get for you.

As a general rule, we tell people to dress for all Court appearances like they would be going for a job interview. For men, we suggest a suit and tie; for female clients, we suggest a conservative business type look.

In my experience, this dress code really does matter. We take the time to sit down and talk with you about your appearance, prior to your Court appearance.

CHAPTER 5

IMPORTANCE OF EVIDENCE AND WITNESSES IN A PERSONAL INJURY CASE



Evidence and witnesses are very important in a personal injury case. If you have an independent witness to an intersection collision, he or she is the key to the case. The reason is that person is not going to be making \$\$ from what they witnessed at the accident. This is even true for a rear-end accident. It is very important to obtain the names of any witnesses to your accident. Why? Because they can testify to the force of the collision they observed, or the

sounds they heard, and what they did observe. They can look at your car, and see if the airbags deployed. Therefore, witnesses are extremely important, and that goes back to why you should immediately hire an attorney you can trust. We have an investigator that can help interview those witnesses.

Share Evidence With An Attorney Before Filing A Lawsuit

You should share all evidence with us including your medical problems.

For example, if you are a pedestrian in an auto accident, and hurt your shoulder, it is important to tell us whether you had any problems with that shoulder prior to the accident.

It is also important to keep in mind that even if you did have problems with other injuries, such as your back, prior to the accident, or even if you were seeing a doctor prior to the accident, you are still entitled to make a claim,

and receive \$\$ for what is called an aggravation of a pre-existing condition. We have handled countless situations like that and we can do the same for you.

CHAPTER 6

WHAT IF THE OTHER PARTY'S INSURANCE COMPANY CONTACTS ME FOR A STATEMENT?



You absolutely do not want to give the other party any statements. What you want to do is contact me immediately with the adjuster's name, phone, and claim number. The reason I say this with 100% certainty, is if you do say something, they will use that statement against you. For example, I once had a client, who before we got involved in her case, got a call from the insurance adjuster. The adjuster said he was going to record her

statement, which the client agreed to. He asked her how she was doing. To be polite, she said fine.

Then in the report, the insurance adjuster said, “The client is doing fine”. Meanwhile, the client was in pain, and had an appointment scheduled later that day with her doctor. Nevertheless, the statement itself came across as if she was doing fine at that point in time. I have found in doing this for 30 years there is no benefit to giving a statement to the other side. If you make a statement to an insurance company, the only thing they are going to do with that is try to find a way to use that statement to their advantage, and lower their \$\$ offer to you.

Can I Give A Statement To The Other Party's Insurance Company In The Presence Of My Attorney?

Our basic advice is to never give a statement to the other side. There could be one exception to that, and even that is a limited one. If the insurance company explains they are evaluating their claim in a slip and fall case, and

comments, “We are going to be denying your claim, because the only thing we have to evaluate the claim is what our client told us, then we may agree to letting you talk to the other side. That is a very limited exception, and should be done as a last resort, with us at your side.

That should never be the first thing you do. Sometimes, if the client is desperate for money, and I call and tell them what the situation is, they agree to give a statement in the hope of adding some value to the claim. Nevertheless, that is something that should be decided between you and me, after we go through all the issues. Then we make that decision. If our liability is good in the case, I say “never give a statement”.

Tactics Insurance Companies Employ To Avoid Paying Out On Claims

Insurance companies often say that it is your fault the accident occurred. They will say that there was no insurance for this type of case. They will say the driver was not insured under their policy, or was an Excluded

Driver under the policy. In trucking accidents, they often say, “We’re not responsible for the injuries, even though they’re horrific, because the driver of our truck is an independent contractor”. They are all just insurance tactics to delay paying you \$\$.

The good news, though, is that after trying these cases for over 30 years, we have seen and heard all of the arguments that could possibly be made by insurance companies trying to deny your claim. We will fight these bogus arguments for you.

Does Retaining An Attorney Have An Impact On Insurance Company's Attitude?

When you retain an attorney, it always has an impact with insurance companies. If the insurance company knows you have an experienced attorney, often times they will not nickel and dime you. If they know your attorney will stand his ground based upon past cases, which we have, then they are much more likely to make you a fair offer. There are absolute horror stories of how insurance companies are

trained to take advantage of an unrepresented victim in a case. Many times, they will call you, be nice to you, and say you do not really need an attorney for this, we can work it out ourselves. You think to yourself maybe that is true. They seem fair enough and you agree to provide them medical authorizations. Then you call them about three months later, and say, "What about the offer?", and they keep putting you off with excuses. It is a delay game.

This is part of their strategy to wear you down. If you do that for about ten months, many injured victims just give up, and move on with their lives. At that point, most people will just take the first offer. That is where the insurance company wins if you do not have an experienced attorney at your side. The amount the insurance company offers you might be worth a fraction of what we can get you in a personal injury claim (which is not a guarantee because all cases are different).

As a rule, if the insurance company knows that we are representing your claim, it will be evaluated in a much more positive light than if you are not represented.

Does The Threat Of Trial Motivate Insurance Companies To Offer A Favorable Settlement?

Yes, if insurance companies know you are not bluffing. Until you actually file the lawsuit, they do not take the threats or claims seriously. After we file the lawsuit and we tell the Court we are ready to go to trial, this often helps to increase the value of your case.

Why? Because they know that we are serious about taking the case to trial if need be.

Years ago, we had a very minimal offer for a client who was a passenger on a bus. The offer was low and the client was resigned to taking whatever the offer was. He told me to just accept the offer. I explained to the client that I really believe we could do better if we went to trial. He trusted me and we did go to trial.

In that particular case, we received 25 times more than what the insurance company offered. Therefore, it is important that the other side knows you are willing to go to trial to help your client, and get your client the most money possible.

CHAPTER 7

DO MOST PERSONAL INJURY CASES REACH A SETTLEMENT BEFORE GOING TO TRIAL?



Yes, most personal injury cases settle prior to trial. Most of my personal injury cases result in a settlement before trial. Why? Because the client understands the stress that is involved in going to Court, and they want to take the top offer from the defense insurance company. However, the other side also has a fear of going to trial, which also leads to settlements in most cases. They are afraid of what is called a runaway jury verdict. They think

the top value of the case might be, say, \$75,000. But, if they lose the case at trial, the jury could award \$1 million to the injured victim, because they are upset about the actions of the defendant.

There is also the issue of costs for both sides. Remember, the insurance companies are paying their attorneys on an hourly basis for representation.

That is unlike our situation. I work on a 100% contingency fee basis. Therefore, insurance companies know that the sooner they settle the case, the quicker they can stop paying their attorneys' fees. There is a huge cost involved in bringing the case to trial for both sides. That is why both sides have a real interest in settling the case before trial.

Factors That Lead A Case To Litigation

What may cause a case to go to trial? One is if the insurance company denies liability in the case. For example, in a slip and fall on a person's property, the insurance company might very well say, "We're denying

the claim”, because the injured victim, who had hip surgery, should have seen the ice. Their view of the ice was not obstructed and they walked on the ice voluntarily”. They might decide they could show that it was your responsibility, and your failure to watch where you were going that caused the accident. It can be an adjuster who thinks his view of the case is the right one. They may want to make a statement on these types of injuries, so other people that are injured in these types of accidents will not bring a lawsuit.

Another factor in causing a case to go to trial is if they find out something you posted on social media. If they can get that information they are going to try to use that against you. At some point, they might even make a determination, “Let’s just go to trial with it and deny the claim”, because of all the damaging information we have uncovered. That is another reason why we advise our clients never to post anything on social media once they are involved in a personal injury case.

Sometimes victim's expectations are unrealistic and sometimes the client refuses to listen to the attorney's advice. Instead they listen to what a neighbor tells them. Those are the cases that often go to trial. Most of my cases do not go to trial, because the clients do not want the added stress involved in a jury trial. If they listen to our advice, and trust that we have their best interest at heart, then we are often able to receive a good settlement for their injuries, and avoid a jury trial.

How Does Going To Trial Affect Your Costs?

Costs are a major factor regarding the decision whether to go to trial or not. We advance all costs once we represent you. We never send you a bill if we are not successful in getting you an offer or a jury verdict. If we do get a settlement, or a jury verdict, then we are entitled to be reimbursed for the costs that we paid out in your case. That is not so if we do not get you a recovery. In order to get the case to trial, we need to take your doctor's deposition and get a report saying what your treatment consisted of, and what your injuries were from the accident. Doctors may bill \$3,000 to have their deposition

taken in your behalf. Who pays for that? We advance it, but ultimately it becomes a cost of the case.

That is big factor in deciding whether the top offer is the one you should accept, or not. If you accept the top offer from the insurance company, then there is no need to pay your doctor \$3,000 to proceed with the case. That is just one example, and there are others. We use an economist to help determine your loss of earnings capacity over a lifetime. Our economist will write a report, and it is usually a very favorable report for us. But they charge for their time and their testimony. That additional cost needs to be factored in when deciding if you should go to trial or not.

CHAPTER 8

A BRIEF TIMELINE OF A PERSONAL INJURY TRIAL



In terms of a timeline, what triggers the case being listed for trial is when we place your case at issue. That is just legal jargon for telling the Courts we are ready to go to court. After that, the Court will schedule something called a Pre-trial Conference with the Judge. In that situation, both sides have an opportunity to meet with the Judge and explain their positions, and why we think the value of the case is what it is. We obviously are working for you, whether it is a death

claim, a serious injury case, or a soft tissue injury case. We use the best evidence we have to your advantage at the Pre-trial Conference.

The other side will have an opportunity to talk to the Judge in private as to their view of the case, and what they believe the offer should be. The Judge does her best to try to get both sides together, and settle the case at the Pre-trial Conference. If that does not happen, then the case is put on the trial list. During this time, we must schedule your doctor's deposition in order to secure their testimony for use at trial. The other side will also schedule their doctor's deposition, which we will take care of for you as part of our service to you. It involves a lot of preparation, and the proper use of cross-examination, but it is the best way to get your case in the best posture to settle.

The important thing to keep in mind is that all along the way, there is a chance that the insurance company will increase their money offer to you, and the

case may settle. People may think that once you file a lawsuit, you have to go to trial but that is not true. In fact, along the way, and up until the jury ends its deliberations there are opportunities for us to get you the most \$\$ we can for your injuries.

CHAPTER 9

WHAT TYPES OF DAMAGES ARE AVAILABLE IN A PERSONAL INJURY CASE?



There is no limit on how much \$\$ a jury can give you for your injuries. However, if the person who causes your accident has an auto policy that provides \$100,000 in coverage, that is the most \$\$ the insurance company has to pay in the case. You are limited as to how much you can recover from the insurance company because of that policy amount.

If you have a situation where liability is clear, and you have severe injuries, the insurance company may tender the policy limits, which means pay the maximum amount that they are required to pay. You still have a right to pursue the claim against the wrongdoer under the circumstances by rejecting the offer, and getting a judgment against the wrongdoer. The question, though, becomes, can you ever collect any \$\$ from him if he has no other assets?

These are all legitimate questions concerning why it is so important to have a trustworthy attorney who has been practicing a long time on your side. It has been our experience with our clients, over the last 30 plus years, that they trust us. Otherwise they sure would not be referring us cases even today if they did not.

Determining Damages In A Personal Injury Case

Unbelievably, in Pennsylvania, determining the money value for what you went through with your injuries is entirely up to the 12 people on the jury. It is similar to 2 different people looking at a picture on a wall.

One person might think the value of the picture is \$50, and the other person might think the value of the picture is \$5,000. The scary thing is that the jury in Pennsylvania is not told that there is insurance in the case.

At trial, the defendant may be a widow. The jury may think, “My God, if we give the victim money even though we like her, the widow is going to have to pay”. The problem is that the Judge does not tell the jury that there is insurance. The other thing that is incredible to me is that in Pennsylvania, the jury is not told that there is an offer in your case. Say, for example, we have worked a case all the way through, and have been able to beat up the insurance adjuster to make you an offer of \$100,000 for your surgeries because of someone’s negligence in a car accident.

The jury is not told that the insurance company offered the plaintiff \$100,000 to settle the case. Therefore, there is a very real danger that if you go to trial, that a jury might award you less than \$100,000. In that situation,

you are in the worst of all worlds, because you will have costs involved that you did not have if you had accepted the \$100,000 prior to trial. That is why it is so important to trust your attorney, and their judgment as to the real value of what your injuries are.

Does A Severe Injury Ensure A Large Settlement?

As a rule, the more severe the injury is, the more \$\$ we can get for you with the adjuster. Wrongful death cases are the biggest of all, because tragically a person died because of someone else's negligence. Therefore, generally they get the largest \$\$ offers of all for a settlement. Surgery cases are another potentially big offer type of case, because of what surgeries involve. If you had knee, back, neck or shoulder surgery, or a concussion the insurance company will often offer more \$\$ than they will for a soft tissue injury claim. However I have had cases where a client suffered a soft tissue injury and still got a big settlement. They received basic treatment, and a VERY fair settlement, because the insurance company knew the victim would do very well in front of the jury. Sometimes if your car was totaled, the insurance company will offer more \$\$ for your

claim than if there were no damage to your car. It all varies with the individual case.

Will Future Medical Costs Be Taken Into Account?

Future medical costs are very important and here is why. When a jury makes an award, they must compensate you for not only your past, and your present injuries, but they must also allocate money for possible future medical problems. The unfortunate thing is that a victim cannot go back in Court two years after a jury verdict and say, “Look, what I went through since then”. That is why trying to determine a fair reasonable future medical expense for everything you will go through is so important. It is only by trying enough of these cases that you get a handle on what the proper future medical amounts should be.

Determining Maximum Medical Improvement

Maximum medical improvement means a determination that you have gotten back medically to where you were prior to the accident, or that you have plateaued to the levels that you will reach medically. Only

your healthcare provider can make that call. Oftentimes, this happens at about one-year post-accident. Recently we had a slip and fall case, where the client sustained a tear of her shoulder muscle when she fell on a business's property. Within eight months of the accident, we had all the records and she was done with treatment. However, we decided to wait for a couple of months and then have her doctor write a report based upon the one-year maximum medical recovery period for a serious injury. We submitted the doctor's report as an addendum to the insurance company. We were then able to get a very favorable offer that made the client very happy.

What If I Am Partially At Fault For The Accident?

Yes, you still have a chance of recovering money even if you are partially at fault. Pennsylvania is a Comparative Negligence state. That means that you can be up to fifty percent at fault, and still receive money for your injuries. For example, in a slip and fall case, you may have tripped on something and you were severely injured, possibly resulting in neck, or back surgery. The jury could allocate the responsibility at 50% for the

company for putting that item in the pathway, and 50% against you, because you did not see it prior to the fall. In that situation, a Judge will do something called Mold the Verdict. If, for example, a jury gives us a \$100,000 award, because of your injuries from the accident, and they determine you to be 25% at fault, then the Judge would mold the verdict so that you would be entitled to \$75,000 of that \$100,000 verdict.

They would take off the percentage of your negligence from the total award. As long as the other side is at least 50% at fault, then you are in a good situation to make a recovery for your injury claim. This also applies in intersection collisions, where it is a question of who had the right of way. This is another advantage of why settling a case is a good outcome. Because in that situation, they do not take off the 50% allocation. Your settlement is whatever they offer you.

How Long After A Settlement Until I Get My \$\$?

After a settlement, you could receive your \$\$ within 30 days. In fact, if the case has been filed and is in a lawsuit, there is actually a Rule of Civil Procedure in Pennsylvania that the insurance company must follow. They only have 20 days from when they receive your signed Release to give us the \$\$. We will push to get you your \$\$ as fast as possible.

CHAPTER 10

HOW DOES AN ATTORNEY'S EXPERIENCE AND SKILLS IMPACT AN INJURY CLAIM?



An experienced attorney's negotiating skills play a HUGE role in the amount of \$\$ the insurance company offers you. If the insurance company knows the attorney will not be bullied into taking their offer from prior experience, they are going to be willing to listen to our view about the value of your case. I do not personally believe in confrontation with the insurance company adjusters needlessly.

I have found that in negotiating with insurance companies, honey is better than vinegar. If they know we are fair and we will listen to their viewpoint, they will do the same.

I have had adjusters tell me when they find out a certain attorney is on the case, they will not even negotiate with them because they know that the attorney is so obnoxious and combative at all times. So, really, how does that help the client if the insurance company will not even make an offer, because their attorney is so obnoxious? Dale Carnegie's book "How to Win Friends and Influence People" is applicable here. You can get more \$\$ with honey than you can with vinegar.

What To Look For When Retaining A Personal Injury Attorney?

When looking to hire an attorney, ask what is their reputation in the community, and how involved are they in the community? Has the State Bar Association ever disciplined them? Any Google reviews? Did you have a good

impression of them and think it is someone that you could have represent you? Alternatively, did this attorney say anything that causes you to pause and hesitate?

Beware of TV attorneys! The likelihood of you getting the attorney you see on TV is almost zero. What they sometimes do is get your case, and then refer it out to the youngest attorney in their office.

Warning Signs When Retaining An Attorney

A warning sign may be if the attorney is not willing to take the time to return your calls. We are very good at returning phone calls. If the staff of the attorney's office is rude to you or aloof, be wary. (I am the complete opposite of being aloof). I am very easy to talk to. If you are not informed as to what the status of your claim is, I would be very careful about retaining that attorney.

We get a fair amount of cases from clients dissatisfied with their previous attorney. The number one thing they say

is the attorney never called them back, or they were never informed as to what was going on.

The attorney might be doing a very good job, but he or she is not communicating on the progress of the case with the client. We go to extreme lengths to keep our clients informed, and you will know the first time you call our office that we are a welcoming type of law firm.

CHAPTER 11

WHAT MAKES OUR FIRM PARTICULARLY SUITED TO HANDLING INJURY CLAIMS?



- 1st, is our trial experience. I have 30 years of actual trial practice. In addition, I have represented over 7,000 clients in injury cases. As far as I know, I am the only attorney in western Pennsylvania that sends out a FREE monthly Newsletter to all of my 7,000 current and former clients. In addition to being a former assistant D.A. for 5-1/2 years, I have been before almost every Judge in our system. At least the Court knows who I

am, and knows that what I tell them is factual. I do cases from Erie, Pa. to Greene County, Pa. and all the way to Scranton, Pa. I will travel to any part of Pa. to help you. Thirty-years experience has to count for something, don't you think?

- 2nd, our clients trust not only myself, but also our excellent staff. They know we care about them. That is what I think makes our firm different from others.
- 3rd, we get right back to you with phone calls and updates on your pending case. The only thing I can say is to try us. If I am wrong about this, then you will know this for sure when we talk. But I do not think I am. I really want to help you. Everybody in my office wants to help you with your injury case in getting you the most \$\$ possible.

Most Of Our Personal Injury Cases Come From Satisfied Former Clients

Most clients are reasonable. Our whole goal in representing you is to help you. We are not attempting to try to go to trial in every case. We want to enhance the value of your case to a degree that the insurance company is going to offer you a large settlement based upon the things we have discussed in this book. If you follow my advice on how to get the most \$\$ for what you are going through as outlined in this book, you will likely be very satisfied with our results.

No one can give you a guarantee on your case, but we have found over the last 30 years that our system works very well. We welcome your calls to talk about your claim. You do not have to commit to retaining us just by calling us. If you do call us, we will talk to you, and give you our honest assessment as to the value of your case, and we will advise you what to do in the meantime. If you still have doubts about calling us consider this: We have over 7,000 current and former clients. The vast majority of our new cases come from those wonderful people.

If I was not trustworthy, or if they did not believe the things I have said in this book while I was representing them, would they have referred our law firm to their friends, neighbors, and relatives? Of course not. We do hope that you think about this in deciding if we are right for you.

CHAPTER 12

DEATH CASES



You and your family have a right to recover \$\$ for the death of a loved one caused by the wrongful act of another. That is the basis for a death claim. So, if a loved one has died by a tragic auto accident, truck accident, or any type of fatality, AND the death was caused by the negligent, careless or wrongful act of another person or company, then we can make a claim for you for substantial \$\$.

The Pennsylvania Wrongful Death and Survival Actions controls the filing of lawsuits in death cases. The Wrongful Death Act, 42 Ps.C.S. §8301 allows for an action to be brought on behalf of the estate for \$\$ damages caused by these other entities or persons.

The estate of your loved one who died tragically can sue a trucking company, a corporation, a business, a person who is driving a car, or others as long as they did something that was illegal or done carelessly.

The classic example of this is if your loved one died as a result of being hit by a tractor trailer. In that situation you can sue the trucking company. The trucking company usually has at least \$1 million in insurance coverage to deal with the negligent actions of its employees. Often times trucking companies have a \$5 million policy or even more.

Therefore, there is available coverage to adequately pay the estate of a deceased person. But whom do you bring a wrongful death action on behalf of? A wrongful

death action is brought for the benefit of the deceased person's spouse, children or parents.

How? The 1st thing we need to do when a tragedy occurs is to get an estate opened for the deceased person. We help families of fatalities in the opening of the estate on a regular basis.

All that is really involved is a personal representative of the estate goes to the Courthouse with us, is sworn in and we pay a filing fee in order to open up the estate for you. That is it. We also provide all the paperwork necessary for the estate to be properly opened and to get short certificates and other necessary documents to help move the process along.

What About \$\$ Damages In Death Cases?

Under the Wrongful Death Act, you are entitled to recover medical expenses including reasonable hospital, nursing and related expenses caused by the injuries that resulted in death. As everyone knows, if the deceased survived several days prior to dying as a result of someone's

carelessness, their hospital bills can be astronomical. It is not at all unusual to incur hospital bills over \$100,000.

You should not be responsible for any of that bill. That is the responsibility of the person who caused your loved one's death.

And you have a lot of rights. You have a right to get reimbursed for the funeral and burial expenses and the cost of administration of this process. You are also entitled to get \$\$ for the contributions that the decedent would have made for his or her family's shelter, food, clothing, medical care, education, entertainment and recreation.

In addition, the beneficiaries of the estate can recover for the value of the loss of services provided by the decedent. This is not only the financial ones. Your right to recover includes the loss of companionship, comfort, society, guidance, solace and protection that the deceased person would have provided to the family, but for the careless acts of the defendant.

The Survival Action under 41 Pa.C.S. §8302 also deals with death and family tragedies. A recovery for \$\$ is permitted for the loss of earning power from the date of death through the end of the decedent's normal working life expectancy. This means that you as the representative of the estate are entitled to make a claim for the amount of money that your loved one would have made from the date of death until the end of the decedent's normal working life expectancy.

You can also make a claim for money for the loss of retirement benefits and social security income under either the Survival or Wrongful Death Act.

In addition, you can also make a claim for the conscious pain and suffering of your loved one from the time of the injury until the time of death. The law provides \$\$ for the conscious pain and suffering of the decedent even if the decedent dies at the scene of the auto accident, or only lives for a very short time. Those are items of money that you, as the representative of the

estate, can make a claim for as well. We will provide you the how to make those claims in a death case.

Sometimes people worry about the inheritance tax and the tax laws. Don't be concerned with that. When you hire the law firm of Bernard M. Tully, Esquire to represent you, we help you with these potential tax matters in terms of filling out the proper forms for you. We believe that is part of our job to give you the best representation we can during this very tragic time.

Right now we have several very active death cases that deal with some of the issues discussed above. We stand ready to help you with your case!

All we need is a phone call from you at 1-800-518-0050 or 412-281-8700 to get started.

CHAPTER 13

TRUCKING ACCIDENTS AND FATALITIES



Tractor trailers and trucks are extremely heavy and when they collide with another car or truck they often cause catastrophic injuries.

We have found many trucking companies skirt the laws in order to maximize their profits. They have their drivers work long hours, well beyond what is safe, then look the other way while their drivers fudge their log books.

If you or a loved one are a victim of a trucking accident injury or fatality you need to call the law firm of Bernard M. Tully, Esquire immediately at 412-281-8700 or 1-800-518-0050.

Why Do I Say Immediately?

Because the sooner we can get our investigator out to the scene of the accident, the stronger your case becomes. The trucking industry has insurance adjusters and investigators who are literally standing by in case an accident occurs. They immediately dispatch people to go out to the scene and collect evidence such as names, witnesses, skid marks, police reports and photos of the accident scene. Why? So they can avoid taking responsibility for what their drivers did to hurt you.

If you wait for weeks or months before you contact the law firm of Bernard M. Tully, Esquire, it makes your case much more difficult. Can you see why? Because by that time all the physical evidence has been removed from the scene. The police have already made their determination of who was at fault, and any favorable witnesses for us may have moved.

You can see from all of this the urgency to contact an experienced trucking accident attorney immediately if you are the victim of a truck driver's carelessness or negligence.

If there is a fatality involved with a truck accident, it makes it even more crucial to call us immediately. You want to get the most \$\$ you can in your case. How do you do that? The best way to do that is to contact us as soon as possible after the trucking accident.

Remember, although no two cases are the same, it is likely that we have handled a trucking injury case like yours in our 30 plus years of litigation. We can help you.

CHAPTER 14

PAIN, SUFFERING AND \$\$



What Is Pain And Suffering And How Much Is It Worth?

You can receive \$\$ for what you have gone through, not only physically, but emotionally as well.

What I have found in doing cases like yours for over 30 years is that there is a psychological component to injuries. Yes, you have been physically hurt and injured

and you have received medical treatment for it. But often it goes deeper than that.

I have many clients who are afraid to get in a car for a long period of time after their car accident occurs. I have clients who are afraid to cross the street if they were hit as a pedestrian. I have had countless clients who have recurring nightmares of their accident. These are issues that my clients go through on a daily basis.

I am there to help them the best I can to not only deal with these issues but also to get them \$\$ for what they are going through. How? One way we often do that is by bringing in friends and relatives to verify what the client is going through. These condition witnesses can dramatically help drive the \$\$ value of your case. Call our office now to find out more about the \$\$ value of your claim!

CHAPTER 15

THE DEFENSE MEDICAL EXAM (DME): HOW THE INSURANCE COMPANY TRIES TO LOAD THE DICE AGAINST YOU



The defense has a right in Pennsylvania to have you examined by a doctor of their choosing.

Insurance companies use this legal right to their maximum advantage. How? They do it by loading the dice against you in an unsuspecting way. The unsuspecting

way is that they have a doctor with very impressive credentials exam you.

These doctors often went to top medical schools. They often are practicing surgeons, including orthopedic surgeons. They usually claim to be fair and objective in evaluating your injuries.

That is completely wrong. In fact, many defense medical doctors are hired guns paid for by the defendant's insurance company in order to write a report that torpedoes your case.

Don't believe it? Consider this: The amount of money defense medical doctors make per year on these evaluations is obscene. I have been in doctor depositions where the defense medical doctor will freely admit to making over \$500,000 per year just on these defense medical examinations.

Think about it. If someone was paying you \$500,000 a year to do exams, do you think you would try to stay on their good side so that you could get more and more exams to do? That is the practical reality with these so called defense medical exams.

The doctor selected by the defense insurance company is not your friend. They will say that you are exaggerating. They will say that you are a malingerer. They will do and say just about anything in order to come to one conclusion. That conclusion is that you are perfectly fine.

My job is to expose those myths. How? We use something called “Cooper Interrogatories”. That is when we ask the doctor how much money he makes per year doing these exams, how much this particular insurance company has paid him over the course of a year, and what percentage of his exams are scheduled by the defense as opposed to injured plaintiffs. It is usually about 90%.

By having this information, we are able to tell the jury that the doctor's evaluation of you might not be a fair and unbiased one.

It is another example of how I try to fight for you. I have been doing it for over 30 years. Your case matters to me!

Do you think we are worth the call to 1-800-518-0050 or 412-281-8700 now?

CHAPTER 16

TRUST



If you are injured in an accident you may be reluctant to hire an attorney. Some believe the attorney will take advantage of them and they are hesitant to commit to one attorney as opposed to another.

There are 2 main reasons why you should call Attorney Bernard M. Tully at 1-800-518-0050 about your injury case.

The 1st is experience. I have been doing injury cases for over 30 years. I was an Assistant District Attorney for 5-1/2 years. I have handled thousands of injury claims successfully and I can do the same in your case.

The 2nd is you can trust us. Most of our new injury cases are from satisfied prior clients. If a client was not satisfied with our work, they certainly would not recommend us to their family members, loved ones and neighbors. They would just say that guy is someone you have to be careful about.

About 90% of our new injury cases come from satisfied prior clients. Why do you think that is?

As we mentioned before, over 7,000 former and current clients receive our FREE monthly Newsletter. They would not continue to refer us injury cases if they didn't trust us.

Trust is the key. We have, over the years, represented several police officers and their families in injury cases. Everyone knows you cannot fool a police officer. They have just seen too many phonies in their time and can spot them a mile away.

If many officers have trusted us with their cases, why shouldn't you?

You will know immediately from your initial phone call that you can trust us. I will tell you the way things are and what we can do to help you. Then I will try to get you the most \$\$ possible for your case.

If you think we are the law firm for you, call us now at 412-281-8700 or 1-800-518-0050.

The call is FREE and you will never pay us a dime unless we get you a recovery. No recovery/no fee applies to our firm in personal injury cases. No matter how

much we spend on your case in getting witnesses, experts, and depositions, until we get you \$\$ you will not owe us a dime.

Why not give us a call today?

WHAT IS THE NEXT STEP?

THANK YOU for taking the time to read this book.

Even though each case is different, the likelihood is I have handled a case similar to yours over my 30 plus years of being an attorney. Allow us to use what we have learned over the past 30 years to your benefit. Allow us to get you the most \$\$ possible for your case.

The best way to put into practice the ideas you read about in this book is to take that initial step of calling me. 30 plus years of trial experience. That is a lot of years doing just about every conceivable type of injury case.

Your next step is a simple one.

Call me at my 24 hour toll free number 1-800-518-0050 or 412-281-8700. Why not do it right NOW?

YOU WILL NOT BE DISAPPOINTED!

Thanks!

Bernard M. Tully, Esq.

Injury Attorney

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NOTES

HOW TO GET THE MOST \$\$ FOR YOUR INJURY CASE

Let A Former Assistant District Attorney With More Than
30 Years Of Trial Experience In Pennsylvania
Help You Get The Most \$ For Your Claim

"I'd like to take a minute of your time to say a few words about a SUPER GUY that happens to be an attorney. Attorney Bernie Tully. I call him Bernie. He is very professional. But he makes you feel like you're one of his own. My husband was in a car accident. And thank the Good Lord we were referred to Bernie. He came right to our house. We didn't ask him to. He told us that's what he wanted to do. That's the kind of guy Bernie is. You come first. Attorney Tully listened to my husband's situation. He respected every bit of what we had to say. After taking in all of our information and making us feel very confident that he knew the law inside and out, we were very happy to ask Attorney Tully to represent my husband. And what a great job he did!"

- Marlene D.

"Several years ago I had a very serious accident. I was recommended to Attorney Tully by a family member and I'm so happy I called Bernie. He was very helpful sorting out the craziness when I was not able to. His fees were extremely reasonable. He would call all the time to see how I was doing because that is how nice he is! It took me two years to recover. My future needs are not a concern for me now because of the settlement he was able to provide for me. I am so pleased with the outcome and very thankful to him for his caring and professionalism. I would recommend him to anyone, and I have!"

- Elaine C.



Bernard M. Tully

I have been practicing INJURY LAW for over 30 years. I am Pittsburgh born and raised. You and I probably root for the same teams. The Pittsburgh Pirates, the Pittsburgh Penguins and of course the Pittsburgh Steelers. Any team in Pennsylvania is my favorite team! A long standing joke in our office is that I am available to talk to my clients at any time, except when the Pittsburgh Steelers are playing.

Why Did I Write This Book?

I wrote this book to explain, in an easy non-lawyer way, how YOU can get the most \$\$ possible for the injuries you sustained in your injury case. Even if you do not hire us, use the ideas in our book anyway.

It doesn't matter whether you are involved in an AUTO ACCIDENT, a SLIP & FALL CASE, a PRODUCT LIABILITY CASE, a WORKERS COMPENSATION CASE, OR ANY OTHER TYPE OF CASE IN WHICH YOU WERE INJURED. In all of those situations, you are hurt and continue to suffer with problems from your accident. We do ALL those types of cases AND WE CAN HELP YOU!

Bernard M. Tully, Attorney At Law

428 Forbes Avenue
2301 Lawyers Building
Pittsburgh, PA 15219
(412) 281-8700
www.telltully.net



Price: \$14.95