

LAW OFFICES OF  
**ERNEST HOLZBERG & ASSOCIATES, P.C.**

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# *Legal Update*



Spring/Summer 2004

## In This Issue

This issue of *Legal Update* discusses steps accident victims can take to help get the maximum recovery. It also has tips for dealing with aggressive drivers, and it tells why making a personal injury claim does not automatically mean you will go to court.

If you have a question about any of the articles, please call us.

*Ernest Holzberg  
& Associates*

## How To Increase Your Compensation After An Accident

**I**f you get in an accident, what you do right away and during your recuperation affects the compensation you receive. Failing to take the right steps or keep track of key information can lower your compensation. Here are steps to take after an accident to help get the maximum you're entitled to obtain.

▲ Get witness information. An independent witness can be a big help, especially if there's a dispute over what happened. So be sure to obtain the name, address and phone number of all witnesses.

▲ Make notes of what happened. Include the time, place, weather and road conditions, and what occurred.

▲ Take photos. If you were in a car accident, take photos of the accident scene and cars. All accident victims should photograph their injuries, as these help show an insurance company or court the injuries you suffered.

▲ Save evidence. If physical evidence was involved in the accident, save it.

▲ Keep a record of medical expenses. Accident victims can recover money for

*Continued on other side*

## About Our Firm

We handle all types of personal injury cases, including:

- Auto Accidents
- Slip and Falls
- Medical Malpractice
- Product Injuries
- Work Injuries
- Lead Poisoning

**Free**

**Consultation**

**(212) 391-1139**

## Making A Personal Injury Claim: Will It Settle Or Be A Lawsuit?

**O**ne of the first things most accident victims want to know is whether their personal injury claim will be settled, or whether there will be a lawsuit.

Though no one can know with certainty what will happen in a specific case, most personal injury claims — over 80% — are settled.

Even though most injury claims are settled, a small percentage result in lawsuits. An insurance company may dispute aspects of a claim, so a lawsuit becomes necessary to get what the accident victim is entitled to receive. Even if a lawsuit is filed, it's unlikely

there will be a full trial, as cases can settle at any time.

If a lawsuit is filed, virtually all the work is done by your lawyer. For any tasks you may have, we will fully prepare you and help you when needed.

### ***If An Injury Occurs***

No one expects to be in an accident. But if you are in one, call us to find out about your rights. We will fight to obtain the maximum compensation for you.

Thank you for letting us serve your legal needs.

**Increase Your Accident Compensation**, *continued*

medical expenses. So keep track of doctors' bills, drug and therapy costs, and all other medical costs due to your accident.

▲ **Keep track of lost wages.** Lost income can be a large part of your recovery. So keep track of wages lost due to the accident. If you have a history of overtime or bonuses, include that in your records.

▲ **Keep a record of other ways the injury affects you.** If the accident causes you to miss family events or give up things you normally did, keep track of this. If you have pain and similar problems, note this too. You may be able to recover money for your pain and suffering and lifestyle changes.

▲ **Legal help.** Having a lawyer represent you helps increase

your recovery. Studies show accident victims who use a lawyer receive more money than those who do not.

▲ **Act soon.** The sooner you talk to a lawyer, the sooner an investigation can be made, evidence obtained and witnesses interviewed.

▲ **Don't settle too fast.** Many accident victims accept a quick settlement, but discover later they have more medical bills and other losses. Once you settle, you likely will not be able to recover money for additional losses. So don't settle until you know all your damages.

These are just some ways to help make sure you get all you are legally entitled to receive after a car or other accident. If you are in an accident, even a small mistake can reduce the amount you receive. Avoid problems by taking the right steps.

**Tips For Getting The Maximum Recovery**



- ✓ Get witness information
- ✓ Make notes on the accident
- ✓ Photograph the accident scene and your injuries
- ✓ Keep track of all your injury-related expenses
- ✓ Have a lawyer's help in making your claim

**Handling Aggressive Drivers and Road Rage**

If you see an aggressive driver, following easy rules can keep you safe and avoid accidents. They include:

- Stay away. You may be tempted to speed up and try to hold your own, but this is not wise to do.
- Avoid eye contact and gestures.
- If you think you are being followed, drive to a police station or a populated place like a mall.

**Thank You For Your Referrals**

Our firm receives many new clients as a result of referrals from current clients and other friends of our firm. We would like to express our deep thanks to everyone who refers family, friends and co-workers to our firm. We sincerely appreciate the trust and confidence you show in us by making these referrals.

Thank you for thinking of us when someone you know needs legal help. We will continue to strive to provide the highest quality legal service and representation to you and everyone you refer to our firm.

This newsletter is published for this firm's clients and friends. It has general information. Due to changes in the law, exceptions to general rules of law, and variations of state laws, seek professional legal advice before acting on any matter. ©2004 ANSI

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