

A man in a black polo shirt and jeans stands with his back to the camera, holding a white smartphone to his ear. He is looking at a blue sedan that has been involved in a severe front-end collision. The car's hood is crumpled, and its windshield is shattered. The scene is outdoors on a paved area with trees and a building in the background.

"I've Been in a Crash! **NOW WHAT?"**

Dealing With The Aftermath Of Your Collision

Gordon R. Levinson, Esq.

“I’VE BEEN IN A CRASH! NOW WHAT?”

DEALING WITH THE AFTERMATH OF YOUR VEHICLE COLLISION

Gordon R. levinson, Esq.

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Levinson Law Group

5927 Balfour Court

Suite 201

Carlsbad, CA 92008

(760) 827-1700

www.levinsonlawgroup.com

CLIENT TESTIMONIALS

“Mr. Levinson was able to get me not only the highest amount possible from an insurance company but was also able to get my medical bills lowered, giving ME the most paid out. Thanks Gordon, I will praise your lawyer skills from the top of the mountains.”

- Nicholas S.

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“Gordon Levinson and the Levinson Law Group are outstanding, competent and compassionate advocates in delicate times when you need law advice. Their integrity and ethics are without question. I cannot recommend this firm highly enough. My family found itself in a very difficult situation when my 9 year-old son was injured when struck by a car. They were incredibly helpful to my family during a very difficult time. In addition to the positive experience we had, I am also aware that their charitable foundation has provided support for local youth and other non-profit organizations through the generous contributions of their foundation to our local community.”

- Lisa C.

.....

“Mr. Levinson is an extremely knowledgeable, detail-oriented, organized and personable attorney. He works very hard at what he does and produces positive results, but more importantly, he always takes the time to make his clients feel relaxed and important, and fully aware of all aspects of their cases. I would highly recommend Gordon Levinson to anyone needing a strong and ethical personal injury attorney.”

- Rachel L.

.....

“Attorney Levinson gets the job done for his clients. Call him.”

- Mark B.

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AUTHOR INTRODUCTION

Gordon Levinson knows car crashes. He has successfully represented more than 3,500 people and won almost thirty million dollars for his clients over a nineteen year span.

Before he founded the Levinson Law Group, Gordon was an insurance defense litigator and an associate in several law firms between 1996 and 2003, then a partner in a personal- injury practice between 2004 and 2007. Since then, Gordon has owned and operated the Levinson Law Group—a practice that specializes in representing victims of life-altering tragedies, or their aggrieved loved ones, in cases involving high-speed and high-impact vehicle collisions.



The missions of the Levinson Law Group are:

- (1) To make the community safer by fighting back against drunk texting and reckless drivers who cause harm;
- (2) To make the community better through charitable giving and volunteer work; and

(3) To support clients through hardship and injury caused by tragic vehicle collisions.

In all, Gordon has appeared or submitted briefs in more than 30 county superior courts, 3 federal district courts, 3 state courts of appeal, and the state Supreme Court. He is an accomplished trial attorney and is dedicated to advancing the best interests of his clients, and the safety of his community.

Gordon has taken the Levinson Law Group from a little-known local firm to a 5-star practice adored by his clients on Yelp and AVVO, and recognized in San Diego County as a top firm. When you retain the Levinson Law Group to represent you after a vehicle collision, you are putting years of experience and insurance industry insider information on your side.

Gordon is also a community leader heavily involved in charitable giving through the Levinson Foundation, a longtime supporter of Mothers Against Drunk Driving (MADD) and a member of MADD's Advisory Board.

Gordon earned his Juris Doctorate degree from the University of San Francisco School of Law in 1996, where he was a member of the Law Review and a decorated Moot Court competitor. He represented USF School of Law in a notional moot-court competition and received the highest individual score—a perfect 100—in the entire competition.

Outside of the office, Gordon is a musician, surfer, husband, and father. He enjoys coaching youth basketball, traveling, and spending time with his family.

THIS BOOK WAS WRITTEN FOR YOU

This book was written for anyone who has ever been injured or lost a loved one in a vehicle crash, only to then suffer insult on top of injury when the adverse insurance company treated them unfairly.

If a loved one has been tragically killed in a vehicle collision, or if you were involved in a high-speed or high-impact collision that was not your fault, then this book will provide answers to many of your most pressing questions.

As a result of the crash, do you now suffer from fractured bones, a ligament injury, chronic pain, post-concussion syndrome, or a brain injury? Are your injuries disrupting your life? Are your injuries causing problems at work? Is your car incurring unnecessary storage fees at a tow yard? Are you getting the runaround from an insurance company? Are you lying awake in bed at night wondering who's going to pay for all this?

If these are your issues, you may have a legal case, and this book provides important information you need to know.

WHAT ARE THE FIRST STEPS I SHOULD TAKE IF I HAVE BEEN IN A CAR CRASH?

After a crash, the two most important things you need to do are to seek immediate medical attention and to retain legal counsel.

If you get into a crash on the roadway, and if you are not disabled, do the following: first, immediately get to a place of safety.

Your first priority should be to avoid getting hit by another car speeding by your crash scene. Call the police, call for an ambulance, and call for roadside assistance as quickly as possible. If it's possible, exchange information with the other driver, and only if it's safe to do so, take some pictures.



Nowadays, most people have smart phones which are quite convenient in situations like this, so if possible and only if you are in a place of safety, take pictures with your smart phone of the damage to your car, the damage to the other car, the crash scene, and the roadway.

Were there skid marks on the road? Were there no skid marks on the road? Take pictures of that. Take pictures of the other person's driver's license, registration, license

plate, and insurance card whenever possible. But engage in these kinds of investigation steps only if it's safe.

After a car crash, people are often offered an ambulance ride. It's at this point that most people start thinking about money. "Is the ambulance going to be covered by my medical insurance?"



Understand that EMTs who drive and operate ambulances have medical training and have medical equipment aboard the ambulance. You don't know if you are suffering from internal bleeding or a broken rib cage or some other life-threatening, potentially fatal injury.

Don't be a cheapskate. Take the ambulance ride.

If you don't take the ambulance ride you may be putting yourself in harm's way and not even know it. Be sure and go to the emergency room after a car accident whether or not you think you may have a life-threatening injury. At the emergency room doctors will conclusively rule out life-threatening conditions and broken bones.

Once you are in the emergency room, it is critical that you describe your symptoms accurately and completely to the doctor. Do not leave out symptoms. Describe them all. The doctor will later prepare a record of this encounter. If you leave out symptoms when talking to the doctor, those

symptoms will not appear in your medical record. And that record is the best evidence of the injuries you sustained. Evidence you will need later when you make your damage claim for bodily injuries. So be thorough.

The other reason it pays to be thorough is that your doctors need complete information to diagnose and treat your injuries. So be sure and tell them everything.

Also, be sure and follow your doctors' recommendations for treatment and follow-up care. Acquire and take all prescribed medications. Schedule and attend all suggested follow-up appointments. Doing so is good for your health and your future case.

Retain legal counsel as quickly as possible. Legal cases have deadlines, so don't delay. Be sure to select an attorney who has been referred to you by someone you know and trust. Or be sure to select an attorney with a reputation for excellence and honesty.

Do not give a recorded statement to the insurance companies. The reason they want a recorded statement is that they hope you will say something that hurts your case. Don't give it to them. Consult an attorney first.

Lastly, don't accept the lowball offer you are sure to receive and don't sign away your rights. The insurance company is hoping you will settle fast and cheap. But as Elvis Presley sang: "Only fools rush in." Don't be a fool. Seek counsel.

WHAT SHOULD I DO TO PROTECT MY LEGAL RIGHTS?

If you are about to pursue a bodily-injury claim against an insurance company, you are about to go to war. You have to understand that the insurance company is a for-profit corporation whose sole mission is to pay you as little money as possible.



Do not assume the insurance company will be fair and reasonable. You have to understand that the insurance company will treat you like you are basically committing fraud simply by asserting your legal right to compensation.

Insurance companies have built-in systems to detect fraud. Therefore if you are going to be making a claim for monetary damages, behave like a person who is actually injured would behave. There are some basic do's and don'ts to consider here.

Do get prompt medical attention. It helps your injuries and it helps your case. People who are really injured don't wait a month after the crash to see a doctor for the first time. Nothing kills a good case like delayed medical treatment.

Do follow your doctor's orders. If your doctor recommends an MRI, get an MRI. If your doctor refers you to a spine surgeon, go see a spine surgeon. People who are really injured follow doctor's orders.

Don't miss medical appointments. Missing medical appointment shows a lack of commitment to your healing.

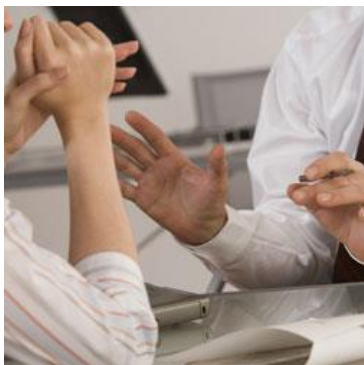
The insurance company will naturally argue that you are not injured and they will accuse you of fraud. Behave like a person committed to their healing would behave by making sure you make all of your medical appointments.

Do not give a recorded statement to the insurance company. Often in these crashes, insurance companies call the people involved in the crash immediately and ask for a recorded statement.

That is when you are most vulnerable, right after the crash. You haven't had enough time to gather your thoughts and the next thing you know you are being put on the record by the insurance company and giving them evidence. The whole point of asking the crash victim to give a recorded statement is to trick the person into saying something stupid that may hurt their claim.

For example, often insurance adjusters ask people involved in crashes if they are "injured" and many people answer: "Well, I wasn't injured." They were thinking that by "injured" the insurance company means "did you have a broken leg or are you bleeding profusely," or something like that, when in actuality your injury may be more subtle or latent and it may take a couple of days before you realize that your neck is seizing up and in spasm.

Even though you were actually injured, you have answered: "No I was not injured," on the recorded statement. So later the insurance company will throw that in your face and say: "We asked you immediately after the accident if you were injured and you said 'no,' but now you're trying to assert this bodily injury claim." The insinuation is that you are committing fraud.



It's always smart to decline the recorded statement until you have spoken with an attorney. And never give a recorded statement to an insurance adjuster who calls immediately after an accident.

Don't talk about the crash on social media if you are intending to pursue a bodily-injury claim. This is very important. In the old days insurance companies used to use private investigators who would hide behind trees and take video recordings of people playing golf or tennis who claimed that they were injured or disabled. Nowadays social media has become the new battleground for this particular war.

The insurance company will hire an investigation firm to perform a social media audit on you. So if you have a Facebook profile, a Twitter profile, an Instagram profile, or any other social media profiles, after you've been in a crash

assume the insurance company is monitoring all of these social media profiles.

Don't think that you are safe simply because you have privacy settings set on your social media profiles. The insurance companies are pursuing any means necessary to snoop on your social media without your knowledge or permission.

It's critical to think like an insurance company before posting on social media. Don't post about athletic accomplishments. For example, if you claim you have neck and back injuries, then don't post about recently running a 10K marathon or breaking your gym's record for pull-ups. It looks suspicious. It looks bad.



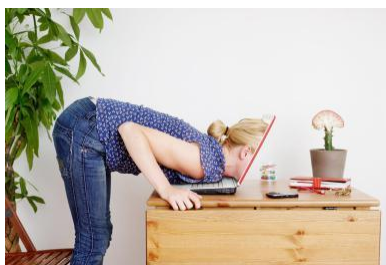
Don't post about engaging in high-risk activity such as riding roller coasters, bungee jumping, parachuting out of an airplane, or skateboarding.

Don't post party pictures on your social media profiles. This has to do with your credibility as a trial witness. Assume that the insurance company is snooping on your social media. If they see pictures of you and your buddies taking tequila shots in a bar or attending a bachelor or bachelorette party in Las Vegas or whatever the case may be, it looks bad.

The insurance company may later reduce the value of your claim by sending you screenshots of those pictures and insinuating that a jury would think that you were an immoral person, and it actually does hurt the value of your claim.

Keep your social media profiles rated G the entire time that you have an open insurance claim. If you can, take a social media hiatus altogether and simply refrain from posting.

If you just can't resist engaging in social media, post about other people, not about yourself. For instance, put pictures on your social media profiles of your spouse or loved one or children and their accomplishments and athletic achievements. Like or comment on other people's posts, but refrain from affirmatively or proactively posting about yourself.



Should you call a lawyer? Absolutely! Don't think you can handle it by yourself.

Insurance industry survey results have shown that claims settle for far more money when asserted by attorneys than non-attorneys.

This should not come as a surprise. It takes four years of college, three years of law school, and successfully taking the state bar exam to practice law. Why would you think

you can do it without all of that training? Insurance claims are essentially precursors to lawsuits. Hire a professional and make sure your case is handled correctly.

Don't speak with or encounter the other parties involved in the crash. Nothing good can come of these encounters. Resist the temptation to blame the other person, or exact revenge on them. You may be exposing yourself to criminal liability for assault, and you may get hurt. Hire an attorney and let the professionals represent the parties involved.

The one exception to this rule is that I believe it is okay to send flowers and a card saying something like: "Get well soon," or "I hope you were not critically injured in the crash." But under no circumstances should you mention fault in the greeting card—yours or theirs—or anything at all to do with the facts of the crash and how it occurred. You may inadvertently say something that will hurt your case.

But I do believe that expressing compassion is appropriate and will be well-received. One of the most common things people tell me is: "The other person never even asked if I was okay." Be the bigger person. Send flowers.

WHAT MAKES A STRONG PERSONAL-INJURY CLAIM?

If your car sustained major property damage in the crash, your case has the perception of a winner. Jurors simply believe that people were injured when the pictures of the vehicles involved in the crash show major property damage.

Now, note that there really is no medical correlation between the amount of damage done to a car and the potential for injury to the human. This is a perception thing. If your case involves major property damage you probably have a strong personal-injury case.



If your case involved clear or undisputed liability such as a rear-end collision, you have a strong or potentially strong personal-injury case.

Other factors that make the case stronger are if you were ambulated away from the scene of the crash. It simply looks more legitimate if you took an ambulance ride. It's also safer because you have access to medical equipment and knowledge.

It's a stronger injury case if you are seen in the emergency room the day of the crash. It is also common sense. It is in

the interest of your own health and safety as well as your case.

If you have objectively verifiable injuries such as injuries that show up on an x-ray or an MRI or a CT scan, you have a stronger injury case. Many people have legitimate injuries to their neck or back that do not show up on an x-ray or an MRI. However, jurors are more likely to believe that you have a bona fide injury if your injury is objectively demonstrated on diagnostics.

Your injury case would be stronger if you do not have unexplained gaps in your treatment timeline. It's important to promptly seek medical treatment and to commit to a course of treatment that is both consistent and timely. For instance, if your chiropractor recommends treatment three times a week, do it. It's better for your health and it's better for your case.



The injury cases that have the best potential for large economic recoveries are the injury cases that involve high insurance coverage limits. This is something that you cannot control after the crash, but if you are fortunate or smart enough to have high coverage limits (especially uninsured and underinsured motorist coverage) you have a case with a lot better potential for a meaningful economic recovery.

Cases where the claimant lacks pre-existing conditions are also usually stronger. This is something that is also out of your control. Either you have pre-existing medical conditions or you don't, but if you were pretty much symptom and injury free until the car crash and now you have injuries and symptoms, your case has an aura of believability.

However, some pre-existing conditions can actually make for a stronger personal-injury case. For example, arthritis, fibromyalgia, a prior neck surgery or similar conditions can be exacerbated in a trauma caused by a car crash. If you have diabetes, arthritis, fibromyalgia, or prior surgeries and then you get involved in a car crash, the odds are that your injuries will be more severe than somebody without those pre-existing conditions. So some pre-existing conditions can actually make a case stronger.

It helps if you have relatively few or no prior insurance claims on your record before your crash. Some people are relentless claimants and make numerous workers compensation or bodily-injury claims throughout their lifetimes. Those prior claims always result in lower credibility, so if you are somebody



without those kinds of prior insurance claims or very few such prior insurance claims, your case will be stronger.

It's always good to show dedication to your treatment, so consistent regular medical treatment after a car crash always makes for a stronger case.

It helps if you're a likable plaintiff, so don't be argumentative on the phone with the insurance adjuster. Be humble, be truthful, don't be somebody who exaggerates about their injuries, and don't be somebody who butts heads with the insurance adjuster on the phone.

It's very important to understand that insurance adjusters are simply people, and if they are on the phone with you and they like you, your case stands a better chance of success than if they don't like you. This is just human nature. Display gratitude. Gratitude for not having injuries that were worse, and gratitude that you were not killed in the crash.



Gratitude is one of the most positive human expressions. People who display gratitude on the phone with insurance adjusters are often rewarded by larger settlements.

Don't be greedy, defensive, arrogant, argumentative, vengeful, or sarcastic. Those are traits that turn most people off. In every encounter with the defense lawyer or the insurance adjuster, be polite, truthful, grateful, pleasant, and cooperative. It's the right way to be, and it will pay off in the end.

WHAT CAN I DO TO HELP MY LAWYER GET A BETTER CASE OUTCOME?

From the day of the crash forward keep a journal. This has to do with gathering evidence. Keep a journal that tracks the symptoms that you are experiencing. Try to rate your symptoms on a scale from 1 to 10. Try to be thorough and talk about all of your symptoms in your journal.

Be sure and bring your journal to your doctor's offices and report your symptoms and what you have written in your journal to your doctor so that those journal items get into the medical records. Keep track of all the healthcare providers that you see.



One of the worst things in my practice is when my clients don't remember all the healthcare providers that they've been to.

Your lawyer will need to go get the medical records and bills from all the providers that you see during your treatment. If you lose track of or forget some of those healthcare providers your demand package will be incomplete, so it's vital during your injury claim to keep track of all the healthcare providers and facilities that you go to so that you can assist your lawyer in getting a complete record of your treatment.

Keep track of specific ways that the injuries have affected your life. I always love it when my clients give me specifics such as: "My injuries caused me to miss a prepaid vacation," or "my injuries caused me to miss a family reunion or my niece's graduation." These are once-in-a-lifetime events that have monetary value in the settlement, but have zero monetary value if your lawyer didn't know about them.

Assist your lawyer by keeping track of your pain, suffering, and inconvenience, and the general loss of enjoyment of life. Cite specific examples, such as: "I no longer find enjoyment while mowing the lawn. My pain levels increase when I do housework." Also, tell your doctor about those specifics and make sure they get into your medical chart. Doing so will help your lawyer have more ammunition when negotiating your settlement.

Keep track of medications that you take. These can be costly out-of-pocket damage items that if not tracked will not get into your damage claim.

Additionally, keeping a complete record of the medications you take will make your case more convincing. For example, it's more convincing to argue that somebody experienced pain and suffering if their doctors prescribed Oxycodone or Percocet or Norco, but if there is no record that you actually took those powerful pain medications then the case is less convincing. It is up to you to keep track of all such medications.

Keep track of self treatment. For example, did your doctor prescribe that you wear a hard cervical collar? If so, make sure that you keep a record of that. Maybe take a picture of yourself in the collar. Are you engaging in putting ice packs on the injured parts of your body? Keep track of that, tell your doctors and make sure the doctors put it on record.

Keep track of lost earnings. If you have been ordered off work by your doctor get a copy of the doctor's note taking you off work. That is evidence in your case. Next, keep track of all the days that you missed work. Even if you used sick days or vacation days, you may be entitled to the daily rate of your compensation, so keep track of all days that you took off from work.

Be sure to keep track of all out-of-pocket expenses that you incurred, as they may be part of your damage claim.

Be sure to stay off of social media or to keep your social media posts about other people, not about yourself. Do not talk about the crash on social media. Keep your social media posts suitable for people of all ages, what I call rated G, and refrain from talking about athletic accomplishments or other activities that would suggest that you are not as injured as you claim you are.

Keep your lawyer apprised of any new information. For example, if you move, tell your lawyer your new address. If you have been referred to a specialist like an orthopedic surgeon or a neurosurgeon or a pain management specialist, make sure your law firm knows about that.

Remember, your lawyer has to go get records and bills from every healthcare facility that you attend. So if you have been referred to a new specialist, do not assume your lawyers know about that. Tell them.

Tell your lawyers if you're involved in a subsequent crash. For example, let's say that you are injured in a crash on January 1 for which you are represented by a law firm. If on February 1 you get into a new car crash or other type of injury-producing event such as being injured in an intramural volleyball game or while riding off-road vehicles in the desert, tell your law firm. They need to know about any subsequent injuries that you suffer.

Those injuries generally hurt your case and if the insurance company finds out about them, they are going to argue that your injuries all stem from this second or subsequent event and not the first event for which you are being represented by the law firm. So whenever there is a subsequent injury, tell your law firm about that so they can deal with that information.

Make sure that you dedicate yourself to your medical treatment. Nothing hurts a case more than somebody who is not committed to their medical treatment and misses appointments or has long, unexplained gaps of time between doctor visits. So be sure to commit yourself to your treatment by being a model patient. Follow all your doctor's orders.

All of the above are ways in which you can help your lawyers get a better case outcome for you. Success does not happen by accident. It is usually the result of coordinated effort and teamwork. Don't forget, you are part of your own success team. Your team also includes your doctors and your lawyers. But you are the only one in control of your effort and your attitude. So be an excellent team member and do your job to the best of your ability.

WHAT KIND OF AUTOMOBILE INSURANCE COVERAGE SHOULD I HAVE?

One of the most important categories of insurance coverage in an auto policy is uninsured and underinsured motorist coverage. Never assume that the person who caused the car crash has insurance or has enough insurance. Nobody protects you like you.

Therefore, before you get into a crash to begin with, max out your uninsured and underinsured motorist coverage and have as much as you can afford. If the other person has no insurance or inadequate insurance then your uninsured and underinsured motorist coverage will be the only source of insurance proceeds available to compensate you for your injuries.



Make sure that your auto insurance has med pay, sometimes referred to as PIP coverage. Med pay or PIP coverage generally pays for things that typical health insurance doesn't cover. For example, co-pays, patient responsibility, deductibles, medications, and chiropractic treatment. If your policy does not have PIP or med pay coverage, get it.

Get an umbrella policy. These are optional insurance policies that some people have and most people do not

have. If you are a homeowner it is particularly important that you get an umbrella policy.

Umbrella policies are excess layers of coverage, often in the millions of dollars that surprisingly cost very little money to buy. They extend the limits on your auto policy and your home-owner's policy, and whenever possible and if the insurer offers it, make sure that your umbrella policy extends your uninsured and underinsured motorist coverage as well as your liability coverage.



Again, uninsured and underinsured motorist coverage is for you when the other person has no or inadequate insurance. If your umbrella extends your uninsured and underinsured motorist coverage, then you will have up to the full limits of your umbrella coverage (usually in the millions) PLUS the full limits of your uninsured and underinsured motorist coverage available to compensate you for your injuries and your lost earnings. This can be critically important if your injuries are serious or disabling.

In California, one out of four drivers on the road is uninsured. Think about that. As you drive down the road, someone in front of you, behind you, to the left of you, or to the right of you has no insurance. If they injure you in a crash and you do not have uninsured and underinsured motorist coverage, you will be out of luck.

THE INSURANCE COMPANY IS NOT YOUR FRIEND

When it comes to paying bodily-injury claims, insurance companies generally employ a strategy known as the three D's: delay, deny, and defend.

First, delay. You may notice when you're making an insurance claim that it seems to take forever to resolve. The insurance company might reassign the file several times



to a new adjuster so you may experience talking to a new adjuster who tells you they are not familiar with your file, and that they will have to review it and get back to you. You may experience that the insurance company refuses to return your phone calls for weeks on end.

That sort of delay has a built-in economic incentive to the insurance company. Simply put, the insurance company is holding on to your money as long as it can because it's making interest on your money in its bank account.

If you're thinking to yourself that is unlikely, after all the delay of six months of paying your claim might result in the insurance company earning \$0.17 of additional interest or something nominal like that, well you are forgetting that your claim is one in millions across this country. If the insurance company is earning nominal sums on millions of open claims that could be open for years, those nominal

sums aggregate into literally millions of dollars, so there is a powerful economic incentive for the insurance company to delay giving you your money.

Secondly, insurance companies tend to deny claims. By denying the claim they are actually delaying the inevitable payout earning further interest on your money and doing so may result in many claimants simply giving up and going away, in which case the insurance company gets to keep all your money without paying you anything.



Finally, they engage in a tactic known as defend. In other words they may offer a very small amount to satisfy your claim or deny your claim altogether which would encourage claimants to have to file lawsuits. The insurance company then defends the lawsuit, often denying liability right up until mere weeks before trial and then they make an about-face and suddenly admit it was their fault and offer a settlement. This tactic is designed to discourage claimants, and many will give up along the way and the insurance company gets to keep your money.

Retaining a law firm to represent you is the best approach because it evens the playing field. The insurance company has plenty of lawyers on its side. Put one on your side to make it a fair fight.

THE DEFENSES INSURANCE COMPANIES USE TO AVOID PAYING INJURY CLAIMS

There are five classic defenses that we see insurance companies employ. The first is to attack causation. In other words, to imply that the crash that you were involved in could not have caused the injuries that you claim that it caused by pointing out for instance that your car may have sustained minor property damage.



If a car merely incurs \$500 of damage in the crash, the argument goes that the crash could not have caused the injuries that the claimant alleges.

Insurance companies also point to what they call gaps in treatment. Let's say you were involved in a car crash on January 1. At first it seemed as though you weren't injured, so you didn't go to the emergency room right away, but then three or four days later your neck and back stiffen up to the point where you are now concerned and go to the emergency room.

After your discharge from the emergency room you may be given instructions such as: "Return to your primary care physician as needed." You take the pain medication and the muscle relaxants prescribed in the emergency room and

think that this pain and stiffness will go away on its own. After a month or so when you realize the pain and stiffness are not going away you then finally return to your primary care physician.

All you were doing was following doctor's orders and trying not to run up unnecessary medical expenses, but later when you're trying to argue that you have a righteous claim the insurance adjuster will say: "Well, what are these unexplained gaps in the timeline? It looks like you delayed three days getting to the emergency room and then it looks like you delayed another month before you finally saw your doctor."



From this, the insurance company will infer that you were not hurt at all and therefore offer you a very small amount of money.

Additionally, insurance companies will argue that you received excessive or unnecessary treatment. For example let's say that after your crash you went to your primary care physician. Your primary care physician, out of concern for your health, ordered an MRI and then sent you to a pain management specialist.

You may face the argument by an insurance adjuster (who is NOT a doctor) that the MRI was not medically necessary. That is a common ploy that insurance companies use by

second-guessing medical decisions even though they have no medical training whatsoever.

Another tactic they use is accusing you of having pre-existing conditions. Let's say you fell off a horse two years before your car crash and strained your lower back. In the two years since the fall your lower back healed completely and you no longer have any symptoms. Then later you are involved in a car crash in which you injure your lower back again.



The insurance adjuster might argue that the pain you are experiencing is really connected to the horse fall and therefore not the fault of their insured at all and offer you little or no money as a result.

The fifth classic insurance ploy we often see is where the insurance adjuster accuses your lawyer of "building up" the case, which insinuates that your lawyer referred you to multiple doctors with the goal of artificially inflating the total amount of medical bills to manufacture a bigger damage claim.

Usually, when claimants obtain medical service paid for by giving the healthcare provider a lien—a right to collect—against the third-party settlement, that's when we see insurance adjusters argue that the case is "built up."

But that argument is most often unfair. Even if you have medical insurance, there may be many legitimate reasons you chose not to use it, and chose instead to obtain healthcare service on a lien.

For example, your medical insurance might not cover the treatment you need—like chiropractic care—which is not covered under most health insurance plans. You might have a high deductible and cannot afford to pay it.

Your health insurer might delay approval of the treatment you seek—an MRI or a visit to a specialist—and the same treatment is available with no delay on a lien.

The best approach to obtaining medical treatment after a crash is to only get treatment that is reasonable and necessary. If using liens is preferable to using your health insurance, use liens. If using health insurance is preferable to using liens, use your health insurance.

If you are sincere in your approach to your treatment, you will have nothing to hide. Never exaggerate your symptoms or seek unnecessary treatment, and you should not have anything to worry about. But that still might not prevent the insurance company from accusing you of building up your claim.

Your best response to all of these defenses is to retain counsel. Survey results have confirmed that insurance claims are far more successful when the claimants are represented by attorneys.

THE THREE THINGS THAT INSURANCE COMPANIES DON'T WANT YOU TO KNOW ABOUT YOUR CLAIM

There are three main things that insurance companies don't want you to know about your claim. Number one, you are being judged. The insurance company is looking for fraud. This is understandable. If you owned an insurance company, wouldn't you employ a system to detect fraud? Of course you would. I would. It's only natural.

As mentioned above, one of the things insurance companies are looking for is minor property damage resulting from the accident. The implication here is that if there was little damage done to the car there must be little potential for injury to the occupant of the car.



They are also looking for delays and gaps in the medical treatment timeline as a way of inferring that you must not have been hurt at all if you delayed medical treatment.

Another thing they are looking for is the credibility of the claimant as a trial witness. Now, this one seems totally unfair. If you are somebody who has tattoos visibly covering your entire body or a felony in your criminal background, yet you were involved in a high-speed, high-impact injury producing car crash, the insurance company may point to the tattoos or the felony and offer you very

little money for your injury by insinuating that you would make a bad witness at trial.

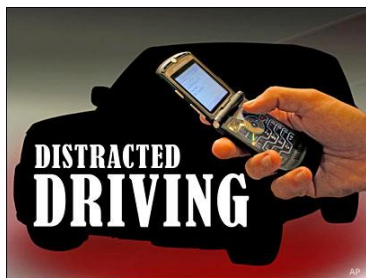
The third thing that insurance companies don't want you to know about your claim is that a computer program will likely review your claim, instead of a human being.

Fifty percent of insurers nationwide use a computer program called Colossus to evaluate claims. If people knew that their claim was going to be evaluated by a computer program as opposed to a human being it would probably shock them.

My firm has researched Colossus for the last ten years. Over that time, we have learned what makes it tick. When you retain our firm to represent you, one of the benefits you receive is that we understand how to give Colossus what it wants. This is not trickery. All Colossus really does is place monetary values on numerous aspects of your bodily-injury claim. But we know which aspect of your claim to emphasize, and why Colossus places more value on some claims than on others.

THE LEVINSON LAW GROUP IS DEDICATED TO FIGHTING BACK AGAINST DISTRACTED DRIVERS

Distracted driving has become a deadly epidemic in this country. It's getting worse every year. According to the National Highway Transportation Safety Administration, the NHTSA, in the year 2012, 3,328 people were killed by distracted drivers, 421,000 people were injured by distracted drivers, and those numbers are probably double because the statistics utilized



in the NHTSA survey were based on self-reporting. In other words, the people who caused the accident would have had to admit that they were driving while distracted during the accident in responding to the survey.

Most people who have caused accidents while driving distracted would probably lie or neglect to mention it. Those numbers are therefore probably artificially low. The highest incidence of crashes caused by distracted driving occurs in the age group of 15 to 19-year-olds. Our young people are putting themselves and the public at great risk by engaging in distracted driving.

It's my law firm's mission to take a stand against what has truly become a national epidemic.

WHAT EXACTLY IS DISTRACTED DRIVING?

Distracted driving can be many different things. Most commonly people think distracted driving means driving while talking on a cell phone or driving while texting. In reality, there are many other activities that one can engage in while driving which would distract the driver and make the driver more prone to crashing.

Examples of distracted driving include emailing and browsing the Internet while driving. People can become distracted by passengers in their car having a conversation or listening to conversations, eating or drinking while driving, reading while driving, using a GPS system while driving, adjusting music, dealing with pets or animals in the car while driving, or putting on makeup while driving. These are just some of the examples of what people do while behind the wheel when they really shouldn't.

It turns out, according to the NHTSA, that cell phones are involved in 1.6 million car crashes per year, and texting while driving has replaced drunk driving as the leading cause of death among teens in vehicular death incidents. Twenty percent of all teen vehicular deaths involve texting while driving. At any given daylight moment, 660,000 drivers are using cell phones or other electronic devices while they are driving, according to the NHTSA.

WHY HAS THERE BEEN AN INCREASE IN DISTRACTED DRIVING?

People simply don't know how dangerous it is. Think about this: The average text takes about five seconds to send. If you are operating a car at 55 mph, in five seconds you will have traveled 100 yards. That is the equivalent of driving the length of a football field while blindfolded and going at 55 miles an hour. You would never dream of driving a car 100 yards at 55 miles an hour while blindfolded, so why would you think it's okay to send a text?

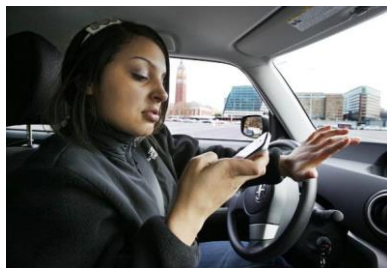


Survey results show that 50% of drivers admit that they answer incoming calls while driving and 25% of drivers are willing to place a call while driving. That means that of the 212 million licensed drivers in America, 106 million people admit to answering calls while driving and 53 million people admit to placing calls while driving. Those numbers are probably double because those statistics are based on self-reporting.

Additionally, 50% of drivers that talk on the phone actually believe that their driving is no different while talking on the phone. Remarkably, 5% of drivers even believe they drive safer while talking on the phone. They believe that since they are so focused on having a conversation while driving

that naturally that focus would translate over into the act of driving itself, which is complete nonsense because we know that people who talk on the phone while driving are dedicating the majority of their brain cells to the conversation and their driving falls off significantly.

Thirty-three percent of drivers who text or email while driving believe there is absolutely no difference in their driving, 77% of teens are confident in their ability to drive while texting, 55% of teens believe driving while texting is easy or no big deal, and 20% of all drivers admit to browsing the Internet while driving. Imagine that! You are driving on the road and in the car next to you the driver may be purchasing a book on Amazon while operating their car.



The reality is that distracted driving in general makes you three times more likely to crash but texting while driving makes you 23 times more likely to crash. Twenty-five percent of teens respond to a text once or more every time they drive; 20% of teens and 10% of adults admit to having extended multi-text conversations while driving. It is no wonder, then, that distracted driving is on the rise in this country due to this widespread ignorance among the population.

HOW IS THE LEVINSON LAW GROUP A SOLUTION TO THE PROBLEM OF DISTRACTED DRIVING?

We are the civil penalty for distracted and drunk driving. If there were no consequences for impaired and distracted driving, what would deter the offenders from repeating their actions? If you cause harm while driving distracted, there ought to be some sort of consequence. The civil damages you pay for causing harm are the consequences.



In the case of drunk driving, the consequences may also include incarceration. However, my law firm supports the fight against distracted and drunk driving by being part of the solution. We are the economic disincentive for driving while drunk or distracted.

Drunk driving is a deadly national epidemic in this country that never seems to go away. According to Mothers Against Drunk Driving and the NHTSA, every 120 seconds somebody will be injured in a drunk-driving crash. Everyday 300,000 people drive drunk, yet less than 4,000 will be arrested.

Fifty percent of drivers killed in crashes tested positive for both drugs and alcohol, 28 people a day die as a result of drunk driving in this country, 50 to 75% of convicted drunk drivers continue to drive on a suspended license, on

average two in three people will be involved in a drunk driving crash in their lifetime, and in 2013 10,076 people died in drunk-driving crashes. That's one every 52 minutes.

What Role Does The Levinson Law Group Play In The Face Of This Overwhelming Problem?

My law firm is there to support our clients who are the victims of these horrible life-altering tragedies. Our support can take many forms. For example, we encourage our clients to pursue



American Medical Association approved medical treatment for their injuries. We provide a clear plan to obtain relief. We supply a team of compassionate professionals that act as a support system for our clients during the aftermath of a car crash. We are a reliable ally to our clients.

We return phone calls promptly, giving our clients confidence and support. We level the playing field against the insurance companies. Insurance companies are multibillion-dollar corporations that have limitless resources and teams of trained insurance adjusters and lawyers at their disposal to take advantage of claimants and essentially to pay them as little as possible for their injuries. We, through our training and experience, level the playing field by affording our clients the benefit of our knowledge and experience.

We support our clients by handling all the red tape that is involved in one of these crashes. We insulate our clients from having to deal with insurance adjusters, the police, hospitals, and auto body shops by handling all that for them, providing a buffer zone where our clients can simply heal from their injuries in solitude. We are the civil penalty; if wrongdoers suffer no consequences for their actions, nothing will deter them from repeating those actions. We provide support for the victims and their families and act as a deterrent in the community.

HOW MUCH DOES LEVINSON LAW GROUP CHARGE FOR ITS SERVICES?

We accept cases on a contingent fee. That means that if we recover no money on your case, either by judgment or by settlement, you pay no fee. It's that simple and it's guaranteed.

**NO WIN
NO FEE**



You only pay our fee if we win or settle your case and make a positive economic recovery. If we do not win or settle your case for a positive economic recovery you owe us nothing for the time we spent working on your case guaranteed.

Additionally, we might advance costs on your behalf to prepare your case for trial. Such costs might include the cost of the traffic collision report, copies of your medical records, court filing fees, process server fees, expert fees, private investigator fees, and so forth. If we win your case by judgment or settlement and make a positive economic recovery, then our advanced costs are reimbursed to us. Just like our fee, if we do not win or settle your case for a positive economic recovery, you owe us nothing and the costs we advanced on your behalf will be waived.

Why do we do business like that? Why do we assume all the economic risk in the transaction and represent members of the public for a contingent fee and advance case costs, yet

waive reimbursement if the case is not successful? Because we believe in securing justice for all members of society, not just the people who can afford to pay lawyers by the hour.

We believe that if we charge for services by the hour and recovered our costs whether we win or lose then only the richest members of society would be able to afford our services, and that is not fair.



By offering our services on a contingent fee we level the playing field so everyone can afford legal representation and fight against the biggest insurance companies and corporations in the world. Justice should be available to everyone, rich and poor alike, and cases should be decided based on who was right and who was wrong, not based on who can pay their lawyers the most money.

MORALITY AND PERSONAL INJURY CLAIMS

Some people believe that there is a moral dilemma involved in making an insurance claim, even if they were the victims of someone else's negligent driving. To them I would say there is no moral issue when it comes to asserting a righteous insurance claim.



If you have been injured by somebody else's negligence and that person has paid insurance premium for years and years to an insurance company to assume the very risk that they go and injure somebody, then simply asserting your rights to be compensated does not involve opportunism or immorality whatsoever.

Why should the loss lie with you, the person who was innocently driving their car and injured by somebody else's negligence? The insurance company has been paid millions of dollars to assume the risk that their customer may hurt somebody. If that somebody is you, then you should shift the loss from you to the insurance company who has been paid often thousands or millions of dollars to assume that very risk. Our system is rooted in civility. We resolve our disputes among our citizenry with the court system and through insurance.

If our system were uncivilized, you would seek vengeance against the person who crashed into you by harming them or their property. That is not an acceptable solution. Asserting the insurance claim is a civilized way of resolving the civil dispute and there is no immorality involved in doing so. Only if you exaggerate your claim or assert a fraudulent claim would that be immoral.



At the Levinson Law group we take a very firm stand against fraud and never advise our clients to exaggerate their injuries or symptoms. We only ask that they correctly document the true symptoms they are actually incurring and seek and obtain all medical treatment that is reasonably necessary to heal from their injuries. Doing so is fair and intelligent.

ABOUT THE LEVINSON LAW GROUP

We are a personal-injury and wrongful-death law firm dedicated to the following core values: We sue drunk drivers, texting drivers, and otherwise reckless drivers who cause harm on our roadways. My firm is not a typical kind of ambulance-chaser accident firm. Our stand is actually that we are dedicated



to making this a safer community by fighting back against drunk drivers, impaired drivers, texting drivers, distracted drivers, and generally reckless drivers that cause harm in our community.

We are dedicated to making this a better community by involving ourselves in charity and volunteer work, to making our clients' lives better by supporting them through life-altering tragedies from their injuries through recovery to closure and ultimately to peace. We support our clients through these unfortunate tragic events and help them achieve closure, and at the same time we are making this a better community by providing a disincentive for people who choose to drive while distracted, people who choose to drive while impaired, people who choose to drive recklessly, and people who choose to drive carelessly.

What Sets The Levinson Law Group Apart From Other Law Firms?

When a lot of people hear the term "personal-injury lawyer" there's a negative bias associated with that. Often, people assume the law firm is comprised of ambulance-chasers or opportunists. A lot of that has to do with late-night talk shows and certain high-profile cases such as the McDonald's case where the woman spilled hot coffee on her lap and received what some people believe to be an astronomical amount of money.

It's unfortunate that this bias exists in society. In fact, that bias is advanced by Chambers of Commerce and political organizations that dedicate themselves against trial lawyers as a way of advancing the profitability of the pharmaceutical and property and casualty insurance industries, as well as several other multibillion-dollar organizations that conduct themselves in unsafe manners at the public expense.

As a result of a lot of this high-powered advertising that usually occurs around election time, trial lawyers take somewhat of a black eye in the public mindset. It's unfortunate because the trial lawyer is actually the advocate for the consumer, for the little guy, and our firm is a perfect example of that. We are champions of the consumer and it's my life's mission to recast the injury lawyer in the public's perception from ambulance chaser to community watchdog.

Our commitment is to making this a safer community by retaliating and taking a stand against reckless, texting, drunk, and other harmful drivers, and my firm stands for integrity. Don't take my word for it; Google our firm and our reviews and you will see what I'm talking about. That's why so many of our past and current clients, as well as lawyers, doctors, and even judges and court staff refer cases to us.

Where Is The Levinson Law Group Located?

We have offices in Oceanside and Carlsbad, California, but we can represent clients anywhere throughout the state of California. We prefer forming the attorney-client relationship in an in-person meeting at our facility. This way clients can meet our team members and put faces to names and the communication is often more meaningful if it is done in person. However, once the initial meeting has concluded, the rest of the relationship is often conducted through email or on the phone.

How Does Someone Become a Client of the Levinson Law Group?

Call 1-866-643-HURT, or
go to www.LevinsonLawgroup.com, or
simply Google Levinson Law Group.

What Are The Typical Cases That The Firm Accepts?

We accept high-speed, high-impact vehicle collisions in which someone has been killed or seriously injured. We

don't accept minor car crashes. To be one of our clients you must have been badly injured in a significant collision caused by a reckless, impaired, or distracted driver, or an otherwise negligent driver, who caused harm on the roadway.

What Are Some Examples Of The Charity Work The Firm Is Involved In?

I am a director on the board of the Max and Anna Levinson Foundation. Over the years the Foundation has given millions of dollars in charitable grants to support the environment, civil rights, nonviolent solutions to social change, numerous nonprofit organizations, the fight against homelessness, cancer research, schools, the arts, youth leadership development, and many other worthy causes.

Go to www.LevinsonLawGroup.com and click on the "Giving Back" tab for more information about the Foundation. I am also a long-time supporter of Mothers Against Drunk Driving and a member of MAAD San Diego's Advisory Board, and a volunteer youth basketball coach at the Encinitas Recreation Center.

I live my life by the Golden Rule: Do Unto Others As You Would Have Them Do Unto You. If you do the same, you cannot do wrong.

I would like to close this book with these words: If you are reading this, then you should be grateful. It means you

weren't killed in the collision. Therefore, you should give thanks.

It could have been worse. You could have been paralyzed or killed. The fact that you weren't should humble you. Car crashes can be fatal or catastrophic. Heal from your injuries, conquer your adversity, and live the rest of your life like a lottery winner, because you are.

Life is 10% what happened, and 90% how you react to it. Make no excuses, live like a champion, conquer your adversity, and practice forgiveness. Wake up each morning grateful, and go to sleep each night appreciative. Gratitude is a virtue comparable to Godliness. Don't sweat the small stuff, and appreciate the here and now. If you are one of those who "get it," count yourself among the fortunate.

Live each day like it were your last, and treat everyone like you want them to treat you. That is the secret of life. If you understand this, you are a rare animal. Be yourself, and be grateful. Amen.

DISCLAIMER

This publication is intended to be informational only. No legal advice is being given, and no attorney-client relationship is intended to be created by reading this material. If you are facing legal issues, whether criminal or civil, seek professional legal counsel to get your questions answered.

Levinson Law Group

5927 Balfour Court

Suite 201

Carlsbad, CA 92008

(760) 827-1700

www.levinsonlawgroup.com