

NEWS

INSURANCE CLAIMS

# Injured accident victims shouldn't just rely on adjuster

With darkness fallen, you don't notice that city workers have dug an unmarked pit in the middle of your favourite walking path. You fall and suffer a complex leg fracture, requiring plates and screws. You are off work as a framer and fear about your future in a job that requires you to be on your feet all the time. The city workers didn't intend for you to be injured, but they were clearly negligent.

You don't need a law degree to know that you have a legal claim against the city for fair financial compensation for your injuries and losses.

You have no idea, though, how our legal system comes up with a measure of what "fair financial compensation" means.

Is \$5,000 fair compensation for a complex leg fracture? Perhaps it's \$10,000? Maybe \$50,000?

Maybe it depends on how well it heals and how quickly it takes to get back to work?

Maybe, even if you are able to get back to work as a 25 year old, it is fair to compensate you for your future losses due to complications that are likely to arise later in your working career?

Maybe fair compensation is as much as \$500,000 or \$1 million? As much as your



ACHIEVING JUSTICE

Paul Hergott

mouth might be salivating over the delicious prospect of having a huge claim, I want you to remember that there is nothing "extra" in a claim beyond fair compensation for actual losses. There is no "bonus."

Worse than that, if a lawyer is required to get you to fair, the lawyer takes one-third so you never end up with more than two-thirds of fair compensation.

You notify the city. Knowing that their workers will cause injury to citizens from time to time, the city carries liability insurance. You are put in touch with the insurance company.

It's "plain as day" clear to you (I hope) that the insurance company is looking after the city's interests, not yours.

You hope that they will be fair with you, though, so you won't have to end up with only two-thirds of fair compensation.

What if the insurance adjuster sent you an email saying: "We want you to make an informed decision about your claim."

So make sure you understand your rights—

not just rumours.

What would that mean to you? Would you think the adjuster means that you should come in to the adjuster's office to make an informed decision based on what the adjuster tells you?

I hope there's a little voice in your head screaming: "Of course not!" Of all the people in the world to rely on to inform you about your claim, the very last person you would rely on

is the insurance adjuster representing the person you have a claim against, whose job description is to pay out as little as possible so as to maximize the insurance company's profits.

If the adjuster genuinely wants to ensure that you make an informed decision, the adjuster will provide you with a full, written, explanation of why a settlement offer is fair and will insist that you take that written ex-

planation to a lawyer to independently confirm the fairness of the offer.

No lawyer will agree to take on your case if the offer is, indeed, a fair one.

Like every other business person, lawyers rely on word of mouth referrals to make a living.

You wouldn't be in business long if your clients didn't end up with more in their pockets after paying your one-third fee than what the insurance company offered.

Why is it that I have been handling personal injury cases for 18 years and an injured victim has never once come to me on the recommendation of an insurance adjuster to get independent advice about a settlement offer?

Why is it that, instead, injured victims coming to me for advice are typically doing so against the insurance adjuster's express recommendation?

Why is it that the vast majority of my clients

are those making claims against an insurance company that is issuing a pamphlet (with annual insurance renewals) containing the exact words I quoted above?

Has ICBC changed? Are ICBC adjusters all of a sudden changing their tune and recommending that injured victims get independent legal advice?

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## Reduce Belly Fat! Increase Energy!

Testosterone levels begin to diminish in men around age 30.

In fact, by the time men are 60 years old, they typically produce 60% less testosterone than they did at age 20 (a man's sexual peak). Many men over the age of 35 may already be feeling the effects of lower testosterone including:

- X Increased Belly Fat
- X Low Libido
- X Decreased Muscle Strength
- X Low Energy
- X Mood Changes
- X Prostate Problems and more...

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Age (years)	Testosterone Secretion (mg)
10	5
15	23
20	24
30	20
40	18
50	14
60	6
70	5
80	4

Year of puberty

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