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**CAPITAL news**



The Central Okanagan Hospice Association's Nicole Brown (left) with Opus Kelowna manager Aaron Metz and Lauren Wilson, Opus Kelowna coordinator.

## Opus art supplies shop shows it has HeArt

A unique fundraiser by Opus Art Supplies Kelowna to support the HeArt Cart Program was recently held and netted art supplies, cash and an Opus gift card totalling over \$2,500.

The HeArt Cart program began over five years ago with support from friends of Kelowna resident Nel Clark, who died in 2010.

This program connects volunteers with clients, friends and family members to create unique memories through the production of art.

The program is currently being offered by volunteers Carolyn Cowan, Tara Davies, Elizabeth McLean and Dawn Wrightson and the program will always welcome more individuals who would like to get involved in this meaningful way.

The Central Okanagan Hospice Association says the appreciated donation will add a quality of life to families who are dealing with end-of-life issues and provide an opportunity to create a lasting memory with those they love.

## Digital collection resources enhanced for library users

The Okanagan Regional Library is again adding to its growing digital collection by adding free member access to Lynda.com.

Lynda.com is an online collection of instructional tutorials taught by industry experts, with thousands of videos that cover everything from animation to web design and accounting to writing. New tutorial videos are added to the collection regularly.

Lynda.com is easy to use and the videos play on the browser of a computer or tablet with an Internet connection.

See the website [orl.bc.ca/online-resources/help/lynda](http://orl.bc.ca/online-resources/help/lynda) or [orl.bc.ca](http://orl.bc.ca) for more information.

### NEGOTIATING TACTICS

# Preparation can nullify manipulation

Nobody likes to discover that they have been manipulated by a negotiation tactic.

Once burned, do you feel like telling the world about it?

I am about to "tell the world" about how I allowed myself to be manipulated by a negotiation tactic, one I ought to have been prepared for because it is regularly used on my clients by ICBC and other insurance companies.

This is my second of a series of columns exposing tactics used by insurance companies when negotiating personal injury claims.

By learning about these tactics, I am hopeful that you might avoid being manipulated by them in any negotiation you might encounter.

A number of displays had been set up one evening at the all-inclusive resort in Mexico where we had been staying. A beautiful, stone, chess set caught my eye.

My father had hand crafted a wooden set, which got me interested in playing chess when I was a boy.

Even though I had never become a master chess player, I liked the idea of having a beautiful set in our home so that perhaps my own children would show an interest.

I was new to holidaying in Mexico, but knew enough that you never pay the sticker price.

#### Achieving Justice

**PAUL HERGOTT**



It was a handsome sticker price. I didn't expect it to be so expensive.

I really had no idea, though. Each piece had to be hand carved, and then there's all the stone tiling on the board. Really a piece of art.

But you get what you pay for, right? This was nothing like the multitude of mass produced trinkets that crowded all the other shelves.

I actually felt a little guilty dicking on the price of such a beautiful piece of art, but haggling is what it's all about when you're wheeling and dealing in Mexico.

I got a really good deal at the end of it all, convincing the seller to let the set go at a significant discount.

The sick feeling in my stomach, when I realized I had grossly overpaid, came when following my wife around a nearby town a couple days later.

The exact same style and quality of chess set was on display by the dozen, the sticker price even less than the "deal" I got from the vendor at the resort.

How did I, someone who negotiates millions of dollars of claims every

year, get "taken" in a negotiation?

I entered into the negotiation without having a clue about the value of the item I was negotiating for.

The grossly inflated sticker price set the stage of the negotiation.

The vendor was able to suck me in to paying much more than I should have by giving me what felt like a great deal because he reduced his price so much.

It's a classic ICBC negotiation tactic.

They'll start negotiations at \$5,000 or less for claims where fair compensation for injuries and losses is \$40,000 or more.

By doing so, they set the stage of the negotiation.

The unsuspecting injury victim knows enough to

not accept ICBC's first offer, and feels like they got a good deal when ICBC goes up to \$15,000.

The most "fun" example of this in my practice was where a client retained me after ICBC had offered \$8,000 to settle a soft tissue injury claim that ended up settling for fair financial compensation of over \$800,000.

How do you protect yourself from this negotiation tactic?

Do what I should have done in Mexico.

Find out the true value of the item you are negotiating for, so that an unfairly high (or low in the case of a personal injury negotiation) sticker price doesn't manipulate you into an unfair result.

If negotiating for a house, consult an appraiser or real estate agent; if negotiating for a vehicle, consult a vehicle

appraiser; if negotiating a personal injury claim, ask a personal injury lawyer for a free claim evaluation.

*This column is intended to provide general information about injury claims. It is not a substitute for retaining a lawyer to provide legal advice specifically pertaining to your case. Paul Hergott is a personal injury lawyer at Hergott Law in West Kelowna.*

[paul@hlaw.ca](mailto:paul@hlaw.ca)

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