

## PI FAX & Email ALERT

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### Auto Insurers Play Hardball

- **Wear them out: Expensive and Time-Consuming**

CNN in an 18 month investigation into "minor-impact" soft tissue [MIST] crashes has resulted in Millions of profits for insurance companies and little for the public, according to U of Nevada Insurance law professor Jeff Stempel. He calls it "institutionalized bad faith."

**Take it or leave it. The strategy according to CNN employs the 3 D's. Deny the claim, delay and defend in court.**

Allstate, the worst offender, typically offers accident victims as little as \$50. Take it or leave it, according to Shannon Kmatz, a police officer and former Allstate claims agent.

For the full story see :

[http://www.cnn.com/2007/US/02/09/insurance.hardball/index.html?eref=rss\\_latest](http://www.cnn.com/2007/US/02/09/insurance.hardball/index.html?eref=rss_latest)

H/T to Dr. Robert Jarrett of Yucaipa.

### Allstate again?

Newly elected California Insurance Commissioner, Steve Poizner, made his first major policy decision. He told the press that "I am drawing a line in the sand. If I find that Allstate's rates are excessive, refunds will occur."

Allstate recently announced it was not selling any more home insurance policies as California was "catastrophe-prone."

Question: Do you still buy Allstate?

### Beware of the Slip and Fall case

Rodney Cathey, age 52 didn't need this. He fell off his bicycle when he rode through "liquid" in a Ralphs parking lot. He also claimed there was insufficient lighting and Ralphs did not inspect or maintain the premises.

Rodney claimed neck and back injuries. He generated over \$ 6800 in medical bills.

Rodney demanded \$18,000. His lawyer advanced thousands for Dr. Rosen PhD, a biomechanical engineer to explain to the jury why the liquid was slippery making Rodney fall. His DC also testified.

Cathey vs. Watt No. 05 C 02549, Beverly Hills. Judge Norman Tarle.

The jury made short work after "deliberating" only 33 minutes. They found 100% for the defendant. Defendants offered \$500.00. Chances are defendants will sue Rodney for their costs of trial.

### Practice Tips

1. **Most Slip and Fall cases lose**
2. **Slip and fall cases are expensive and hard to prove defendant is negligent.**
3. **These patients should be expected to pay CASH for risky cases.**

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**New date:**

**Next PI Teleconference date is on:  
Wednesday, June 20 at 1:00 pm**

E-mail [johntawlian@shawnsteel.com](mailto:johntawlian@shawnsteel.com) to make your free telephone reservations

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