



WINTER 2018



INSURANCE COMPANIES: Not Always on Your Side

Don't get fooled by clever ad campaigns and catchy jingles; insurance companies survive by paying out as little on a claim as they can. In fact, there are known techniques used by the industry to do this or to avoid paying claims altogether.

One of the most common techniques is to deny a claim, even if it is valid. If you are denied coverage, read your policy carefully.

Don't be afraid to question your representative, and if the explanation of a claim denial doesn't seem fair, contact an attorney.

Insurance policy language and the claims process are confusing, and insurance companies will use this against those seeking compensation. When claims poured in after Hurricane Katrina, insurance companies used an obscure, confusing clause to deny claims. Many states require insurance companies to use simple, clear language in their policies, but even that language is still confusing to those outside the industry.

Another way that insurance companies get out of paying claims is to simply delay proceedings until after a time limit to file suit for a claim passes. Stall tactics include losing and misplacing documents, requiring a claimant to refile paperwork, and not returning phone calls. Long-term life insurance companies have been known to delay payments until a patient dies.

If you believe an insurance company is acting in bad faith by denying you or your loved ones coverage, contact an attorney.

Brought to you by
Scott Kalish
Attorney At Law

Kalish Law Firm

Western Reserve Building
Suite 405

1468 West 9th Street
Cleveland, OH 44113

216-502-0570

FAX: 216-502-0569

E-mail:

scottkalishcollc@cs.com

OFFICE HOURS

Monday-Friday

8:00 a.m.-6:00 p.m.

Saturday by appointment

Truck Accidents on the Rise

According to the Federal Motor Carrier Safety Administration, the number of crashes involving large trucks or buses, after several years of decline, rose 62 percent between 2009 and 2015. The number of large trucks involved in fatal crashes increased 8 percent between 2014 and 2015. The organization cites several reasons for the rise, including increased speed limits, distraction, impairment, and decreased regulations on drivers and cargo.

Other factors include:

- Brake problems
- Traffic flow interruption (congestion, previous crash)
- Prescription drug use
- Traveling too fast for conditions
- Unfamiliarity with roadway



If you or a loved one is injured in an accident involving a large truck, contact an attorney for a confidential consultation.

PRACTICE AREAS

- Personal injury
- Auto and truck accidents
- Workers' compensation
- Wrongful death
- Medical malpractice
- Nursing home negligence
- Motorcycle accidents
- Railroad and boat accidents
- Premises liability

We take your family's safety and security personally.

DISTRACTED DRIVING—No LOL Matter

Distracted driving has become a huge problem in the United States and across the world. According to the National Highway Traffic Safety Administration (NHTSA), 3,477 people were killed and 391,000 were injured in 2015 in motor vehicle crashes involving distracted drivers.

Using mobile phones while behind the wheel is one of the deadliest distractions. During the day, approximately 660,000 drivers use phones while driving, creating a huge risk for death and injury.

The NHTSA has named three categories of driver distraction:

MANUAL—A manual distraction is any activity that takes one or both hands off the steering wheel. This could be eating while driving, changing the radio station, trying to plug in a smart phone, or adjusting the temperature controls. Many manual distractions can occur without taking focus off the road. For example, hitting a radio preset button or turning on the air conditioner doesn't require a driver to take their eyes off the

road. Some manual distractions, such as texting, also fall into the other two categories.

COGNITIVE—A cognitive distraction takes a driver's focus off the road—even if their hands remain on the wheel. Talking with other passengers, listening to a book or podcast while driving, or just getting lost in a song are examples of cognitive distractions. Talking on the phone (even hands-free) is also a cognitive distraction.

VISUAL—Visual distractions cause a driver to take their eyes off the road. Billboards, scenery, texting, fiddling with a navigation unit, or looking for a snack for children requires drivers to take their eyes off the road.

Some activities fall into all three categories. Texting is among the deadliest. If you or a loved one was injured by a distracted driver, contact an attorney for a confidential case evaluation.



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Law
Firm**

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Cleveland, OH 44113**

REFERRALS

Thanks to all of you who have recommended our firm to your relatives, friends, and neighbors. We appreciate your vote of confidence and pledge to care for these "VIPs" as well as we care for you.

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Do You Need a Private Eye?

The thought of using a private investigator (PI) seems more Hollywood than reality. The truth is, attorneys often call upon the services of professionals who can dedicate their time to tracking down information vital to a case.

Here is what private investigators do:

INVESTIGATE PEOPLE—PIs are hired to find missing loved ones or biological relatives who were adopted (e.g., to find heirs). They can also be used to find out if a spouse is engaged in an illegal activity or, in custody cases, if a parent is caring for their child in an unsafe environment. A business may have reason to investigate an employee or partner if theft or fraud is suspected. A licensed PI knows the law and how to operate within the law to collect the information needed. Remember, if information isn't obtained lawfully, it cannot be used as evidence.

SURVEILLANCE—Information may be gathered through surveillance. When a subject is recorded, it is vital that the recordings be obtained legally and that the PI be seasoned enough to not be obvious. There are privacy and surveillance laws, which a licensed PI will know and follow.

INTERVIEW WITNESSES—Attorneys often use the help of skilled PIs to find, if necessary, and interview witnesses.

TESTIFY—When needed, a PI's skills extend into the courtroom.

