



**Kalish  
Law  
Firm**

**WINTER 2021**



## Negotiating with an Insurance Company

If you were injured and have filed a personal injury claim, you, or preferably a skilled attorney, will work with an insurance company to negotiate a fair settlement amount. Here are a few helpful tips:



**Know what you want** — Before you do anything, you should know the lowest amount of money you'd be willing to accept. An attorney can help you determine this figure.

**Write a demand letter** — A demand letter to an insurance company states that you've been injured, that their client is legally responsible (and why), what your losses are currently, what you expect them to be, and includes documents that support your claim. The letter ends with a demand for settlement. The demand is usually set higher than what you anticipate receiving and is a starting point for negotiations.

**Listen** — When you begin communicating with an insurance adjuster, listen. They will present weaknesses in your case that you may not have considered. It is important to be flexible when you are presented with information that could work against your case. Weaknesses will lower what you can expect to receive. Likewise, if the adjuster offers no arguments to your case and makes an offer at or close to what you were prepared to accept, you may be safe to negotiate for a higher amount.

**Don't jump at an offer** — It's tempting to grab ahold of the first number thrown at you when medical bills and expenses are mounting. If the offer isn't fair and reasonable, don't take it.

**Know your worth** — Once you know why the company is offering you a low figure, you can dispute the reasonings. Emphasize the things that work in your favor, such as if their client was completely at fault or grossly negligent, if the injury was particularly gruesome, or if it caused permanent disabilities or was disfiguring.

**Need help with an injury claim?** Contact our office for a case evaluation.

## Workers' Compensation Benefits Cover More Than Salary

If you have been hurt on the job, workers' compensation benefits help to replace income while you recover. You may also request payment for reasonable medical expenses related to your injury, including a few things you may not have thought of, such as travel expenses and assistive devices.

### Reasonable medical expenses would include necessary:

- ✓ Surgery
- ✓ Diagnostic testing and services
- ✓ Related doctor visits
- ✓ Counseling
- ✓ Rehabilitation (occupational and/or physical therapy)
- ✓ Medical supplies
- ✓ Assistive devices
- ✓ Prosthetic devices
- ✓ Medication
- ✓ Travel expenses to medical appointments

You may be entitled to some less-typical expenses, too—for example, if you need modifications to your home or car because of a disability related to your claim. A court in Pennsylvania even approved artificial insemination for a claimant who lost sexual function from a spinal injury that occurred at work.

It is beneficial to have an experienced workers' compensation attorney help secure all the benefits you are entitled to receive.

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### 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.*

## When Mother Nature Is at Fault

Ice and snow and freezing rain ... wouldn't it be great if you could just not drive at all in the winter? Unfortunately, that's not realistic, and at some point most people have to venture out in bad weather.

Even though a great deal of caution is used when the roads are slick, an accident can be hard to avoid. What happens when extreme weather and road conditions play a part in an accident? Which driver is to blame? Can you place some blame on Mother Nature?

Unfortunately, even if you hit a patch of ice caused by weather conditions, you are still responsible for maintaining control of the vehicle. It may seem unfair to be at fault when ice clearly caused a loss of control, but if you choose to get behind the wheel when driving conditions are poor, it's your responsibility to keep the vehicle under control.

In some cases, a contractor who did not properly remove ice or snow from a roadway could be found liable for injuries if it can be proven that the company/person acted in negligence. If you've been injured in an accident, call our office to discuss your case.



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## 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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## Driving Decline

As we age, our ability to safely drive a car declines. According to the National Institutes of Health, there are multiple reasons why.

Driving is a complex task; it requires the ability to simultaneously and independently move the feet, hands, and head to complete different tasks, all while paying attention to the road. As we age, the time needed to process and react to a situation slows. For instance, at age 75, when a driving decision is made (e.g., making a left-hand turn), the coast may be clear. However, by the time slowed reactions take place, the situation may no longer be safe.

Vision also changes with age. It becomes harder to see in dim and dark driving conditions, and eyes often become sensitive to bright lights and the sun. Peripheral vision diminishes, too.

Physical conditions and pain can prevent a driver from being able to turn his or her head, or quickly lift and move their foot from the gas to the brake. Medication side effects can also wreak havoc.

Staying healthy and active is one of the best ways to preserve physical and mental clarity. If you or a loved one has a condition that makes driving difficult, consult with a driving rehabilitation specialist, who can evaluate driving ability, and recommend strategies and adaptive devices to tailor your vehicle to your needs.

