

PERSONAL INJURY SPECIAL REPORT

Dear Personal Injury Victim:

If you own an automobile, prior to obtaining insurance, there are a lot of things that you absolutely need to know.

On May 19, 1998, the State of New Jersey adopted the Automobile Insurance Cost Reduction Act. The statute was intended to reduce the cost of automobile insurance. However, that purpose was accomplished primarily by reducing the benefits available to persons who are injured in automobile accidents. This means less coverage to pay for medical treatment and less rights to cover monetary damages from careless drivers who cause accidents.

If you have been involved in an automobile accident and you are unaware of the type of policy you have chosen for your automobile within the State of New Jersey, then there are many things that you need to think about and absolutely need to know if you intend to pursue a cause of action against the careless driver.

Did you know that one of the most stressful aspects of living in today's society is dealing with the problems associated with the aftermath of an automobile accident? Not only do you have to worry about how you are going to treat for your injuries and recover your property damage, but you must also worry about what choice you made in choosing your automobile policy to determine whether you will ever recover your losses against the careless driver.

Choosing the proper medical care, obtaining the proper settlement for your property damage and obtaining the right insurance coverage is essential. It is important to stress that most automobile victims are unaware of their rights, the injuries that they have sustained and release the insurance company from liability by settling before getting the proper medical treatment, property damage recovery and insurance policy review. **That is a gigantic mistake!**

Why? Because a lot of automobile accident victims receive inappropriate care from either the hospital, medical doctor or physical therapy clinic. They get inappropriate advice as to the property damage that their vehicle has sustained and what their rights are under their current insurance policy. Then, while the underlying damage and pain is hidden or "covered up" with medication, or they receive a property damage check in the mail which is 70% of its actual value and they are unaware of their rights underneath their insurance policy, they settle their case.

This is a big mistake. Don't let this happen to you!!!

Because if you do, you may experience pain, numbness, headaches, muscle stiffness, fatigue and other problems including arthritis many months down the road; not receive the proper value for your vehicle and not proceed with litigation against the careless driver to sustain the full value of your case pursuant to your choice of policy.

Remember, you are entitled to get what you deserve as a result of the negligence of a careless driver.

I am Ronald DeSimone, Esquire and my firm has been representing automobile accident victims for over 20 years. My office is located at 900 North Kings Highway, Suite 302, Cherry Hill, New Jersey.

I have represented literally hundreds of auto accident victims just like you. I am trained in litigation and dealing with the auto insurance companies to obtain the maximum benefits for my clients.

I have the finest courteous staff you will ever meet who is trained in handling these types of case. If you were injured in an automobile accident, it is imperative that you receive legal representation by a firm who will protect your rights and ensure that you are compensated for the injuries you have sustained in that accident. Because of this recent automobile accident you have been in, you will have some important decisions to make. But, before making those decisions, you should review some commonly asked questions.

Q: Should I see a doctor before I see Ronald DeSimone, Esquire?

A: It is important to get checked out by a doctor first, that way the findings from your exam will allow the information you need in order to decide if the representation of Ronald DeSimone, Esquire is necessary. If necessary, Ronald DeSimone, Esquire can refer you to a reputable and qualified doctor.

Q: If I am injured, can I make a claim or file a lawsuit against the careless driver who caused the accident?

A: It depends on your policy and the nature of your injuries. If you purchased a standard policy, you are required to elect a "tort option" that will determine if you have the right to make a claim. You should elect "no threshold", also known as "no limitation on lawsuit option". You should always avoid having any type of "limitation on lawsuit option" within your file.

Q: What is the "limitation on lawsuit option"?

A: The lawsuit limitation option (also known as the verbal threshold) limits your legal right to make a claim for monetary damages or to file a lawsuit against a careless driver unless you sustain one of the following types of injuries:

- Type 1 – death
- Type 2 – dismemberment
- Type 3 – significant disfigurement or scarring
- Type 4 – displaced fracture
- Type 5 – loss of fetus
- Type 6 – permanent injury

A permanent injury occurs when a body part has not and will not heal to function normally.

Q: If I elected “no limitation on lawsuit option”, will I be able to make a claim?

A: The “no limitation on lawsuit option” (also known as no threshold) allows you to bring a claim for monetary damages or to file a lawsuit against a careless driver no matter what type of injury you sustain as long as you sustain an injury.

Q: What if my car sustained only minor damage?

A: Documented studies reveal that the amount of damage to the automobile bears little relationship to the force applied to the body of the occupants. In other words, the damage to a passenger of an automobile is not necessarily directly related to the damage to the vehicle.

Q: If I require treatment for the injuries I received in an automobile accident, who pays for it?

A: As provided above, your PIP coverage through your automobile policy will pay for all reasonable and necessary medical bills that you sustain as a result of injuries within that automobile accident. New Jersey is a “no fault” state, which means that no matter who was at fault in the accident, they were still entitled to benefits under your care insurance policy.

However, under the Automobile Insurance Cost Reduction Act, the insurance companies have gained the ability of medical managed care and have limited your treatment by not providing the adequate certifications required for payment to the medical providers when treatment is absolutely necessary.

If your car insurance refuses to pay your reasonable medical bills or refuses to pay for a medical procedure, then my firm can file an arbitration against your car insurance company for breach of their contract. This will force the insurance company to pay for the fee schedule amount of the medical services rendered to you as well as the cost of the filing of the arbitration and all attorney’s fees involved. If this arbitration deals with the need for treatment, then we will obtain that treatment on your behalf from the insurance company at the insurance company’s cost.

Q: The insurance company has been calling and wants to settle my case. What should I do?

A: Please, for your own safety, do not sign or settle any issues with reference to your automobile accident, including property damage until you have had that case reviewed by an attorney or Ronald DeSimone, Esquire. If you settle on your property damage or for your injuries before they are fully resolved, you would then be left completely on your own. You could preclude yourself from obtaining any further monies as a result of signing settlement papers prior to your injuries becoming fully resolved. In fact, some insurance companies will ask you to sign a release for property damage which is improper. These releases sometimes encompass your bodily injury claim and can destroy any future claim or lawsuit that you may have against the careless driver resulting in you not being fully compensated for the injuries you sustained in that automobile accident.

Q: If I have been to the hospital and my medical doctor, do I really need to continue to treat with a specialist?

A: You need a doctor that specializes in the treatment and diagnosis of automobile accident injuries. These trained professionals understand and can diagnose those injuries which are most common in automobile accident cases. Doctors who do not specialize in these areas sometimes may miss an important diagnosis. Usually, hospitals and medical doctors who do not specialize in this area will provide the patient with pain relief medication and anti-inflammatories. This type of treatment only masks the injury and does not correct the problem. You must understand that pills cannot and do not correct structural or soft tissue damage. There are special therapies designed for that and I, Ronald DeSimone, Esquire can refer you to those treating physicians who are trained in those areas.

After reviewing these questions and answers, if you feel that you wish to be represented by the Law Offices of Ronald DeSimone, P.C., then kindly give my office a call at (856) 667-7600. Your initial consultation is free. If you allow the Law Offices of Ronald DeSimone, P.C. to represent you in this automobile accident, you may chose a contingency arrangement which will not cost you any money unless the firm receives an award on your behalf.

It is always a pleasure to be of assistance to you. I remain,

Very truly yours,

RONALD DeSIMONE
For the Firm