

If this message isn't displayed correctly, please [click here](#) to view it in your web browser



WINGFIELD & GINSBURG

ATTORNEYS AT LAW

Sometimes, settling is a good thing!

All your life, you've probably been told to never settle. Usually it is good advice, but when two parties reach a fair settlement outside of court, it's a good thing. Settling a case can be beneficial to both defendant and plaintiff. The defense avoids the legal costs of going to trial, avoids paying punitive or pain and suffering damages, and avoids unwanted publicity, typically negative, that goes with a trial. The benefits to the injured party include a guaranteed award, which may not happen in the courtroom.

Here are a few tips to consider when settling a case:

- * **Get an attorney.** Having an attorney negotiate a fair settlement is key to getting the money you need to pay for past, present, and future costs related to an accident or event. An attorney is also familiar with tactics used to avoid payment—for example, extending the process of settlement beyond the statute of limitations for filing a lawsuit. Without the threat of legal action, there is little reason to offer any kind of payment for damages.
- * **Be flexible.** Your attorney will help you come up with a fair settlement amount, but things may change. Perhaps the claims adjuster for the defense points out a few weak points in your claim that you hadn't considered. Likewise, you may discover evidence supporting your claim after a demand letter has been sent.
- * **Don't accept the first offer.** It is typically a flat-out denial of your claim or it is low. In these cases, ask for reasons why the offer is low or was denied so that a proper response can be made.
- * **Show your cards.** Settlement amounts typically don't take into consideration things that don't have a monetary value—pain and suffering, for example. But nonetheless, the defense still needs to be aware of these issues, especially when there is strong physical evidence that supports your claims.
- * **Get it in writing.** Send a confirmation letter as soon as an agreement is reached.

Brought to you by
Wingfield & Ginsburg
Attorneys At Law

700 5th St. NW, Suite 300
Washington, D.C. 20001

202-789-8000

800-584-4165

FAX: 202-371-1825

e-mail:

bulletin@wgpilaw.com

Web site:

www.wgpilaw.com



PERSONAL INJURY PRACTICE

- Free consultation
- Home or hospital appointments available
- No recovery, no fee. We do not get paid unless you do.
- Trial attorneys

Referrals

We want you to think of us as your law firm. If you have legal matters that need

Consulting with a lawyer about a car accident? Here's what they are going to want to know...

After an auto accident, if you are able, it is vital to write down and record everything you can remember while it is fresh in your mind. Take photos and video of the accident scene, vehicles, injuries, etc. While the trauma of an accident may make it seem as though you could never forget exactly what happened, the details will slip away.

WHO

An attorney will want to know who was involved in the accident, if the police were there, and if there were any witnesses.

WHAT

What happened and how? It's likely that everyone involved will have a slightly different story; that is why it is vital to write down, draw, photograph, and record anything that might be helpful in showing what happened.

WHEN

Know the date and the time of your accident. If you were taken to the hospital or a doctor's office, be prepared to say when you went and how you got there.

INJURY

Tell your attorney about all your injuries that were a result of the accident or worsened by the accident.

MEDICAL EVIDENCE

Aside from a police report and photos and/or videos of the accident scene, submit any diagnostic testing (X-rays, MRIs, etc.) or medical records that support your claim. Keep note of how your medical condition affects your everyday life. If your doctor believes that an injury is permanent, be sure your attorney is aware.

ADMISSION OF GUILT

If the other driver apologized for the accident, tell your attorney. If you are in an accident in the future and the driver admits fault, be sure to tell the police so that they can note it in their report.

INSURANCE

Provide a copy of your policy and the insurance information of other drivers involved in the accident.

The role of insurance adjusters in a personal injury case

"Insurance adjuster" is a rather pleasant-sounding title, but these professionals are tasked with

attention, please let us know. If we cannot handle the matter, we will refer you to a competent firm that can. Please feel free to refer us to your family, friends, and neighbors for their legal needs. We welcome the opportunity to help.

finding the weak spots in a claimant's medical evidence and testimony. Even if your case seems solid, they will be hard at work trying to disclaim and find inconsistencies in the evidence you present. While their goal may not be to personally sabotage you, they are hired to save the insurance company as much money as possible by devaluing a claim to reduce the settlement you get.

How do they do this? An adjuster looks for medical evidence and opinion to support every detail of the claim. If you claim that an injury is permanent, they look for medical evidence that says so specifically. For example, if a claimant says they have catastrophic and life-changing injuries, but their medical bills are less than \$10,000, an adjuster will point out that the amount paid for care isn't consistent with a life-changing injury. An adjuster will also pore over your testimony and look for inconsistencies in information that you provided regarding the accident.

What can you do? Don't give the adjusters anything to work with. Stick to the facts and don't offer any more information than asked regarding the accident, get medical treatment right away, go to all follow-up appointments, follow the prescribed treatment plan, have your attorney submit the appropriate paperwork for claims, and keep a journal of how your condition is progressing and how it is impacting your day-to-day life.

CALL US. YOU'RE GOING TO FEEL A WHOLE LOT BETTER ABOUT THINGS

[Wingfield & Ginsburg, P.C.](#), 700 Fifth St. N.W., Suite 300, Washington, D.C. 20001

Phone: (202) 789-8000, Toll Free: (800) 584-4165, Fax: (202) 371-1825

If you are not interested in receiving our newsletters, please click to [Unsubscribe](#)