

Jeffrey Meldon

MELDON

LAW TALK

NEWSLETTER BY THE LAW OFFICE OF JEFFREY MELDON & ASSOCIATES

Highlights of This Issue:

- What to do and not do after an accident.
- We don't have to wait for it to be the law to turn off our cell phones while driving.
- Mediation explained.
- "Do I have to wear a seat belt?"
- Biker in crash, a "lucky" man!

Highlights of The Next Issue:

- **Part I, How the insurance company may take advantage of you.**
- Post traumatic stress syndrome after an accident discussed.
- **Primary vs. Secondary Offense** explained
- The next Interesting Case of the Month
- **Floridians, now is the time to protect yourself with adequate insurance!**
- Our new Lawyer is announced.
- **A little April Tomfoolery.**

March 2009 Volume I, Issue V

Visit us online @ meldonlaw.com

Welcome to Our March Newsletter! 10 Things You May Not Know About March

Happy March! We commonly associate the month of March with St Patrick's Day. However, March holds much more for us than just the wearing of the Green on the 17th. Here are 10 other things we can celebrate in March that you may not know about. March 2nd is **Dr. Seuss' Birthday**. March 3rd is **Alexander Graham Bell's Birthday** and the day that the Francis Scott Key's **Star-Spangled Banner** officially became the **National Anthem**. March 8th is **International Women's Day**. On March 13, 1781, **Uranus was discovered**. March 14th is **Albert Einstein's Birthday**. On March 19th the **swallows return to Capistrano**. **Harry Houdini was born** on March 24th which is also the **beginning of the baseball season!** March is also **Music in our Schools and Women's History Month**. On top of all of these reasons to celebrate, **the first day of Spring is March 20th!** We, at the **Law Office of Jeffrey Meldon & Associates** wish you all a wonderful month full of reasons to celebration.

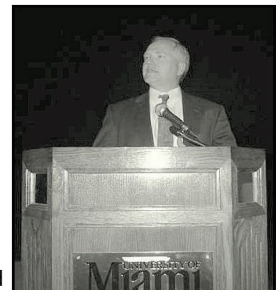


Office News: Jeffrey Meldon & Tom Copeland Went To Miami to Teach Other Lawyers.

Attorney **Jeffrey Meldon** has been the Chairman of the **Florida Bar Masters of DUI Seminars** in Miami since 1997. Not only has he chaired this Seminar since 1997, he has also been a lecturer. This year Attorney **Tom Copeland** joined Jeffrey for the Miami Seminar and lectured as well. This year the Seminar was presented to over 150 Lawyers from around Florida and other States, that defend and prosecute DUI cases. **Many other Attorneys will purchase the CD of the Seminar.** **Jeffrey and Tom's book, How To Avoid Or Survive A DUI Arrest,** was part of the educational materials. Jeffrey lectured on, "Case Law Update", while Tom spoke about "Jury Selection". **This Seminar has been the top attended Florida Bar Seminar for the past 10 years!** The attendees gave both Tom and Jeffrey high ratings for their presentations. Other distinguished speakers were:



Jeffrey Meldon Lecturing To Other Attorneys About The Latest Court Decisions.



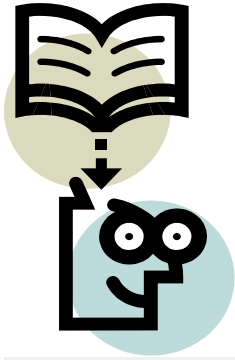
Tom Copeland Lecturing To Other Lawyers About Jury Selection.

Mary Prevost from San Diego, CA, who gave an outstanding presentation on, "Field Sobriety Testing", **Michael Catalano from Miami,** who spoke on "Creative DUI Defenses" and **David Robbins, from Jacksonville, Florida,** who spoke effectively on, "How the Formal Review Hearings Are An Effective Tool In Winning DUI Cases". **We are proud of our attorneys for receiving such high recognition among their peers.**

WORKING FOR JUSTICE SINCE 1971

THE LAW OFFICE OF JEFFREY MELDON ASSOCIATES

TOLL FREE 1-800-373-8000



BEWARE! The day you were injured you entered a war zone and the insurance company is not on your side of the battle.

Insurance adjusters may act like your friend, but beware, their one and only goal is to save their employer, the insurance company, money!

"Pain and disability can often trigger depression and anxiety.

Talk with your doctor if you are experiencing these problems and get treatment."

Commonly Seen Situation: Accident Victim's "Don't Do" Overview

There are several very important Do's and Don'ts that you should follow immediately after an accident and in the weeks following an accident. There are mistakes that I have seen accident victims make that have ended up hurting their accident case and resulted in a lower settlements or verdicts. Here are some of the main things you need to know if you have been injured in an accident.

- ▶ **Do not talk with** the other person's insurance company **or sign any** insurance company documents, papers, or medical authorization forms without speaking with an attorney first.
- ▶ **Do not exaggerate or minimize** the extent of your injuries or symptoms to your doctor or lawyer.
- ▶ **Do not hide information** from your lawyer; your lawyer needs to know the good, the bad and the ugly about your case to properly and successfully represent you!
- ▶ **Do not stop medical treatment too soon or skip or miss appointments.**
- ▶ **Do not talk** with your doctor about your lawsuit or your lawyer's advice.

In future Newsletters, I will go further into details regarding the major ways a person can "wreck" their accident case and how insurance companies may try to take advantage of the accident victim and what to do about it. **For more information I suggest you contact my Office to receive your free copy of my book, The Seven Biggest Mistakes That Can Wreck Your Florida Accident Case. 1 800 373 8000**

Meldon's Suggestions: Accident Victim's "Do" Overview

- ▶ Immediately after an accident it is important to **report the accident** to the police so that they can conduct an initial investigation, document important information and make the accident report. Then, if you are injured, **go to the hospital or doctor** immediately, or within a couple of days, as a delay in getting medical treatment can hurt your case and create the risk of making your injuries worse.
- ▶ Immediately after an accident, **record the names and address** of all witnesses and **take pictures** of the scene, cars, and injuries and **notify your** insurance company.
- ▶ Within a few weeks, **seek follow up care** with a doctor who has experience in treating accident injuries, and **be honest** with them about all your prior injuries and accidents and symptoms.
- ▶ Within a few weeks, it is important to **consult an experienced personal injury attorney** about your case, if an attorney is hired, you can then refer all insurance calls to him or her.
- ▶ **Always; keep track** of all the medical treatments, visits, and procedures done after the accident by **making a file** and **follow your Doctor's** orders and advice. **Make sure your doctor knows** if your injuries are affecting your ability to work. **Remember, if the information is not in your medical chart, it is difficult to prove your injury!** (Keep your free Accident Kit, from my office, in your vehicle.)

A Special March Invitation and Announcement

We are proud to officially announce the launching of our new website which occurred last Fall. We would also like to extend an invitation to all of our readers to check it out. Same website address, **meldonlaw.com**, but a new, more user friendly, updated and interactive site. On this site there is new information and advice added nearly daily; from topical Blogs to questions on topics people frequently ask us about. **At the Law Office of Jeffrey Meldon and Associates, we strongly believe that public education is step one in assisting people.** This site also has an RSS feed, which means once you set it up, which is easy to do, you can get our latest postings sent right to your computer, it is a safe and easy way to keep up with things.

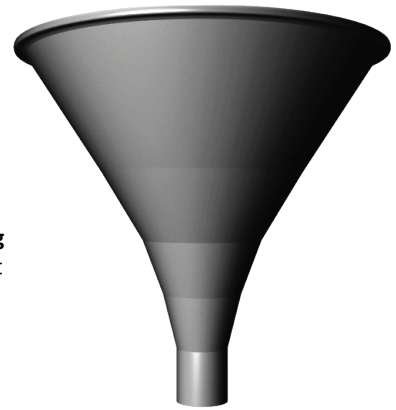
MeldonLaw.com

We truly hope you find our website to be interesting and informative. We look forward to any input you may have about it or any topics you would like to see addressed on it. **May the luck of the Irish be with you throughout the year!**

Be Safe. Be Prepared. Be Protected. Be Educated!

The Office Blogs: We don't have to wait for it to be the law!

► **The National Safety Council (NSC)**, the same watchdog consumer group that got us to buckle up our seat belts and not drive after drinking is now working on banning cell phone use while driving. Currently, 5 states and DC have partial bans on cell phone use while driving, meaning only hand-held. Sadly, Florida is not one of them. **In fact Florida has NO bans on cell phone use at all; it is even legal for school bus drivers to be celling, and even texting while driving our children to and from school.** Alachua County has no say in this matter because Florida is one of 8 states that have laws that prohibit local jurisdictions from enacting restrictions on cell phone use. ► According to the **Governor's Highway Safety Council**, 80% of crashes are related to driver inattention and the #1 culprit is cell phones. In fact, **drivers talking on the cell phone are four times more likely to be in a crash.** ► The facts are in, we all know it is a distraction, we have even heard about accidents that have occurred while on the cell phone, but we still don't want to stop. ► In the least, we can educate ourselves, our novice drivers and all of our loved ones about the dangers of celling, hands-free or hand-held, and of course texting while driving. **Even though it may be legal does not mean it is safe.** In the old days, no one wore seatbelts; many cars didn't even have them. The country wised up and now buckling up is the law. **We are glad that the NSC is working to make this a safer country, however, we can begin with each one of us turning off our cell phones while driving and we can start now, we do not have to wait for it to be the law. Be safe and turn it off while driving!**



Law Talk 101: "Mediation" explained for use in accident cases

Mediation is a type of Alternative Dispute Resolution that I have found to be helpful in many personal injury cases. Mediation is an alternative to going to trial and can be used to resolve almost any type of dispute including: divorce, business or employment, accidents, dog bites, and medical malpractice. In mediation there is no third party, such as a judge or jury that will make decisions; the parties involved make the agreements. A mediator, an impartial and neutral person, runs the mediation, and it is their job to provide a safe and balanced environment where both sides can be heard and present their case. Mediators are generally retired judges or attorneys that have gone through special collaboration training. **There are many advantages to mediation.** ► Privacy is protected, as it is a confidential process that is not open to the public as a courtroom is. ► If you agree to a settlement, you will usually get the insurance check within a few weeks and life can go on without the long drawn out trial process that can take years. ► Having your case decided in mediation may mean lower attorney fees and costs. ► If agreement is not reached in mediation, the case can still be heard in court and what was said in mediation can not be brought up in court. ► **There are few, if any, disadvantages to mediation.** In my experience, over 80% of accident cases are able to reach a settlement in mediation. It is important to remember, that both parties must agree to any settlement.

"It is very important to have an experienced accident lawyer present your case in mediation and to give you guidance regarding what a reasonable settlement would be!"

Interesting Case of the Month: Biker injured in accident, lucky!

Recently, we represented a "lucky" helmet wearing biker that was badly injured in an accident when a Ford F-150 turned in front of him as he was on his way to work early one morning. **Why was he lucky?** After being taken to Shands and treated for shoulder, spleen, chest, neck and back trauma, his medical bills added up to over \$35,000 and he had no health insurance or motorcycle insurance (medical payment) to cover the bill. **This is luck?** Yes, because the corporation that owned the pick-up truck had adequate Bodily Injury Liability insurance coverage to cover his medical bills. **More luck.** Since the at-fault truck owner had insurance he was able to get rehab care with a Doctor that specializes in auto and motorcycle injuries. **And more luck.** He hired our Office and not only were we able to find the insurance money that was available, we were able to get a good settlement for him and **on top of that,** Jeffrey was able to negotiate the medical bills down. This lucky man not only says he feels physically better than he did before the accident, he also ended up with \$50,000 in his pocket. **What's the lesson here?** This man was lucky, if he had been hit by an uninsured or underinsured driver, which nearly 60% are, he would have been out of luck! **Bikers: Wear a helmet and carry adequate Med Pay Ins. \$50K min & UM \$100K min** Disclaimer: Just because we obtained these results in this case, does not necessarily mean we can get them on every case.

WORKING FOR
JUSTICE
SINCE 1971

THE LAW OFFICE OF
JEFFREY MELDON
ASSOCIATES

TOLL FREE
800-373-8000

**Jeffrey Meldon &
Associates**

703 North Main Street Suite A
Gainesville, Florida 32601
PO Box 65, 32602

MELDON LAW TALK NEWSLETTER



Phone:
352 373 8000
Toll Free: 800 373 8000
Fax: 352 373 8400
Email:
jmeldon@meldonlaw.com
On the web: meldonlaw.com

You can also check out **Law Talk Live** 10:30 Saturday mornings on The Sky/97.3 FM.
Call in with your question. We want to hear from you! What are you concerned about?
The longest continuous running legal affairs program in the Southeast United States. Give us a call!

**Look Inside
This Issue**

- ▲ Jeffrey talks about what to do and not do after an accident.
- ▲ Ask Jeffrey: Seat belts, do I have to?
- ▲ We don't have to wait for it to be the law to turn off our cell phones.
- ▲ The case of the "lucky" biker.

meldonlaw.com

Ask Jeffrey: Seat belts; I hate them! Do I have to buckle up?

Yes, it is the law in Florida, however, unfortunately, it is not a primary offense, which means that the police cannot stop you and ticket you just for not buckling up, which I feel should be changed and here is why.

▶ **1 out of 3 people sometime in their life will be seriously injured in a car crash** ▶ You may be a good driver, but you have no control over the others on the road that may be driving under the influence, not so good a driver or distracted by many things including text messaging on their cell phones.

▶ **Seat belt use is the number 1 safety feature that has saved more lives than any other.** ▶ **Air bags** only lend some help and very little, or none at all, if hit from the side, rear or in a roll over. You can also be thrown under them or be ejected out of the car! ▶ **The majority of fatal accidents occur close to home and at speeds under 40 mph.** ▶ 70 % of the time, if the driver is not buckled up, the passengers will not be as well. ▶ **An unrestrained child in a 30 mph crash is the equivalent of them falling from a 3 story building!**

▶ 60% of children killed in accidents were not wearing seat belts. ▶ Seat belt use decreases sever injury or death by 65%. ▶ **Children watch and learn from their parents.**

If all that doesn't get you to buckle up, here is another fact. If you are in an accident and not wearing a seat belt, you may not be able to receive full compensation for your injuries. **There is something called a "seat belt defense" which insurance companies can legally use to deny you your full benefits!**

Be safe and buckle up every time you put the key in the ignition!

It just may save your life, your passenger's life or the life of a love one!

To Subscribe, Unsubscribe or Request past issues of this Newsletter
Call 1 800 373 8000 or on the web @ **meldonlaw.com**