



Corradino & Papa, LLC

A Personal Injury Law Firm

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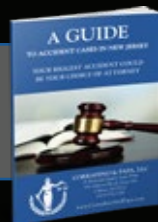
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the games adjusters play

The auto insurance industry is awash in profits. Part of the reason is that they deny liability, make lowball settlement offers, and delay payment for as long as possible, hoping claimants just go away. Here are a few other tricks they employ...

Some adjusters will charm your socks off. Keep in mind that they work for the insurance company, not you. Saving money is their ultimate goal. Don't be blinded by their friendliness.

Adjusters will likely want you to give a recorded statement. They may hint that the law requires it (it doesn't). Don't give a statement unless you have an attorney who approves and accompanies you. Never agree to having it recorded. Words can, and will, be twisted.

You may be asked to release all your medical records. Bad idea. Have your medical records released to yourself. Then you decide which information is relevant and pass that along to the insurance company.

The insurance company might offer you a quick settlement if you sign a release. With bills piling up and no income due to injury, this may be tempting. But by signing a release, you forfeit the right to ask for more money or to file suit down the road. Remember, some injuries don't become evident until well after the accident.

Adjusters will try to convince you that you don't need an attorney, who will "bog down the process" or "doesn't deserve a percentage of your settlement." Statistical evidence shows that claimants with an attorney fare much better than those without one. An attorney can deal with the insurance company, help you attain fair compensation, and protect your rights. ■





preexisting injuries

AND AUTO ACCIDENT CASES

Some people are under the mistaken notion that preexisting injuries might preclude them from recovering damages in an auto accident claim against a negligent driver. Truth is, a preexisting injury often has no impact on a claim and may even lead to higher compensation, since the accident may result in more severe consequences than it otherwise would have due to the preexisting condition (something known as the “eggshell plaintiff” rule).

Insurance companies should not have to pay for injuries that already existed prior to an accident. What’s fair is fair. However, many insurance adjusters will frequently argue that all preexisting injuries or conditions were unaffected by an accident. In many cases, that’s patently untrue.

Some insurance adjusters will employ the strategy of trying to settle a case quickly, without the involvement of an attorney. Yes, your claim can be settled in short order, but it will be a lopsided outcome in favor of the insurance company.

The key to solving this conundrum is to determine what injuries were caused by the accident; what preexisting conditions were made worse by the accident; and what preexisting injuries were unaffected by the accident. The best way to do this is to hire an experienced auto accident attorney.

An auto accident attorney will gather your medical information; explain why a preexisting condition should have no impact on the calculation of damages; or demonstrate how the accident led to greater harm due to the preexisting condition.

Hiring an auto accident attorney can alleviate the stress of legal/insurance matters and allow you to focus on what’s most important: healing. ■

soup’s on!

It’s National Soup Month! To celebrate, here’s an easy copycat recipe of Panera’s broccoli cheddar soup straight from allrecipes.com.



Ingredients

1 T butter
 ½ onion, chopped
 ¼ C melted butter
 ¼ C flour
 2 C milk
 2 C chicken stock
 1 ½ C coarsely chopped broccoli florets
 1 C matchstick-cut carrots
 1 stalk celery, thinly sliced
 2 ½ C sharp cheddar cheese
 Salt and pepper to taste



Directions

1. Melt 1 T butter in a skillet over medium-high heat. Add onion and sauté until translucent. Set aside.
2. Whisk 1/4 C melted butter and flour together in a large saucepan over medium-low heat. Add 1 to 2 tablespoons of milk if necessary to keep flour from burning.
3. Gradually pour milk into flour mixture while continually whisking. Stir in chicken stock. Bring to a simmer and cook until thickened, about 20 minutes. Add broccoli, carrots, sautéed onion, and celery; simmer until vegetables are tender.
4. Stir in cheddar cheese until melted. Season with salt and pepper to taste.
5. Now, grab your spoon and some yummy bread then cozy up with a warm bowl of your delicious soup and enjoy! ■

a pill that tracks ITS OWN USAGE

Recently the Food and Drug Administration approved the first digital drug, Abilify MyCite, which is an antipsychotic medication prescribed for schizophrenia, bipolar disorder, and as an add-on treatment for depression. The pill is embedded with a sensor the size of a grain of sand. When the pill dissolves, stomach acid activates the sensor, which sets off a chain reaction.

The sensor will record the time and date that it was activated, and then transmit that information to a patch that is worn by the patient. From there, the info is relayed to the patient's smartphone, from which it can be forwarded to anyone monitoring the patient's healthcare situation by way of an app.

The main goal of the digital pill is to make sure that patients follow through with taking their medication, which can bring some peace of mind to family members. It may also aid doctors whose patients claim their medications aren't working, but in actuality the patients aren't taking the medication as often as prescribed.

There are concerns, however, with this new pharmaceutical technology. As with anything digital, there's always the possibility that the information might fall into the wrong hands. Privacy worries are legitimate.

Price is a drawback too. A month's supply of nondigital Abilify can run close to \$1,000, although a generic was approved in 2015. Another option is a once-a-month injectable version of Abilify, which can alleviate adherence concerns but costs well over \$1,000 per injection. Needless to say, the sensor-embedded Abilify will carry an even heftier monthly price tag. ■



<https://www.multivu.com/players/English/8175751-otsuka-proteus-abilify-mycite/>

January 2018 – Important Dates

January 1 – New Year's Day
January 15 – Martin Luther King, Jr. Day
National Blood Donor Month
National Glaucoma Awareness Month
Cervical Health Awareness Month

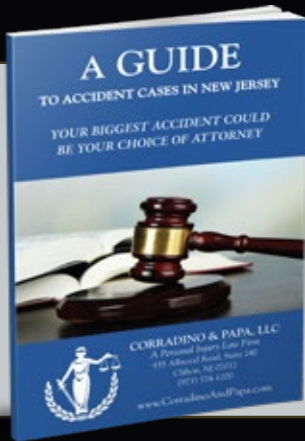
did you hear?

Consumer Alert: Major Recall on Kidde Fire Extinguishers

The United States Consumer Product Safety Commission (CPSC) has announced a recall of approximately 40 million Kidde fire extinguishers made from 1973 to 2017. The extinguishers contain plastic handles and can become clogged or require excessive force to discharge and can fail to activate during a fire emergency.

The CPSC urges consumers to contact Kidde immediately to request a replacement fire extinguisher. Contact Kidde toll-free at 855-271-0773 from 8:30 a.m. to 5 p.m. ET Monday through Friday, 9 a.m. to 3 p.m. ET Saturday and Sunday, or online at www.kidde.com and click on "Product Safety Recall" for more information. ■





FREE BOOK

Get Jack Corradino and Robert Papa's *New Ultimate Guide to Accident Cases in NJ*, written by Jack and RC. It will explain "Why your biggest accident could be your choice of attorney", and what to do in the event you are injured.

Quote of the Month: "Twenty years from now you will be more disappointed by the things that you didn't do than by the ones you did do. So throw off the bowlines. Sail away from the safe harbor. Catch the trade winds in your sails. Explore. Dream. Discover." —Mark Twain

This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

determining the value OF A PERSONAL INJURY CASE



There is no magic formula for determining the overall worth of a personal injury case. Some aspects are subjective, each person's circumstances are unique, and the final determination may be in the hands of a jury or judge. However, a ballpark figure can often be arrived at after a person's medical condition has stabilized.

Economic damages are a bit easier to get a handle on since they have a direct cost associated with them. Economic damages include medical expenses (past and future), lost income (past and future), and reimbursement for property damage.

Noneconomic damages are trickier because they are subjective and have no direct cost tied to them. Pain and suffering, lost quality of life, emotional distress, and loss of consortium (which is the effect the accident had on the plaintiff's relationship with their spouse) are included among noneconomic damages. Past precedent involving similar cases may be relied upon in some circumstances.

The plaintiff's role in the accident might influence the value of their personal injury case. Many states follow a "comparative negligence" standard. For example, if the plaintiff is deemed 10 percent at fault for an accident, then their compensation will be reduced by 10 percent. Some states only permit a lawsuit to be filed when the plaintiff is less than 50 percent at fault.

A few states follow a "contributory negligence" standard. If the plaintiff is even 1 percent at fault for an accident, they may be barred from receiving any compensation for their injuries.

If you have been injured by the negligence of another, contact a personal injury attorney to protect your rights. ■

