



# CARABIN & SHAW

INJURY ATTORNEYS

TOLL-FREE (800) 862-1260

Texas Law Alert

## After an Auto Accident

Many people think that common sense dictates what is to be done after an auto accident. Maybe so, but our common sense can desert us under stress. It is a good idea to keep this simple checklist in your car with your other important documents (registration, etc.).

- » Get help for anyone injured.
- » Always call the police. Your uninsured motorist coverage pays for a hit-and-run accidents only if you report the accident to the police.
- » Move your car, if possible, to avoid blocking traffic and to protect it from further loss or damage. Be careful and alert – many people are injured at accident scenes each year by other drivers who are not paying attention.
- » Get the other driver's name, address, telephone number, license number, and insurance information.
- » Record the insurance company name and the policy number exactly as they appear on the other driver's proof-of-insurance card.
- » Don't sign anything except a

ticket, citation, or report issued by the police officer.

- » Notify your insurance company upon returning home. They will want the names and addresses of witnesses and injured persons. Do not sign any document that releases a legal right.
- » Contact us to find out about your right to recover for your injuries and expenses.

Remember, insurance companies are not in the business of paying claims, no matter what their advertisements state. They are in the business of collecting premiums. Insurance adjustors do not have your best interests in mind. Be careful.

And remember Texas law gives you only two years to settle or file suit on an accident claim from the date of accident. Call us to learn all of your legal rights.

## Auto Accidents

### Here's What Our Firm Can Do for You

1. Evaluate your injury claim to determinate the best course of action.
2. Settle the property damage claim, free of charge.
3. Resolve the liability issues and negotiate an overall settlement.
4. Work with your doctors on obtaining your medical records, reports, and billing statements, and ensure payment on your medical care providers billings.
5. Have our investigator interview witnesses, take statements and photograph the accident scene and your vehicle.
6. Remove the stress and uncertainty surrounding your loss and damages.

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# Uninsured and Underinsured Motorist Coverage

Liability insurance protects *others* from your driving, where uninsured motorist coverage protects you and your family from everyone on the road.

Texas law requires drivers to have automobile liability insurance, which is the insurance that pays for the *other* person's expenses if you cause an accident. Minimum liability coverage in Texas is \$20,000 per injured person, with up to a maximum of \$40,000 for all injured persons in the same accident, and \$15,000 for property damage. The shorthand for this coverage is 20/40/15.

In theory, every driver on Texas highways is covered by liability insurance to protect you and other drivers. In reality, some people drive without insurance or hit and run after an accident or even if they have the minimum coverage required by law it may not be enough to cover your damages. This is where uninsured and underinsured coverage comes in.

An *uninsured* driver is someone who either has no insurance or who hits and runs. An *underinsured* driver is one who does have liability insurance, but in an amount that is not enough to cover your damages. For example, a negligent driver might have 20/40/15 minimum coverage but be found liable for \$50,000 in damages to you individually. If you have underinsured coverage, it would pay the difference.

Texas law gives you the opportunity to buy insurance coverage to protect yourself against both uninsured and underinsured motorists. This coverage is optional, but your insurance company must offer you the

opportunity to purchase it. If you decline this coverage, your refusal to purchase it must be in writing.

This coverage protects you, your family members, the passengers in your vehicle and anybody driving your vehicle with your permission. It pays medical and funeral expenses, car repairs, car rental, the replacement of the damaged contents, lost wages, pain and suffering, disfigurement, and permanent or partial disability up to the dollar limits you have purchased.

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*You have the opportunity to protect yourself against both uninsured and underinsured motorists.*

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You can buy uninsured or underinsured motorist coverage in the minimum 20/40/15 amount or in a larger amount up to the dollar limits of your liability policy. If you are not sure what choice you made when you were offered the opportunity to buy this coverage, call your insurance agent.

Your liability coverage protects you from having to pay damages to someone if you cause an accident. Your liability policy will not pay your expenses resulting from an accident with uninsured or

underinsured motorist. Uninsured motorists often have few assets, and you could face significant financial hardship if you do not have this type of coverage and you are injured by such a driver.

Even if the other driver has liability insurance, it may be only the minimum amount, and such coverage can quickly be exhausted. Medical care is expensive. The replacement costs of even a single vehicle can easily exceed \$15,000. It is recommended that you purchase at least the minimum amount of both uninsured and underinsured motorist coverage. If possible, have as much uninsured and underinsured coverage as you have in liability coverage. This may be your only protection against uninsured and underinsured motorists.

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## Zyprexa Side Effects Lawsuits

Zyprexa is a frequently prescribed drug for depression and mental disorders and represents 40% of Eli Lilly's domestic drug sales (2.5 billion in 2002). A recent medical study has revealed that this drug may be the cause of death or serious illness in some and over 280 Zyprexa patients have developed diabetes. Call today for more information.

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# Asbestos Lawsuits

## Asbestos and Mesothelioma?

Mesothelioma is a rare form of cancer. It affects the lining of the cavities around the lungs, stomach and heart. Most cases of mesothelioma are related to asbestos exposure. Some of the occupations that exposed workers to asbestos directly or indirectly are those involving carpentry, demolition, factory work, insulation, shipbuilding, installation of brake linings in vehicles, and many others. Despite efforts to eliminate asbestos from our environment, many public and private buildings still contain asbestos today.

## Symptoms & Treatments

The early symptoms of mesothelioma are generally nonspecific, and may lead to a delay in diagnosis. The first symptoms of mesothelioma are often shortness of breath, chest pain, fever, cough, nausea, pain in abdomen, or anemia. All of these symptoms are also caused by less serious illnesses, which makes it difficult to recognize the disease in its early stages. If you have worked with or been exposed to asbestos you should get screened, even if you do not feel sick now. Call us now and we can help.

There is no certain cure for malignant mesothelioma; however, medical researchers have recently developed procedures that can slow the progress of the disease and extend, with quality, the lives of those suffering from it. The treatment options for mesothelioma depend on many factors, including: where the cancer is, the stage of the cancer, how far

the cancer has spread, how the cancer cells look under the microscope, and the patient's age and desires. Mesothelioma is treatable when diagnosed early.

## Coping With Mesothelioma

If you or a loved one was exposed to asbestos at work, you may be able to claim compensation from the employer at the time of the exposure. Of course, no one is suggesting that anything can truly compensate you for being affected by mesothelioma, but it may be helpful for you and your family to have some extra funds to fall back on.

At Carabin & Shaw, P.C., we understand it can be very difficult to cope with a diagnosis of mesothelioma both practically and emotionally. Our firm in association with other law firms fight for workers and consumers injured from toxic exposures including those suffering from injuries related to asbestos, malignant mesothelioma and lung cancer, as well as benzene, manganese, beryllium and other hazardous substances. Our goal is to obtain the highest possible

compensation for injured workers and their families. Please contact us you or a loved one has been diagnosed with cancer or Mesothelioma.

Call 1-800-862-1260.

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## Welding Rods

Recent medical studies indicate that welding can be dangerous to your health. Every time a welder strikes an arc, toxic fumes are released which can pose a serious and even deadly threat to the health of the welder as well as any other person in the immediate area of the welding. Inhaling these fumes can pose great health risks including lung damage and other negative effects on ones overall individual health.

The problems arise from the actual welding rods. The materials from which the rods are made produce different gases when welding. The gas with the greatest potential to cause harm is Manganese. Manganese has been found in stainless steel, carbon steel and in welding rods. Exposure to manganese has been linked to Parkinson's Disease. In a recent welding product lawsuit, a jury awarded one million dollars to a man claiming his Parkinson's disease was caused by his years of exposure to welding fumes.

## *Thank You for Your Referrals*

*We want to thank you for choosing our law firm. We hope that you always will count on us for all your legal needs. We are just a phone call away.*

*If you are a friend of the firm, we hope that you never find yourself injured in an accident. But if you or someone you know is in an accident, please call us.*

*We also appreciate the trust of those who have referred their friends, family, and associates to our Law Firm for legal services. Thank you!*

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## Welding Rods (cont.)

A number of class action lawsuits are under consideration in various parts of the country. If you or someone you love is a welder and are suffering from any of these serious conditions you may have the right to file a claim or to join in a possible class action lawsuit. Call today for more information 1-800-862-1260.

## Safe at Home

Every area of the home presents its own set of dangers, but the kitchen is perhaps the most dangerous. After all, fires that started in kitchens have been burning down homes since mankind first brought cooking fires inside. Follow these tips for safety's sake.

- Never leave cooking unattended.
- Do not store items on or above the stove.
- Keep the stove, oven, and ventilation ducts grease-free.
- Never place small pans

on large burners.

- Keep combustibles such as towels, curtains, and clothing away from a stove.
- Never use dishtowels to remove dishes from an oven – they can ignite.
- Never use water on grease fires. Slide a cover over the flame and turn off the burner or smother the flame with baking soda. Have an emergency fire extinguisher handy.
- Keep barbecue grills at least three feet away from the house when cooking outdoors.

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## Tips on Avoiding Auto Accidents and Injuries

- Switch on your headlights before sunset
- Be careful on wet roads
- Take plenty of breaks on long trips
- Always maintain proper speeds
- Check the rear view mirror if stopping
- Always wear your seat belts

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