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# MOHAMMED W. ALZAIDI LAW OFFICES

## Attorney At Law



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## SIX *dirty* TRICKS

### *insurance companies use to rip off policyholders*

The insurance industry is among the largest, most profitable sectors of the U.S. economy. Unfortunately, much of the money they make comes from a strategy of deny, delay, confuse, and refuse. While their profits soar, these companies do everything they can to keep from paying out claims. Below are six tricks of the trade that the insurance industry doesn't want you to know about:



#### LEGAL SERVICES

- Automobile accidents
- Motorcycle accidents
- Truck accidents
- Uninsured motorist
- Underinsured motorist
- Bicycle accidents
- Pedestrian accidents
- Boat accidents
- Aircraft accidents
- Railroad accidents
- Construction site accidents
- Farm accidents
- Injuries on property
- Dog bites and attacks
- Injury to children
- Legal malpractice
- Injuries caused by doctors or hospitals
- Birth injuries
- Surgical mistakes
- Product liability
- Defective products
- Dangerous chemicals
- Nursing home injury and abuse
- Injuries caused by inadequate security at hotels and shopping malls
- And all other accidents involving personal injury or death

- **Deny claims.** Some of the largest insurers with the best reputations routinely deny claims in an effort to pad the bottom line. They go so far as to reward employees who successfully deny claims, while penalizing (even terminating) employees who do not.
- **Delay until death.** Many insurance companies know that if they delay a claim long enough, there's a good chance the policyholder will just give up. If that doesn't work, they may even delay until the policyholder passes away.
- **Confuse consumers.** Our entire free-market system is based on the idea that two parties can fairly come to terms on a contract. What happens when one party writes the contract in a way that the other cannot hope to understand? Consumers buy insurance policies and only later, when they need it, do they find that the contract contained a "catch" that gets the insurance company off the hook for paying the claim.
- **Discriminate by credit score.** Instead of basing premiums on risk assessment alone, some insurers charge more for those with poor credit scores. This penalizes the poor, those on fixed incomes, and those who had financial troubles at some point in the past. Also suffering are those who choose to stay out of debt and pay their bills in cash, as lack of credit activity negatively affects a credit score.
- **Abandon the sick.** One way for insurers to cut costs is to cancel, sometimes retroactively, the policies of the sick. Some companies even pay bonuses to employees who meet their "cancellation goals."
- **Cancel for a call.** Ever had a small claim that you decided to pay out of pocket so your insurance rates wouldn't go up? If you called to even discuss making the claim, that plan probably won't work. Oftentimes, insurance companies will deny renewal of a policy just because their customer called to inquire about the possibility of making a claim. When it comes to protecting profits, they can't be safe enough.

We take your family's safety and security personally.

## Hit-and-run accidents

Hit-and-run (H&R) auto accidents can be particularly perplexing to victims.

The accident happens quickly. The car is damaged. Everyone is shaken up. The innocent driver and passengers may even suffer injuries. The offending driver disappears.

### What should you do if you're in an H&R accident?

- ✓ Get medical attention, if needed.
- ✓ Immediately contact law enforcement, and fill out an accident report.
- ✓ Report the accident to your insurance company right away.
- ✓ Try to identify the car involved and the driver responsible.
- ✓ Seek an attorney's counsel.

### An H&R incident

A driver who struck a worker loading a truck fled the accident scene. The victim suffered vascular injuries to his legs, requiring use of a walker and wheelchair. The injured worker and his wife sued the allegedly drunken H&R driver and employer for reckless driving, negligent hiring, and driving while intoxicated. The parties reached settlement prior to trial.

## Auto accidents

### Cell-phone camera

If you are in an auto accident, take photos with your cell phone's camera to capture details that might help you later. Photos can provide important evidence and affect the validity and value of any claim.



## Debunking myths

### MYTH—

#### ***Insurance premiums are skyrocketing due to lawsuits.***

Premiums may be going up, but lawsuits have nothing to do with it. The more likely culprits are rising medical costs and insurance-industry profits that get bigger every year. In 2004, the insurance industry recorded a \$38.7 billion profit, an all-time record. By 2007, that number shot up to \$61.9 billion.

Meanwhile, even those in favor of "tort reform" can't promise that limiting damages will lower premiums. For example, American Insurance Association spokesman Dennis Kelly told the *Chicago Tribune* in 2005 that "we have not promised price reductions with tort reform."

### MYTH—

#### ***Big awards line the pockets of attorneys and leave nothing for the victim.***

Civil justice attorneys rarely charge an hourly fee like other attorneys. Instead, they work on a "contingency fee basis." This means if they win, they get a percentage of the damages.

This contingency fee system has allowed Americans a level of access to justice that is simply unimaginable in many countries. Every American, no matter how much money they have, can stand up for their rights in court, with legal representation. That's a big deal!

### MYTH—

#### ***Lawsuits are preventing people from volunteering for Scouts, Little League, and other children's programs.***

This is just flat-out wrong. This myth, like so many others, has been spread by special-interest groups dead set on restricting Americans' legal rights.

In truth, the Volunteer Protection Act of 1997 provides immunity to volunteers at nonprofits during the course of their charity work.



## ***Nursing home negligence***

Residential care for elderly nursing home residents is not always delivered as promised in marketing brochures.

Should a safety or injury issue arise, it is often difficult to establish causes of problems. Staffs are reticent to talk, and the elderly may be unwilling or unable to explain what happened.

Responsible adults who suspect that nursing home care is deficient or has resulted in injury should get medical care for the loved one, notify residence management of concerns, and seek legal counsel.

Attorneys familiar with nursing homes can help elderly loved ones receive a high level of care or determine the causes of injuries and hold the responsible parties accountable.

### ***Vulnerable resident***

The family of an 89-year-old woman who died from an infected bed sore sued her nursing facility. After the family's attorney proved the residence was negligent in understaffing, delaying treatment for a fractured hip, and failing to change the patient's positioning, a jury awarded a \$29.1 million verdict.



## **Alcohol-serving establishment liability for injury**

Many states have “dram shop laws” to protect the public from intoxicated individuals.

The word “dram” has been used since the 19th century to refer to liquor commercially sold in dram units.

State legislation customarily holds a bar, tavern, or other alcohol-serving commercial establishment responsible if a customer served there becomes visibly intoxicated and subsequently injures others or damages their property. This occurs most commonly in automobile accidents.

States define “intoxicated” differently, but most laws say that a business is liable if staff should have foreseen that an impaired customer might injure an innocent third party.

### ***Alcohol-impaired driver***

A woman riding a motorcycle with her husband was killed when they ran into a car driven by an alcohol-impaired driver exiting a bar parking lot. Her husband's attorney sued the liquor-selling establishment for overserving the defendant and deliberately altering surveillance videos that clearly showed the driver's impaired condition. A jury awarded \$14.2 million to the plaintiff.

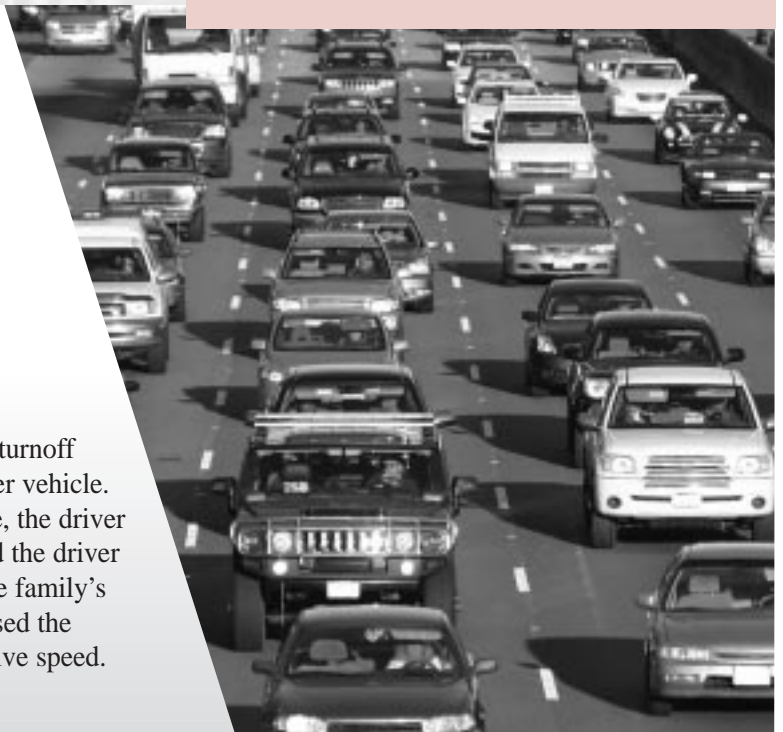
## **AUTO ACCIDENTS**

When auto accident victims die, lawsuits brought on their behalf by lawyers experienced in vehicle accidents have helped loved ones recover financially.

Auto accident victims and survivors have important rights to obtain financial recovery, including loss of consortium, mental anguish, and pain and suffering.

### ***Wrongful death***

A driver whose vehicle had a flat tire was headed to a safety turnoff on a bridge when he was violently struck from behind by another vehicle. Suffering multiple injuries from the collision and a resulting fire, the driver died upon arrival at an emergency room. His adult children sued the driver of the vehicle and his parents, who were also his employers. The family's attorney alleged negligent entrustment since the driver who caused the accident and death was driving while impaired and at an excessive speed. The parties settled at mediation.



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## MOHAMMED W. ALZAIDI LAW OFFICES

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

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## **Mohammed W. Alzaidi Law Firm wins another million-dollar case for Muslims**

**Mohammed Alzaidi**, a local Phoenix attorney who has been practicing law in Arizona for the past 17 years serving the Valley's Muslim and Arab community, just added a new win for his well-known and reputable practice.

Mr. Alzaidi has won several major injury and wrongful death cases in the past 17 years. Most recently, the Alzaidi firm assisted East Valley Muslims whose loved ones were in a very tragic and catastrophic collision involving multiple motor vehicles.

A claimant in one of the several vehicles contacted and acquired the services of another attorney, who rejected the case because he could not locate insurance for the driver at fault. However, Mr. Alzaidi, with his thorough investigation, located insurance for his clients' claims and then worked to recover approximately one million dollars for his clients' losses.

This particular case involved an at-fault drunk driver who had just left a bar that is well known for overserving its patrons. Even though the DUI laws in Arizona are among some of the most strict in the country, hundreds of people are still injured and killed by drunk drivers in this state every year. Mr. Alzaidi pursued a "dram shop action" against the bar in this case because it knowingly served alcohol to an intoxicated person.

Arizona law recognizes that liability for the injuries caused by a drunk driver does not necessarily end with the driver himself. Arizona allows those who have been injured by a



drunk driver to hold all those who played a role in the accident responsible. Arizona's liquor liability laws, or "dram shop" laws, also hold establishments who sell alcohol to patrons civilly liable.

Establishments that sell alcohol to patrons they know, or reasonably should know, are intoxicated can be held civilly liable for drunk driving accident damages. Under Arizona law, serving alcohol to an obviously intoxicated person creates a foreseeable risk to the public. Mohammed Alzaidi searches out and investigates

all possible sources of recovery in any type of injury or negligence claim. If it were not for the expertise of the Alzaidi firm in this tragic case referenced above, the bar would not have been held accountable, and the injured persons would have been left without any compensation whatsoever.

Mr. Alzaidi's experience and expertise have made a difference in the lives of many Arizona Muslim and Arab residents who have come to him for legal help. He speaks their language and understands their culture and the cultural challenges they face in the world.

The Alzaidi firm has won other significant cases, including federal police brutality cases, criminal charges, DUI, wrongful death cases, personal injury cases, and others.

Mohammed Alzaidi practices personal injury and medical malpractice. You may contact Mr. Alzaidi at 602-306-1111.

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