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December 2012**Just Call 770.518.1133**

Holiday Dilemma

I don't have extra cash on hand during the holidays to pay for my medical bills from the wreck. Doesn't the at-fault driver's insurance company have to pay for my medical bills?

When it comes to working out the aftermath of a car wreck, this is one of the most common misunderstandings. The simple answer, is no; under Georgia law, the at-fault driver's insurance company is not legally required to pay for your medical bills. That's often a major factor in why we end up going to Court – the insurance company isn't willing to pay for medical bills because it believes the treatment was unnecessary or it argues that the cost is higher than what is usual or customary.

People often naively assume that the at-fault driver's insurance company will take care of everything, but that is just not realistic. Insurance companies may initially offer to pay for medical bills, but then place limitations on the amount they are actually willing to pay. This can put car wreck victims in a difficult position, especially around the holiday season, when many people have tight budgets and do not have extra money available to pay for unexpected medical bills following a wreck; particularly for a wreck that wasn't their fault!

Generally, our legal system is structured to provide compensation for damages. Essentially it's a system of reimbursement. When the injured party incurs medical bills due to injuries from a car wreck, legally, that injured party is solely responsible for paying the medical provider for their services, (although you may be able to use health insurance instead of paying out of pocket.)

Ultimately, if a settlement is reached, a portion of the settlement money is meant to reimburse you for your medical bill expenses. However, that process can take months. In the meantime, if payments are not made on outstanding bills, they can be turned over to collections.

One great way to avoid this dilemma is by making sure you have Medical Payments coverage on your own auto-insurance policy. This coverage is fairly inexpensive. It provides money to immediately cover medical bills for treatment due to a wreck, regardless of who is at fault for causing the collision.

It is especially wise to have if you do not have health insurance.

Be sure to start 2013 on the right foot. No one expects to find themselves the victim of a car wreck, but it happens every day. Make a resolution to confirm you have the appropriate coverage on your auto insurance policy to protect yourself and your loved ones in the case of an unfortunate collision. If you have any questions about Medical Payments coverage, or whether you have that type of coverage on your policy, feel free to contact our office for a complimentary review of your insurance policy! ■

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WHAT OUR CLIENTS ARE SAYING

I was a little unsure if I had a case or not because there was a discrepancy with who ran the red light. The Dover Law Firm immediately answered the questions that I had. I was worried about my medical bills, money for surgery and the fact that the other driver lied to the police officer about running that red light. The Dover Law Firm was AWESOME! I would send my friends and family to them, no questions asked.

Kelly Sullivan
Atlanta

Careful – Facebook can ruin your injury claim



With over one billion (yes, that's with a "b") active Facebook accounts across the globe, there's no doubt that Facebook is one of the true behemoths of the social media world.

Unfortunately, though, if you are an active user of sites like Facebook and aren't careful, you can seriously jeopardize or even ruin your chances of recovering money in a personal injury claim.

Why?

Well, to start with, you can bet that the insurance companies and opposing attorneys will be trolling social media looking for things that can call your claim into question. For instance, let's say you post a picture of yourself playing volleyball or doing the limbo at a party (even if it's a picture from several years earlier). Those photos might be misinterpreted as being current and create doubt about your claim.

And, it's not just your page that can cause problems, either. Your friends on

Facebook represent even more opportunities for investigators to find information and photos that can be used against you.

Not only that; many people mistakenly believe that privacy settings on Facebook will keep prying eyes away from their personal information. Here's why that's not always true: Defense attorneys can ask the judge to require written authorization from you for the purpose of accessing your Facebook account.

Even if the judge doesn't allow such a request and you have the strictest privacy settings in place on your Facebook page, you can still run into trouble if you're not careful. We have seen instances of the defense counsel actually tricking claimants into becoming "friends" on Facebook, thereby opening up access to their private information.

Bottom line – if you are in the midst of a personal injury claim, we encourage you to be extremely careful in your use of social media. ■

PEPPERMINT BARK

This tasty treat is sure to be loved by everyone at your holiday gatherings this year. Enjoy!

Total Time: 1 hour • Prep: 5 min • Inactive: 45 min • Cook: 10 min • Yield: about 2 pounds of candy

Ingredients

Crushed candy canes, to yield 1 cup
2 pounds white chocolate
Peppermint flavorings, optional

Place candy canes in a plastic bag and hammer into 1/4-inch chunks or smaller. Melt the chocolate in a double boiler. Combine candy cane chunks with chocolate (add peppermint flavoring at this point if desired.) Pour mixture onto a cookie sheet layered with parchment or waxed paper and place in the refrigerator for 45 minutes or until firm. Remove from cookie sheet and break into pieces (like peanut brittle.)



Source: FoodNetwork.com, courtesy of Paula Deen.

THE MANY FORMS OF MEDICAL MALPRACTICE

According to Consumers Union, the nonprofit publisher of Consumer Reports, over 98,000 hospital patients are killed by preventable medical errors each year—that doesn't include the number of medical malpractice-related deaths occurring away from the hospital.

A prevalent type of medical malpractice is incorrect administration of medication. The Institute of Medicine estimates that in excess of 1.5 million patients suffer harm each year due to medication errors. The correct medication, the precise amount and frequency, the proper administration, and delivery to the right person are essential. Adverse drug reactions and interactions play a significant role as well.

Birth injuries—too many of them permanent—are sometimes caused by malpractice. What should be a joyous time can quickly turn tragic when obstetric mistakes and improper fetal monitoring take place.

Errors in diagnosis and delayed diagnosis can lead to dire consequences. Conditions are allowed to deteriorate and/or spread (in the case of cancer). Some mistakes are due to human error; others may be attributed to faulty equipment.

Surgical mistakes can lead to permanent, severe harm, and also death. Errors causing paralysis or loss of bodily function, surgery performed on the wrong body part, and anesthesia errors are just the tip of the iceberg.

Medical malpractice comes in many other forms as well. If you believe you or a family member may have been the victim of medical malpractice, contact our office so that we can help you navigate the many complex issues involved in these cases. ■

E-Cigs: Good alternative or too good to be true?

Electronic cigarettes (e-cigs) are growing in popularity worldwide as a substitute for tobacco smoking, the leading cause of preventable premature death in the

world. E-cigs are comprised of a battery, a cartridge for liquid nicotine, and a vaporization chamber.

The device heats the liquid nicotine, turns it into vapor, and the user inhales and exhales. There is no combustion, no carcinogens found in tobacco cigarettes, no smoke, and no smell. Some public establishments allow indoor use. E-cigs can save you money, too, compared to tobacco cigarettes.

It sounds like a dream alternative to tobacco products, but there are some drawbacks.

E-cigs cost some green to start out. A typical starter kit (e-cigarette device, battery, and several cartridges) can cost anywhere from \$60–\$150.

Though smokeless, e-cigs do produce



secondhand vapor. Some report that the vapor is irritating to the eyes, nose, and throat, and sometimes causes nausea and breathing discomfort.

E-cigs might be too appealing to kids. They have a wide flavor assortment, including chocolate, strawberry, and caramel, and because e-cigs contain no tobacco, they aren't subject to U.S. tobacco laws, meaning they can be purchased without proof of age, including online. Nicotine addiction may possibly lead to tobacco use.

Some maintenance of e-cigs is required, such as charging the battery and refilling the cartridge with liquid nicotine.

Electronic cigarettes are currently unregulated. Health experts are concerned about the lack of research on the effects of inhaling pure nicotine; some manufacturers may not disclose all the chemical ingredients involved; the conditions for manufacture may be unsanitary; and the amount of nicotine listed on a cartridge might be "inaccurate." ■

LEGAL TERMS EXPLAINED: Contingency Fee

A contingency fee simply means that a client agrees to pay the attorney a percentage of any damages (money) recovered in a case instead of paying the attorney a flat fee or hourly rate. This arrangement is important because it gives everyone – regardless of how much or how little money they have – the opportunity to have a lawyer represent them if they are injured. ■



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Holiday Dilemma? See page 1.

MERRY CHRISTMAS!

As another year comes to a close, everyone at the Dover Law Firm would like to extend to you best wishes for a joyous and safe holiday season, and we hope that the New Year brings you peace and happiness.

We are truly grateful to all of our clients, friends and associates who have made this year so special.

Just for fun, we did an informal poll here at the office and asked everyone what their favorite Christmas or holiday movie is. In no particular order, here's what we came up with:

- A Christmas Story
- Christmas Vacation
- Elf
- It's a Wonderful Life
- White Christmas
- Holiday Inn
- A Christmas Carol (with George C. Scott)

Whatever your favorite holiday movie is, please take the time to enjoy it with your loved ones during this special time of year. ■

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