

ANTHONY D. CASTELLI

Consumer Awareness

How to Keep From Getting Ripped Off by Big Insurance

*Provided as an educational
service by:*

*Anthony D. Castelli, Esq.
Concentration in Auto and
Work Related Injuries*

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ATTENTION!!!

OHIO AUTO CRASH VICTIM!!!!!!!!!!!!!!

SPECIAL FREE REPORT REVEALS:

**HOW TO KEEP FROM GETTING RIPPED
OFF BY BIG INSURANCE COMPANIES**

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If you've recently been injured in a car crash and it was not your fault, you are probably confused or worried about what steps to take next:

- ⇒ **Will I be paid for the time I am losing from work?**
- ⇒ **Will my medical bills be paid?**
- ⇒ **What do I do if the person who hit me doesn't have auto insurance or has very little insurance?**
- ⇒ **Will my car be repaired? Can I get a rental car?**
- ⇒ **What will the insurance company offer me for my personal injuries?**
- ⇒ **How will I know the insurance settlement offer is fair for my injuries?**
- ⇒ **How can I choose a competent lawyer who will know what to do?**

If you or someone you care about currently has any of these concerns, then please keep reading this Special Report. My name is Anthony Castelli. I've been a lawyer for over 29 years and have obtained thousands of dollars in insurance company settlements or jury awards during that time.

Since being involved in the legal system, I've seen hard working, honest, unsuspecting people taken advantage of by uncaring insurance companies.

If you've been injured in an auto crash, there are some "facts" you absolutely want to know. This Special Report details some of the critical facts you want to be aware of to ensure you get what you rightfully deserve.

Over the past 29 years, I have encountered many people who suffered injuries in an auto crash, slip and fall, work related accident, or by a defective product. Unfortunately, some of these people did not seek the right legal advice. Some did not

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seek advice because they were unaware they had a right to compensation. Some were intimidated by lawyers or had a bad experience in the past with a lawyer. Some had low offers and were afraid to talk to a lawyer because they believed the lawyer would take a portion of what little money was offered.

I have heard of cases where the injured party was entitled to receive compensation but did not take any action to submit a claim. Then their statute of limitations runs and they do not get the compensation they truly deserve. In this day and age, doing nothing at all is one of the worst things you can do. It makes me sad to see an injured person not get what they rightfully deserved because they were intimidated by a big insurance company. I consider myself a fighter, someone who looks out for the small guy. That is why this Special Report is prepared and offered for FREE to anyone who asks.

ARE YOU COUNTING ON THE INSURANCE COMPANY TO TELL YOU THE TRUTH?

The harsh reality is the BIG, STRONG, AND POWERFUL insurance companies often try to get the injured party to accept a lower settlement for their injuries than they truly deserve. The truth of the matter is insurance companies are in business to make money and the less they pay you, the more money they put in their pockets.

Please do not let this come as a surprise to you, but there is a strong possibility the insurance company you are dealing with will try to get you to accept less than you deserve. Please do not let this happen to you. Protect yourself by learning information the insurance companies don't want you to know. Then, put this knowledge into practice before it is too late!

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WHAT YOU NEED TO KNOW ABOUT YOUR INJURY CLAIM

The first thing I want to tell you is failure to act timely to protect yourself can become a complete barrier to your right to recovery. There are certain deadlines to file different types of claims. The following is a general statement about some of these deadlines for certain types of claims in Ohio:

- | | |
|------------------------------|---------|
| ⇒ Motor Vehicle Crash | 2 years |
| ⇒ Slip and Fall | 2 years |
| ⇒ Product Liability | 2 years |
| ⇒ Assault (Intentional Acts) | 1 year |

Children under the age of 18 have a different deadline to file their claims for these types of accidents. Children's statute of limitations are as follows:

- | | |
|------------------------------|---|
| ⇒ Motor Vehicle Accident | 2 years after the child's 18th birthday |
| ⇒ Slip and Fall | 2 years after the child's 18th birthday |
| ⇒ Product Liability | 2 years after the child's 18th birthday |
| ⇒ Assault (Intentional Acts) | 1 year after the child's 18th birthday |

WARNING: THESE ARE GENERAL GUIDELINES TO THE APPLICABLE STATUTE OF LIMITATIONS IN OHIO. THERE ARE MANY EXCEPTIONS TO THESE GENERAL GUIDELINES AND YOU SHOULD CONSULT AN ATTORNEY CONCERNING THE PARTICULAR STATUTE OF LIMITATIONS FOR YOUR CLAIM.

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WHAT ARE YOU ENTITLED TO?

Generally speaking, under Ohio State Law, if you are injured as a result of someone else's negligence, you are entitled to recover the following damages (Even if you are partially at fault, you may be entitled to recover part of your damages!):

- ⇒ **Pain and Suffering:** A valuable element of your bodily injury claim is the right to compensation for “pain and suffering” you sustained and will continue to sustain in the future as a result of your injury. These are considered “general damages” and may greatly exceed your “special damages” (e.g., loss of earnings and medical expenses).
- ⇒ **Loss of Enjoyment of Life:** You are entitled to recover compensation if your injury affects your ability to perform usual activities of life or if it affects your ability to perform special activities you enjoy such as hobbies, sports, or other activities.
- ⇒ **Loss of Earnings:** You are also entitled to recover the reasonable value of working time lost on account of your injury. Thus, wages, commissions, bonuses, and all other earning and fringe benefits are recoverable.
- ⇒ **Medical Expenses:** You are entitled to recover the reasonable value of your medical expenses incurred in the past as well as those medical expenses reasonably certain to be incurred in the future as a result of your injury.
- ⇒ **Impaired Earning Capacity:** “Impaired earning capacity” damages are closely related to loss of future earning damages. It is often simply an alternative way of compensating you for future loss of earnings. “Earning capacity” refers to the difference in your ability to earn money in your injured/impaired state as opposed to your ability to earn money before you were impaired/injured. The damages in effect compensate you for injury to your earning power. This often needs vocational and economic expert advice.
- ⇒ **Disfigurement:** If the injury causes scarring or other unsightly marks, you are entitled to recover for the disfigurement and humiliation or embarrassment associated with the disfigurement.
- ⇒ **Damage to the Marital Relationship:** Serious injuries to one spouse may cause damage to the marital relationship. If this

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occurs, you are entitled to recover for the loss of society, affection, assistance, conjugal fellowship, and loss or impairment of sexual relations that occurs.

⇒ **Death:** Damages for “wrongful death” are available for the spouse, parent, child, even the grandchild of the deceased person. Sometimes other persons related or who were dependent upon the deceased may also recover. Damages are not limited to economic loss and may include damages for mental anguish, emotional pain and suffering, loss of society, companionship, comfort, protection, marital care, parental care, filial care, attention, advice, counsel, training, guidance, or education. Additional damages may be available for the deceased’s estate if the deceased survived for any period of time following the accident. The beneficiaries’ own automobile policy may provide for compensation as well as that of the deceased.

⇒ **Damage to Your Vehicle or other Personal Property:** You are entitled to be made whole for any damage to your personal property. You are entitled to recover the reasonable cost of restoring the vehicle to its condition before the collision. In addition, you may recover the cost of substitute transportation necessarily incurred while your vehicle is repaired. If the cost of repair is more than the value of your vehicle (a “total loss”), you are entitled to recover the full value of your vehicle before it was damaged.

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CAUTION: RECOVERY FOR THESE DAMAGES IS SUBJECT TO PROOF. YOU SHOULD CONSULT WITH AN ATTORNEY WITH RESPECT TO THE ITEMS RECOVERABLE IN YOUR CASE.

WHERE DO I GO FROM HERE?

In my experience, the most important thing to know to avoid being ripped off by insurance companies is to hire the

most competent, aggressive, and strong-willed attorney you can find!

Why do you think insurance companies try to get injured people to settle their claims without legal assistance from a competent attorney, experienced in personal injury? Because they can pay less than they should and get away with it, leaving you with potentially less than you deserve!

The only problem is there are so many lawyers! How will you know if the lawyer you chose is competent? How will you know the lawyer you retain is the most competent, aggressive, and strong-willed attorney you can get?

EXPOSED MYTHS ABOUT LAWYERS

If you are injured, you will get only one chance to get the compensation you deserve. One of the most important decisions you make in your lifetime will be the lawyer you choose to take on this task. That is why I am going to reveal some information about lawyers. You will have a better chance to make the right choice in a decision that will affect your life.

MYTH #1: EVERY ATTORNEY HAS ABOUT THE SAME AMOUNT OF EXPERIENCE AND TRAINING.

The fact of the matter is experience and training differ greatly from attorney to attorney. Some attorneys may have years of experience drafting wills, shuffling papers for real estate transactions, or representing people charged with a crime. Why would you want a lawyer with vast experience in probate, real estate, or criminal law matters represent you in your personal injury claim? If you are injured, you do not want some paper pusher on your side!

Picking the right attorney can be as significant in your life as picking the right doctor to treat your illness or the right

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builder to build your house. The lawyer you hire for your personal injury case should have a track record of taking cases to court in front of live juries and winning! You should ask your prospective attorney many questions such as:

1. How many personal injury cases have you handled?
2. What percent of those cases resulted in settlement before a lawsuit was filed?
3. How many cases have you tried before a jury?
4. Are you willing to take my case to trial?
5. What were the results of those jury trials?
6. Are you going to PERSONALLY handle my case if it goes to trial?
7. What professional organizations do you belong to for the purpose of improving your personal injury knowledge and trial skills?
8. Have you been asked to speak at seminars for other attorneys on trial practice and personal injury topics?
9. What experts have you hired for your clients?
10. Do you advance expenses of litigation?

These are the kinds of questions you better be asking any lawyer you see. **I WELCOME THESE QUESTIONS FROM MY CLIENTS!**

Every professional needs experience. Why let someone gain their experience on your dime. Remember the law profession is like any other profession when it comes to experience. When you need help, make sure it's the best help available so you get the most benefit from it.

MYTH #2: IF A LAWYER IS ON TV, HE MUST BE GOOD.

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Unfortunately, just because a lawyer appears in TV commercials does not mean they are qualified to handle personal injury cases. Please do not rely only on slick commercials. If a lawyer does not have the right tools and experience, **then do not hire him/her.**

If you do talk to a lawyer who advertises on TV, then ask him/her the very same questions you would any other lawyer. If all the lawyer has to offer is a slick TV commercial, do you want to trust the care of your case to that lawyer? The choice you make when deciding what lawyer will assist you is a very important decision.

MYTH #3: ALL LAWYERS ARE SKILLED IN THE ART OF NEGOTIATING

Unfortunately, this is not true. If you've ever dealt with a big corporation, you know they are intimidating and play hard ball. They do not mess around when it comes to losing money.

You need a lawyer who can negotiate from a position of strength. That means someone who prepares your case and is willing to file suit and go to trial if necessary to ensure you receive full and fair compensation.

The truth of the matter is, most personal injury cases are settled out of court. However, if you do not have a lawyer who prepares your case as if it will go to trial, you may not get the full value of your claim. A lawyer who prepares to go to trial can negotiate from a position of strength.

MYTH #4: ALL LAWYERS ARE PERSONALLY INVOLVED IN THE CASES THEY HANDLE.

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Absolutely wrong! Some lawyers have so many cases they don't have a lot of time to devote to each client! Just try to get one of those busy lawyers to return your phone call, let alone a quick chat with his staff. Some lawyers hire paralegals to do a lot of their work. This can be okay but don't you think you should be told up front if that is the case?

The bottom line is no matter how big or small your case, *it is important to you!* You need a lawyer on your side 100% committed to providing quality, personal service, with attention to detail to your case. A lawyer who treats your case with the utmost importance it *truly* deserves!

MYTH #5: YOU DON'T NEED AN ATTORNEY!

Insurance companies would have you believe you don't need an attorney. Just think about that advice! The insurance companies are in the business to make money. The less they pay you, the more money they make. You have no experience negotiating the value of your personal injury case. The insurance adjuster has a lot of experience down playing the value of your case. The insurance adjuster makes his living paying you the least amount possible.

Sure, the attorney is going to charge a fee, but nothing in life worthwhile is free. Insurance industry documents show in many cases claimants represented by an attorney may receive more in settlement. That is the real reason you need an attorney. Sure, there are some cases so small an attorney may not be able to help. For instance, if you had one doctor's visit and you are absolutely fine, an attorney probably won't help. However, if you have significant injuries, you should get significant compensation. I believe the assistance of an experienced lawyer will result in a larger settlement in most cases.

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MYTH #6: AN ATTORNEY CAN NOT HELP IF I ALREADY HAVE AN OFFER

You may be afraid to consult an attorney if you already have an offer because you think the attorney will take a portion of your offer for his fee. However, all attorneys do not charge a fee on any amount offered at the time of the initial consultation. Although a common fee is 1/3 of the gross recovery and sometimes more, some attorneys in personal injury cases will agree not to take a fee out of money already on the table when the client comes in for their initial consultation.

In fact, I've had cases where a client had an offer when they came to me. In some cases, I have been willing to take a fee only out of any additional money I obtain for the client. If you already have an offer, you may be able to find an attorney willing to work for a contingent fee only on any amount obtained in excess of the offer you already have on the table.

THE WORSE THING YOU CAN DO IS WHAT TOO MANY PEOPLE DO—DELAY AND DO NOTHING!

Way too many people wish they acted sooner and hired a competent attorney. Several bad things can happen if you delay or do nothing. Often important witnesses move and can't be found. Or you may delay medical treatment or have gaps in your medical treatment, both of which can be fatal to your case. You could sign something you shouldn't or say something you should not say. Do not delay in contacting a competent attorney. Delay could hurt your chance for a full and fair compensation.

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MY COMMITMENT TO YOU

If this Special Report makes sense to you in any way, you probably have a few questions. It is not possible to cover everything in these few pages. You may be uncertain that you have a valid personal injury claim or what to do about it. I offer a free, one hour consultation and review of your case. I will set aside one full hour to meet with you at no cost and with no obligation. You we will be able to get all your questions answered and go forward with confidence and peace of mind. You can call me at (513) 621-2345 to schedule your consultation.

Very truly,

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and

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DISCLAIMER: THIS REPORT IS PROVIDED FOR GENERAL INFORMATION PURPOSES ONLY FOR OHIO INJURY CLAIMS. THIS IS NOT LEGAL ADVICE. YOU SHOULD SEEK THE ADVICE OF AN ATTORNEY FOR YOUR INJURY CASE.

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DEDICATED TO CLIENT SATISFACTION AND RESULTS EVERY TIME!