

Jeffrey Meldon

MELDON

LAW TALK

NEWSLETTER BY THE LAW OFFICE OF JEFFREY MELDON & ASSOCIATES

August 2009 Volume I, Issue X

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Bob Rose's Inspired Lawyer Jokes Of The Month!

Can I Take His Place?

An attorney telephoned the governor just after midnight, insisting that he talk to him regarding a matter of utmost urgency.

An aide eventually agreed to wake up the governor.

"So, what is it?" grumbled the Governor.

"Judge Garber has just died" said the attorney, "and I want to take his place".

The governor replied: "Well it's OK with me if it's OK with the undertaker."

Q: What do you get when you cross a librarian with a lawyer?

A: All the information you need, but you can't understand a word of it.

Welcome to our August Newsletter! *She's Quite a Lady!*

On Aug. 5th, 1884, the corner stone for the Statue of Liberty, a gift of friendship from France, was laid on Bedloe's Island, a rocky 14.7 acre, uninhabited island in N.Y. Harbor. Bedloe's island, located 1 mile from Ellis Island, had been used as a smallpox quarantine station, a lighthouse and a fort, before changing its name to Liberty Island and becoming home to Lady Liberty. Gustave Eiffel, of the Eiffel tower fame, was the structural engineer. She took 9 yrs to build and was completed in June of 1884. It took **214 crates to hold the 350 individual wrapped pieces** on her voyage across the ocean. **Lady sits on a 27,000 ton concrete pedestal.** In 1916 Liberty's right arm was closed to the public for structural safety reasons and remains closed. In July of 2009, Lady's crown reopened after being closed since 9/11. **Here is the Lady's Measurements: Weight: 450,000 lbs (225 tons) Waist: 35' Shoe size: 879 (25") Height: (heel to top of head): 111' 1" Eye diameter: 2' 6" Hand length: 16' 5" Nose: 4' 6" Mouth: 3' Hand: 16' 5" Fingernail: 13" x 10" She is quite a Lady!** *"Give me your tired, your poor, your huddled masses yearning to breathe free...I lift my lamp beside the golden door!"* **Happy August!**



Meldon Office News: *Congratulations, Jeffrey!*

We are proud to announce that Jeffrey Meldon was recently accepted as a member of the prestigious Million Dollar Advocates Forum.



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► The Million Dollar Advocates

Forum is recognized as one of the most prestigious groups of trial lawyers in the United States. **Membership is limited to attorneys who have won million dollar verdicts, awards and settlements for their clients.** ► The organization was founded in 1993 and there are approximately 3,000 members located throughout the country. ► **Fewer than 1% of U.S. lawyers are members.** ► Forum membership acknowledges excellence in advocacy (client representation), and provides members with a national network of experienced colleagues for professional referral and information exchange in major cases. ► Mr. Meldon graduated from Case-Western Reserve



Attorney, Jeffrey Meldon

University Law School and **represents people seriously injured in accidents.**

Congratulations, Jeffrey!

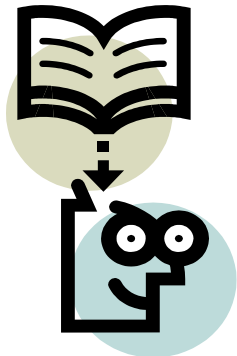
Welcome and Thank You! *A note from Jeffrey:*

My Staff, Associates and I would like to **welcome our new clients** that joined the Meldon Law Family this past month and to send **our personal thanks to all** that referred friends and family. **The Law Office of Jeffrey Meldon is proud to represent people in the "Heart of Florida" for accidents and personal injury.**

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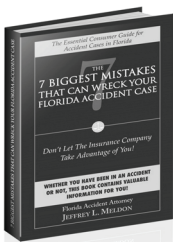
BEWARE!

Insurance adjusters may act like your friend, but beware, their one and only goal is to save their employer, the insurance company, money!



The Lincoln Penny, first

issued in 1909 to commemorate Pres. Lincoln's 100th B-Day, caused controversy. It was the first American coin to bear a president's image on its face which some felt smacked of monarchy and not democracy. Some felt he should have been placed on a higher denomination coin and some were upset that it replaced the popular Indian Head cent used since 1859.



Commonly Seen Situation: Clever Insurance Adjuster Tactics. Part V

This series of articles focuses on some of the ways that the Insurance Company's adjuster may try to take advantage of you if you have been injured in an accident.

Beware: You are not on an even playing field with the Insurance Company! Insurance claims adjusters receive extensive training in tactics about how to save their employer, the Insurance Company, money. **Remember, they are the professionals in this field, you are not.**

► **Tactic #6: The insurance adjuster may cut off your necessary medical treatment prematurely.** Under Florida law, the insurance company has the right to hire their own doctor to determine whether or not they should continue to pay for your medical bills under your own personal injury protection policy (PIP). They have certain doctors who are "hired guns" and for 99% of people they examine, these hired doctors determine that little or no future medical treatment is necessary and terminate their benefits.

Meldon's Suggestions: How to avoid being taken advantage of.

► **What to do: Hire a lawyer who is experienced in fighting the Florida insurance company PIP scams!**

There are tactics that can be used in the so called "independent medical evaluation", such as having a videographer present, only bringing legally required info to the exam, and not allowing the doctor to interview you endlessly in order to get information that helps the insurance company, who remember, is the doctor's employer.

Meldon & Friends', "Trivial Pursuit" for August Trivia

- Q: Aug 21st, 1959 _____ became the 50th State?
- Q: Aug 1st marks the 50th anniversary of the birth of the Internet. It began as an experiment by the _____ to create a computer system that would function in the event of a national disaster.
- Q: The Million Dollar Bill: Real or Fake?



- Q: Orville Wright's birthday is on the 19th of Aug. Was the first powered airplane that he and his brother Wilbur invented, which made history in 1903, called: The Kitty Hawk or The Wright Flyer?
- Q: Davy Crockett, born Aug.17th 1786, died in 1836 fighting Mexicans in Texas at _____.

Answers: Hawaii! Department of Defense Fake The Wright Flyer The Battle of the Alamo

Special thanks to Barry Sides and Greg Wagner for their inspirations on this section of our Newsletter.

Have you checked your insurance policy yet?

The Law Office of Jeffrey Meldon and Associates would like to remind you, if you have not taken the time to pull out your auto insurance policy and check it against Jeffrey's insurance recommendations and tips listed in Chapter 12 of his book, **The 7 Biggest Mistakes That Can Wreck Your Florida Accident Case**, this would be a perfect time to do so; before the new school year begins and things get busy.

Beware: Neither the state of Florida nor the other driver will protect you—only you can plan ahead and protect yourself and your family! **If you have not yet requested your complimentary copy, please let us know—1 800 373 8000, or go on our website, MeldonLaw.com and make a request ...**

Knowing you are protected is a great way to start the new school year off!

The Office Blogs: *When was the last time you checked your tires?*

BANG!...A tire blow-out and the ensuing rapid deflation that occurs is dangerous because it happens so quickly and without warning, causing loss of control of the vehicle, which combined with high speeds, can lead to flipping or other serious accident situations, injuries and fatalities. Tire separation can be due to a manufacturer defect, however, for the most part they can be avoided with regular care and maintenance.

Here are some suggestions for proper care of your tires or prevention of a blow-out:

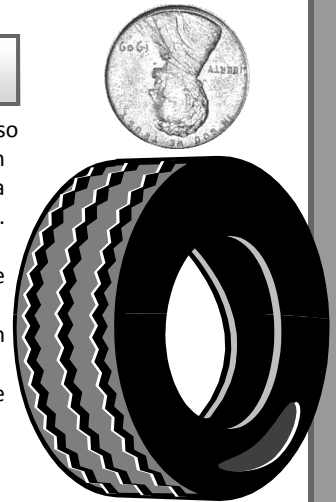
1. Check your tire pressure at least once a month. Do not over or under-inflate, keep them filled to the manufacture’s recommendations. (Tire pressure gauges are inexpensive.)
2. If you hit a curb, run over debris in the road, or have other impact damage to your tires, have them checked ASAP. A blow-out can occur immediately after impact damage or it can be delayed.
3. Avoid bald or worn tires. **Check the tread:** Insert a penny, head down, between the tire treads, if the tread does **not** cover a part of Lincoln’s head, it is time for new tires.
4. Stay current with any recalls regarding your tires and do not overload your vehicle.

If you should encounter a blow-out here are some suggestions:

▶ **Don’t panic, avoid sudden braking**, but rather, accelerate slightly, keep the steering wheel straight and firm, or slightly “counter-steer” in the opposite direction that the blow-out is causing, to keep in the lane. Once under control, break slowly and get well off the road.

Also: ▶ **When driving, keep both hands on the wheel at all times, so you can be better prepared to deal with any emergency that may arise on the road, including a tire blow-out.**

▶ **When was the last time you checked your tires?**



Law Talk 101: *Uninsured Motorist Insurance explained.*

Insurance is a topic that I feel extremely passionate about based on over 30 years of experience helping accident victims get their lives back again.

▶ **Uninsured Motorists (UM) coverage** will protect you if the at-fault party in an accident has little or no insurance and your injuries and damages are more than the amount of insurance the other person has, it is an insurance coverage I recommend for every driver on the road today in Florida. **This is why:**

▶ **Over 50% of drivers on the road in Florida are underinsured or only have the legally required minimal insurance or have no insurance at all and are driving illegally!**

▶ **The required insurance in Florida is:** \$10,000 of PIP (to cover some of your medical expenses and lost wages) and \$10,000 of Property Damage to cover the other person’s vehicle if you were at fault.

▶ **An example:** You are hit and seriously injured by a person with only the required FI insurance, you get out of the hospital with a \$100,000 bill, weeks of lost wages, rehab ahead of you, medications, your car is totaled, etc. **Here is the scenario—** If your car was worth less than \$10,000, that will be covered, as well as \$10,000 of your medical bills (if you had the minimal req. insurance), the other \$90,000 plus will come out of your pocket unless you have at least \$90,000 of UM coverage on your policy.

▶ **I recommend** that everyone on the road have UM in the amount of \$100,000/\$300,000 (min).

▶ **Recent data shows that 1 in 4 drivers on the road in Florida are driving with no insurance at all.**

“I have personally seen many serious injury cases where there is no available insurance and the person is just out of luck... it is a heartbreaking situation.”

Interesting Law of the Month: *The “Good Samaritan Act”*

Last month we discussed the “Undertaker’s Doctrine” which says where one person “undertakes to act” on behalf of another they must act with reasonable care for the safety of the other person, i.e. don’t act negligently. **As a result, some people refused to “get involved”** for fear of being sued for damages by the injured person. To encourage people to voluntarily help others in emergency situations, **Florida passed a law known as the “Good Samaritan Act”**. Its purpose is to provide immunity from liability to any person who voluntarily renders aid to another in imminent danger. Florida’s version of the statute, which has been enacted in some form in all 50 states, is found in Florida Statute 768.13. It attempts to provide protection from suit for ordinary citizens as well as medical personnel. Protection for ordinary citizens is provided when: **1) aide is rendered without expectation of payment; 2) in response to an emergency; 3) outside a hospital; 4) without objection of the injured victim; 5) so long as the person acts as an ordinary reasonably prudent person would have acted under similar circumstances.** However, the statute has been criticized by some Florida courts for not providing enough protection. Some argue that to truly encourage non-medically trained citizens to become “Good Samaritans” the 5th requirement should be changed to, “so long as the person does not act with reckless disregard for the health and safety of the injured person” which is the standard for medical personnel in a hospital emergency situation. **For now, ordinary Floridians must still act “reasonably under the circumstances” to receive the protection from suit provided by the statute.**

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MELDON LAW TALK NEWSLETTER



Do You Know What To Do In The Event of a Tire Blow-out? (page 3)

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**Look Inside
This Issue**

- ▲ August Trivia and a Look at Lady Liberty!
- ▲ Jeffrey is accepted into the Million Dollar Advocates Forum.
- ▲ Uninsured Motorist Coverage explained
- ▲ The Law of the Month, The Good Samaritan Act.

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Ask Jeffrey: *Is it true if someone rear-ends you, it is always their fault?*

Q: Is it true if someone rear-ends you, it is always their fault and they are responsible for any damages that they cause?

A: This is a common question and a topic that is often misunderstood. Here is the information:

▶ **If you are found to be 0% at fault for the accident**, for example you are sitting at a red light, minding your own business, then yes, the person that ran into the back of you would be responsible for your damages.

▶ **However, if it is found that you are partially at fault for causing the accident**, by stopping or changing lanes suddenly or some other reason, under comparative negligence, then the % that you are at fault will be reflected in your settlement. **For example:** If you were found 20% at fault for the crash; the driver that was following too closely and hit you, would be responsible for 80% of your damages and you would be responsible for 20% of theirs. ▶ **Because of the doctrine of comparative negligence in Florida**, the importance of gathering evidence early on in any rear-end collision cannot be emphasized enough.

▶ **Make sure to buckle up, it could keep your head from hitting the windshield in a rear-ender.**



The most common injuries associated with rear-end crashes involve the neck and back.... Such as, whiplash and disc herniations.

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