

Jeffrey Meldon

# MELDON

# LAW TALK

NEWSLETTER BY THE LAW OFFICE OF JEFFREY MELDON & ASSOCIATES

## Lawyer Jokes (Inspired by The Sky's Bob Rose)

**An Amish man named Samuel** was injured when he and his horse were struck by a car at an intersection. Samuel sued the driver of the car. In court, he was cross-examined by the driver's lawyer:

**Lawyer:** Samuel, you've told us all about your injuries. However, according to the accident report, you told the officer at the scene that you weren't injured at all, isn't that true?

**Samuel:** Well .... let me explain.

**Lawyer:** Go right ahead, (thinking he had him on the ropes) Please tell the jury.

**Samuel:** When the officer arrived at the scene, he first looked upon my fallen horse. Finding him injured, the officer said to me, "Looks like he has a broken leg," and then he took out his weapon and shot my horse dead. The officer next looked upon me and asked how I was doing. Suffering from the same injury as my horse, I of course immediately replied, "I'm OK!"

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## Welcome to our November Newsletter! *Time to Give Thanks*

**Happy November & Turkey Day!** While there is much romanticism surrounding the history of Thanksgiving, one thing historians know for certain is that it began as a celebration of thankfulness. The actual first Thanksgiving appears to have been in St. Augustine, Fla., on Sept. 8, 1565, celebrating the safe landing of 800 Spanish settlers with a mass followed by a meal shared with the native Americans. Fifty six years later, the puritan-pilgrim settlers in Plymouth Colony had a 3-day-harvest celebration sometime between late Sept. to mid Nov.. ► **Thanksgiving, as we celebrate it today, is based on the 1621 harvest festival. However, most of what we think we know about that feast is a myth. Here are some things that historians do know about the Pilgrim's Feast:**

- Cranberry sauce, potatoes (white or sweet), and pies were not on the menu.
- The event included recreation and entertainment, but probably not wild turkeys.
- Approximately 90 Wampanoag Indians and 52 colonists attended—the later mostly women and children.
- The Indians contributed at least 5 deer to the feast.

► **Post 1621**, Thanksgiving became a regional holiday celebrated solemnly by fasting and quiet reflection. In the early 1800's, the Godey's Lady's Book transformed and commercialized the Holiday, publishing mouth watering Thanksgiving recipes in their magazine.

**Regardless of the true history of the first Thanksgiving, we wish you and yours a memorable day.**



## Office News: *Congratulations and Welcome!*

The Law Office of Jeffrey Meldon & Associates would like to congratulate Carolyn Watson as she begins her 14th year of employment. Carolyn is a legal assistant and case manager who says what she likes best about her job, "...is working to keep insurance companies from taking advantage of injured victims."



Carolyn Watson

Carolyn, originally from New York, lives in High Springs and enjoys the recreation and wildlife the area offers. ► **The Office is also very proud, honored, and excited to announce that attorney Carey Meldon has joined his father, Jeffrey, as an associate in the law firm.** Carey was a prosecutor with the State Attorney's Office in Daytona Beach for the last 4 years where he gained the respect and admiration of his co-workers and superiors. **Their loss is our gain!**



Carey Meldon

Carey will focus on DUI and criminal defense and help with personal injury cases. **Welcome Carey!**

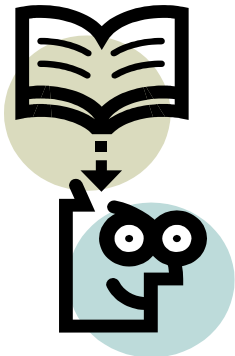
## A note from Jeffrey: *Welcome and Thank You!*

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

WORKING FOR  
**JUSTICE**  
SINCE 1971

THE LAW OFFICE OF  
**JEFFREY MELDON**  
ASSOCIATES

TOLL FREE  
1-800-373-8000



"We are committed to educating people about the need to protect themselves and their families before and after an accident."  
 Jeffrey Meldon

**The Scholar-Athletes of the Week; North Central Florida's Best and Brightest!**

**September:**  
 9/3— Harold Hoskinks from Eastside for Football

9/10— Kevin Nelson from GHS for Football

9/17— Kadron Boone from Trinity Catholic for Football

9/24— Cynthia Smith from Santa Fe for Volleyball

**October:**  
 10/1— Alex Gilmer from Fort White for Football.

10/8— Sarah Soltis from Buchholz for Swimming



Consumer Protection Accident Guide Book

**Did you know? You may not need a lawyer.**

Did you know that if you are in an accident you may not need a lawyer to assist you in recovering your losses? In fact, for a small injury case, you may be better off not hiring a lawyer and may even have trouble finding an experienced lawyer to take your case. **This is why**, in cases where the injuries are minor, the medical bills are less than a few thousand dollars, and there is little or no property damage, the attorney fees and costs might leave you little or nothing after paying your medical bills. **It has been my experience that in small cases a person may have just as good a chance at recovering a settlement near or equal to what an attorney could get and without the expense of an attorney.**

► **Here is what you need to be aware of:** Many people who are injured in an accident think their injury is only temporary and they will be fine in a couple of weeks. Often, these accident victims don't seek medical or legal assistance and regret it down the road. Many times these seemingly minor injuries turn out to be permanent and require major surgery; this is especially common for head, neck, and back injuries.

► **Remember:** Initial consultations are free with most attorneys so take advantage of them and arm yourself with the information you need to make the right choices—better to be safe than sorry.

► **Beware:** Often, insurance adjusters tell seriously injured accident victims that they shouldn't hire a lawyer because they will receive less money. This is actually not true. A 1999 study by the Insurance Research Council, a non-profit organization that is supported by leading insurance companies, found that people who used an attorney received on average 3 1/2 times more money in settlements than those individuals who settled on their own.

**Jeffrey Meldon/WCJB TV 20's Scholar-Athlete Update... Congratulations Students!**

The Jeffrey Meldon/WCJB TV 20 Scholar-Athlete program has been in existence since 1997. Every week during the school year a deserving high school senior is awarded the title of "Scholar-Athlete Of The Week" and receives a \$100 scholarship and a plaque. The award is announced TV 20's Thursday evening sports news @6:00 and includes a video clip of the student and their achievements. In the column to the left are this year's winners.

**Meldon & Friends' "Trivial Pursuit" for November**

Q: According to the U.S. Census Bureau, \_\_\_\_\_ is the top turkey-producing state.

Q: The National Turkey Federation estimated that \_\_\_\_\_ turkeys were consumed in '07 on T-Day.

Q: The \_\_\_\_\_ is one of only three fruits—others being the blueberry and the concord grape— that are entirely native to North American soil.

Q: The first national Thanksgiving football broadcast in 1943 was played between what 2 teams?

Q: The largest \_\_\_\_\_ ever baked weighed 2,020 pounds and measured just over 12 feet long.

**Answers: Minnesota 46 million Cranberry The Detroit Lions & The Chicago Bears Pumpkin pie**

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

**Are you prepared & adequately insured, in case of an accident ?**



Accident Kit

Most people think it will never happen to them. However, statistics show that one in five drivers will be involved in a traffic accident this year. How can you protect yourself? Always buckle-up yourself and all your passengers properly; don't drive under the influence; don't drive distracted; and make sure your vehicle is properly maintained. However, sometimes accidents still occur. We recommend you:

1. Make sure your insurance policy is adequate.
  2. Know what to do in the event of an accident.
  3. Be ready to document the facts with your accident kit ready in your glove compartment!
- To request your complimentary Guide Book, (which includes Mr. Meldon's insurance tips and recommendations) and Glove Compartment Accident Kit, call (800) 373-8000 or visit [MeldonLaw.com](http://MeldonLaw.com).

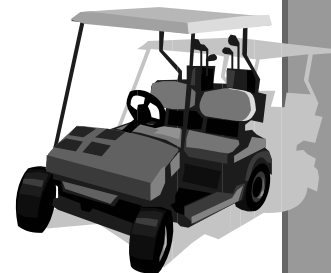
**You will be prepared if you have your Accident Kit and your Consumer Protection Accident Guide Book! Order yours today! Its Free!**

## The Office Blogs: *The ABC's of Off-Highway Motor Vehicles*

Fall weather is a perfect time to enjoy outdoor recreation vehicles such as: ATVs, ROVs, OHMs, golf carts, go-karts, and low-speed vehicles. As an accident attorney that believes in public education and in the prevention of accidents, here are the basic laws for off-road motorized vehicles:

- **Stay off public streets and roads.** In Florida, an ATV, ROV, and OHM cannot be operated on public roadways. The only exception is on an unpaved public road where the posted speed limit is less than 35 mph and only during daytime.
- **An ATV, OHM, or ROV operator that is under 16 years of age must be supervised** by a licensed driver and must wear a helmet and eye protection.
- **A low speed vehicle may be operated on the streets only if the posted speed limit is 35 mph or less and must be:** equipped with headlamps, stop lamps, turn signals, tail lamps, reflectors, parking breaks, review mirrors, windshields, seat belts, and vehicle id numbers; be registered; and insured. The operator must also have a valid driver's license in their possession.
- **A golf cart may not be operated on public roads or streets,** except for roads specifically designated for golf cart use or roads that are part of the State Park Road System if the speed limit is 35 mph or less. A person under 14 may not operate a golf cart on public roadways.
- **On these vehicles, you are prohibited from carrying a passenger,** unless the ATV is specifically manufactured for two people.

**Additional note:** Only persons 16 years of age and under are required by law to wear a helmet. However, wearing a helmet is recommended for all riders to prevent serious head injury such as traumatic brain injury and may save your life. Remember, helmets serve as a cushion to protect your head.



### Law Talk 101: *Bad Faith...explained*

When a person files a reasonable insurance claim, for example, after a car accident, by law, the insurance company owes their insured a duty to act in good faith and with due regard. In other words, insurance companies must act in the best interest of their insured. If they do not, they could be found to be acting in "bad faith." Insurance companies are required to respond in a timely and accurate manner for reasonable claims. Essentially, it's a "could-a, should-a" law for insurance companies for consumer protection. If the insurance company could have, then they should have acted in good faith and with due regard for the best interest of their insured.

► **Examples of insurance companies acting in bad faith are:**

- Denying a legitimate and reasonable claim;
- Unreasonably stalling a reasonable claim;
- Failing to settle a claim within its policy limits.
- Requiring unreasonable actions or documentation.

► If an insurance company is found to be acting in "bad faith," it may be forced to pay a larger settlement than the face value of the policy.

► **Below is an example of a bad faith claim that we recently handled in this office.**

**Know your rights!**  
Your insurance policy with your insurance company is a contract. Your part of the contract is to pay your premiums. Their part of the contract is to pay your benefits consistent with the policy in a timely and reasonable manner & with your best interest in mind. If they do not..... you may have a bad faith case and should consult a lawyer.

### Interesting Case of the Month: *A "Could-a, Should-a," Bad Faith Situation*

Recently, we represented a beautiful young woman, that lost her lower left leg in a serious motorcycle accident. Here is the info:

- The person that caused the accident had \$100,000 of Bodily Injury liability insurance and quickly paid up to the limit.
- Our client had \$25,000 of Under-insured Motorist coverage.
- Our client's insurance company failed to pay her the \$25,000 that she had been paying premiums for, in a timely manner.
- When the insurance company failed to pay the reasonable claim, which it could have and should have done, **we found they were acting in bad faith.**
- **We recovered 1.3 million from our client's insurance company.**
- Had the insurer paid the policy with due regard for the best interest of their client, it would only have had to pay the \$25,000.

Disclaimer: Just because we obtained these results on this case, does not necessarily mean we can get them on your case; every case is unique.

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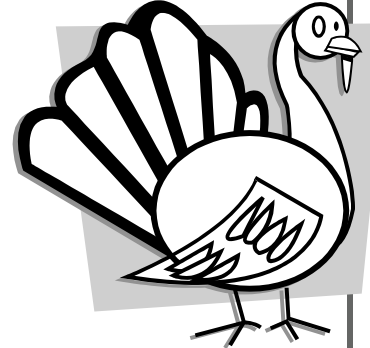
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**MELDON LAW TALK NEWSLETTER**



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Look Inside  
This Issue

- ▲ November Trivia and a look at the origins of Thanksgiving.
- ▲ Bad Faith Explained.
- ▲ The ABC's of Off-Highway Vehicles.
- ▲ Congratulations and Welcome!
- ▲ Construction zone information.

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**Ask Jeffrey:** *What are the fines for speeding in a construction zone?*

**A:** Speeding in work zones is an important topic since Florida has one of the highest numbers of deaths in construction zones in the U.S. According to the Fla. DOT, approx. 1,000 people are killed in work zones every year in the country. In 2007, in Florida, there were 11,248 accidents that resulted in 8,288 injuries and 105 fatalities, with over 50% caused by speeding. ► Here is what you can do to improve work zone safety:

- Do Not Speed & avoid cell phones and other driving distractions;
- Do not tailgate & avoid changing lanes;
- Turn your headlights on, use appropriate turn signals, & pay attention!

► There is decreased speed in work zones for a reason— they pose an increased risk to drivers and workers! Due to the increased risk, speeding fines are doubled. So, to answer your question—if you are found speeding in a construction zone, you will be fined twice what you would normally would have been. Fines are based on how many mph a driver is going over the posted speed limit. For example, exceeding the limit by 15 mph would result in a fine of \$150, 15 mph over the speed limit in a construction zone, would result in a \$300 fine. ► In addition to avoiding speeding:

- Drivers must yield the right of way to a worker, flag person, or construction vehicle.
- If a driver contests a work zone speeding ticket, and are then found guilty, a judge can impose a fine of up to \$1,000.

**"Work  
Zone  
Safety..  
It's  
Every-  
Body's  
Job."**

Department of  
Transportation

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