

**MURRAY
& GUARI**
TRIAL ATTORNEYS PL

Making a Difference in Our Clients' Lives.

Do You Really Think Auto Insurance Companies Pay Fair Settlements?

John Doe
Insurance Agent

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Fall 2013
Hablamos Español

1525 N. Flagler Drive, Suite 100 - West Palm Beach, FL 33401

Auto Accidents - Premises Liability - Product Liability - Personal Injury & Wrongful Death

www.murrayguari.com - (561) 366-9099

Delay ~ Deny ~ Defend

Auto Insurance Companies' Claims Tactics



80-90% of Accident Victims do not Fight & Take What the Insurance Company Offers.

– CNN Anderson Cooper

At Murray & Guari, we fight auto insurance companies daily.

We are seeing it more and more – auto accident victims are being forced to file suit as their claims are frequently **Delayed** or **Denied** or **Defended** by powerful auto insurance companies and their lawyers and their retained medical experts who are paid millions of dollars for their “testimony.”

Two of the largest insurance companies in the U.S., State Farm and Allstate, over the years, have changed how they handle cases involving auto crashes. A 2007, CNN investigation found that if you were injured in a crash, these insurance companies were more likely to challenge your medical claims. They would offer you a small fraction of your expenses and hope that you would just “walk away”.

Auto insurance companies usually force accident victims to file suit to fight for money “damages” that they are owed under the law. Insurance companies frequently

drag out cases for years and have worked to convince the public that this is all in the name of “preventing fraud.” The truth is, it’s all about profits. Insurance companies continue to make billions in profits while consumers see little in reduced premiums.

The easiest way for insurance companies to increase their profits is to reduce or chop claims. Insurance companies try to make these cases so expensive to litigate and hope that attorneys will not take them.

We fight auto insurance companies daily!

Never give a recorded statement to anyone including your insurance company without your attorney present to ensure your rights are protected. Never accept a settlement offer with an auto insurance provider without first consulting an attorney. ■

Railroad Crossing Dangers

Stop, Look, and Listen

The Federal Railroad Administration (FRA) states that approximately 3,000 train accidents occur each year in the United States with nearly 1,000 people dying as a result. FRA estimates that about 80% of railroad crossings do not have adequate warning devices.

Prevention - Tips to Avoid Train Accidents

- Expect trains at any time. They do not run on a schedule.
- Do not race a train to a crossing.
- Do not drive around lowered gates.
- Never stop on the train tracks.
- Slow down when approaching train tracks.
- Always look both directions before crossing train tracks.
- Walking down any train track is dangerous and illegal.
- Always cross the tracks at the designated railroad crossing or pedestrian crossing.
- If you get stuck on the tracks at a railroad crossing, immediately leave your vehicle.
- To report an emergency call 911 or CSX Railroad Emergency at 1-800-232-0144.



Remember - the average locomotive weighs about 400,000 pounds or 200 tons; so be vigilant, practice safety and arrive at your destination alive. ■

Vehicle Black Box Crash Data Recorders - Who Owns the Data?



Did you know that vehicles today are equipped with an **Event Data Recorder (EDR)**? If not, you're not alone. Very few drivers know that there is a small device buried deep inside their car or truck, commonly referred to as a "**Black Box**." Today, about 96 percent of all new vehicles sold in the United States have a black box.

If you are in an accident, black boxes will contain crash data — moment-by-moment statistics saved from the car's most recent collision. There's speed, acceleration, braking — and even information from inside the car like **seat belt buckle status** and airbag deployment. It provides the details seconds right before and after a crash. Black boxes cannot be turned off.

Black boxes have long been used by car companies to assess the performance of their vehicles; however, they are increasingly used by insurance companies as evidence in traffic accidents. This opens the debate over privacy and questions over who owns the information, and what it can be used for, even as critics have raised questions about its reliability. **So, wear your safety belts!**

There are no clear standards in use today, including in Florida, but fourteen states have passed laws that support that, even though the data belongs to the vehicle's owner, law enforcement officials and those involved in civil litigation can gain access to the black boxes with a court order. ■

Pharmacy Error Case - Settled

Newborn Baby Seriously Injured

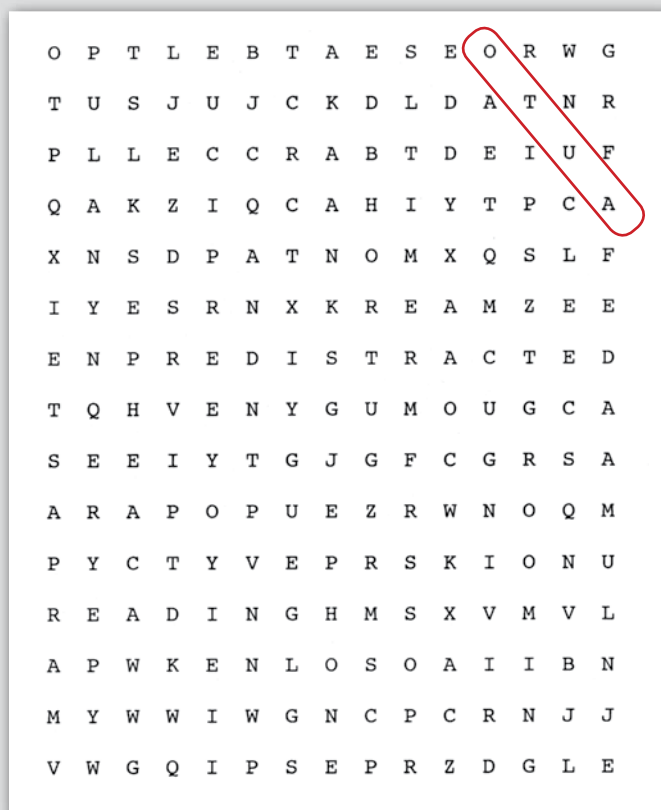
We recently settled a case, for a confidential amount, holding a pharmacy accountable for the grievous injury suffered by our client's newborn daughter because of the **pharmacy's failure to properly and safely provide medication.**

An examination after birth revealed that one of the twins had been born with a congenital heart condition. The doctor prescribed a medication to help her heart function properly. **The local pharmacy, however, misfilled the prescription, giving the newborn baby ten times the prescribed dosage.** The incorrect medication was administered for a week, causing the baby to become violently ill. The mother rushed her to the hospital after she stopped breathing. The baby was diagnosed with toxicity at a lethal level, a direct result of the misfilled prescription. The baby's intestines had become twisted and it was necessary to surgically remove 75% of her small intestines. She stayed in the hospital's intensive care unit for months.

The medication prescribed for the baby was designated as a "high alert medication," meaning that a pharmacy must use extreme caution when filling this type of prescription due to its potential to cause serious and deadly problems, especially for newborns. As a result of the misfilled prescription, the baby suffers from short bowel syndrome and is very weak in her legs, neck, and torso. **The damage, caused by the error, has resulted in the decline of the baby's physical and mental development, substantially below the growth and development of her twin sister. The confidential settlement will provide on-going necessary care required for the remainder of her life. ■**



Distracted Driving Word Search



Circle-Word Word List:

- | | | |
|----------|-----------------|------------|
| ACCIDENT | AUTO | CELL |
| COMPUTER | DISTRACTED | DRIVING |
| EATING | GROOMING | PASSENGERS |
| PHONE | PREVENTABLE | RADIO |
| READING | SEATBELT | TEXTING |

And the Answer is?

Which Amendment to the U.S. Constitution guarantees to protect citizens from unreasonable seizures and searches?

- First Amendment
- Fourth Amendment
- Seventh Amendment
- Ninth Amendment



*See bottom of page 5 for answer.

Supporting Our Community



Recognizing Those Who Make a Difference

Attorney Jason Guari emceed the Palm Beach Area Chapter of the **Leukemia & Lymphoma Society's** Appreciation Volunteer Awards Happy Hour. Jason is also Vice President of the Board of the Leukemia & Lymphoma Society and has hosted its September 2013 Board of Directors' Retreat. ■



Fundraising for CFF

Attorney Jason Guari and his wife Nicole were on the 2013 Planning Committee for the annual **Cystic Fibrosis Foundation** Fundraiser - Arthur's Jam. This year's event took place on October 5, 2013, at Ragtop Motorcars, downtown West Palm Beach. ■

Back to School Supplies

Attorney Scott Perry (middle) along with fellow members of the **Palm Beach County Bar Association's Young Lawyers'** Section shopped for snacks and school supplies for their adopted school. ■



Free Child Safety Seat Presentations



For those of us with young children, keeping our kids safe is a top priority. As parents of young children and a local business, we believe it is our responsibility to reach out to the communities in which we live and help educate and increase awareness on the subject of child passenger safety.

Our law firm offers a free 20-minute Child Safety Seat presentation to the public, schools and daycare centers. To attend one of the presentations or if you or your organization is interested in having this child seat safety discussion presented to your audience, please contact Pam Henney at (561) 366-9099 or email phenney@murrayguari.com. ■

Meet Legal Assistant Lisy Rivera - Habla Español

Lisy joined the firm in February 2011. She is a legal assistant for the pre-litigation department supporting the senior paralegal and the firm's attorneys preparing case files for negotiation and/or lawsuits. ■



Murray & Guari – Hablamos Español.

Nosotros, tanto como usted, llamamos el Sur de Florida nuestro hogar. Practicamos la ley de herida personal en todas partes de la Florida y estamos orgullosos de ofrecer nuestros servicios en los condados de Palm Beach, Broward, Martin, y Treasure Coast. Tenemos más de 30 años de experiencia legal combinada. Le ofrecemos a los clientes el mejor servicio de 'bufete de firma grande de abogados' en manos de, 'el pequeño bufete de abogados'. Si usted tiene un caso de herida personal, llámenos al (561) 366-9099 o póngase en contacto con nosotros en el Internet en www.murrayguari.com. Estamos encantados de responder a sus preguntas. ■

Stay Connected

Our social media accounts allow us to connect with you in real-time and share the latest news and information regarding our practice, important safety information and legal updates. We look forward to being a part of your social network. ■



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SCAN with a smart device:
Phone, Tablet.

For more information:
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Murray & Guari Trial Attorneys

How Can We Help



At Murray & Guari Trial Attorneys, we represent victims throughout Florida who have suffered serious personal injuries due to the negligence of others. At

our firm, you will find a team that is truly concerned about your well-being and getting justice. We are proud that our clients come to us based on a personal recommendation from past clients and from other attorneys in the community who respect our reputation and the quality of our work. We would be honored to put our experience, skill and integrity to work for you. ■



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