



Personal Injury | Wrongful Death | Auto Accidents | Product Liability | Premises Liability

Jurors Not Supposed to Know About Insurance Coverage



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Evidence of Insurance

Information Florida Jurors Are Not Allowed to Hear at Trial

Did you know that Florida law usually prohibits a jury in a personal injury case from knowing whether a defendant has insurance coverage, what type of coverage, and the amount of coverage available?

Why is that? The rationale is that if a jury is aware of the defendant's available insurance coverage, then the jury may base its decision to award damages on the availability and amount of insurance coverage, rather than on the evidence presented at trial.

It is potentially reversible error if evidence of insurance is presented to the jury; however, in reality, juries often speculate on whether the defendant has available insurance coverage, which may lead to an unfair result. Most defendants in car accident cases are individuals; not corporations. Attorneys, hired by the insurance companies to defend defendants in car accident cases, often use this to their advantage by presenting evidence about their client's occupation, the type of car they drive, where they live, etc., to give the impression that the defendant could be financially hurt, if the jury awarded significant damages at trial.

What most jurors do not know are the extraordinary lengths that an insurance company will go to keep insurance information away from the jury.

If the case goes to trial, at the end of the trial, a jury will render its verdict. Assuming the jury returns an award for the plaintiff, the defendant's insurer pays the amount of the judgment up to the insurance policy's limits. The defendant is personally liable only for the financial compensation above the policy limits (Some insurance companies pay this too).

Insurance companies often appeal adverse verdicts with the hope to reverse a plaintiff's verdict, and at a minimum, to tie up a plaintiff's money hoping that the plaintiff settles post-verdict for less.

So, how does a jury make a fair judgment without all the facts and evidence? How do injured parties recover the full amount of damages that they truly deserve?

Unfortunately, the law **does not** allow the plaintiff's attorney to tell the jury about a defendant's insurance company or the available insurance coverage. **In most of these cases, you can be sure there is an insurance company behind the defendant.** And, most attorneys will not take cases to trial without the existence of insurance or unless they believe they will be able to adequately collect for their client. ■



Auto Insurance

Five Tricks the Auto Insurance Companies Use Against Accident Victims

Car accidents occur every day. They can be devastating for everyone involved regardless of fault. The time following a vehicle accident may be quite confusing. Victims could be dealing with injuries, loss of a loved one, or property damage. Victims often find themselves unfamiliar with the legal process and lack understanding of the injury claims handling process, not to mention being pressured or susceptible to influence by an insurance company. It is important to note that the less money insurance companies pay out in adverse claims, the more profits they can make.

Here are five ways that insurance companies can try to trick you and limit their own liability in your personal injury auto accident claim:

1. They Act Like a Friend – Initially the adjusters for the insurance companies seem to be on your side and tell you they are doing everything they can for you to resolve the issues and get you paid. They often work off scripts to gain your trust; however, **the insurance company is a for-profit business that wants to payout as little as possible.** They may even delay your claim to wear you down.

2. They Ask for a Recorded Statement – Insurance companies often ask the accident victim to give a recorded statement, detailing the injuries and damages sustained. This is not required for you to file a claim against the insurance company for the person who caused the accident. Here the insurance companies hope you forget to tell them about prior, similar injuries or treatment or hope you make a mistake (admit partial fault for your accident or downplay your injuries). They try to use the recording against you to discredit you and your credibility, if you go to court at a later time.

3. They Insist on the First Offer – Never accept the first offer from an insurance company. The first offer is notoriously a low-ball offer to get you to settle for cheap. They make it out to be the “Best Offer” you will get. The insurance company knows that you need the money and want closure. They hope you are inexperienced and will just accept the offer. It is always best to seek advice from an experienced personal injury attorney before agreeing to or signing any offers from an insurance company.



4. They Insist Upon a Release of Personal Health Information – Be careful when the insurance company insists that the accident victim sign a waiver or release of their medical information. The insurance company does not need full access to your medical records. Many of these releases are far too broad and allow the insurance company to have access to your entire medical history, and they can use that information against you and your claim. Always consult with an attorney before agreeing to or signing any release of personal health information.

5. They Follow You on Social Media – Insurance companies will look at your online accounts and social media posts following an accident. They do this to strengthen their own claim against you. They will look to see what you did before the accident and what you are now doing and saying after the accident. They will look for anything that will discredit you, your injuries, and your claim. Be careful about what you post about your accident or case online, as your actions and comments may be misinterpreted later.

When in doubt, hire an experienced attorney who will look out for your best interests and will protect your rights. Then, the insurance company must speak directly with your attorney. Insurance companies know that the minute you hire a lawyer, it makes their job that much harder to trick you into an unjust settlement. ■

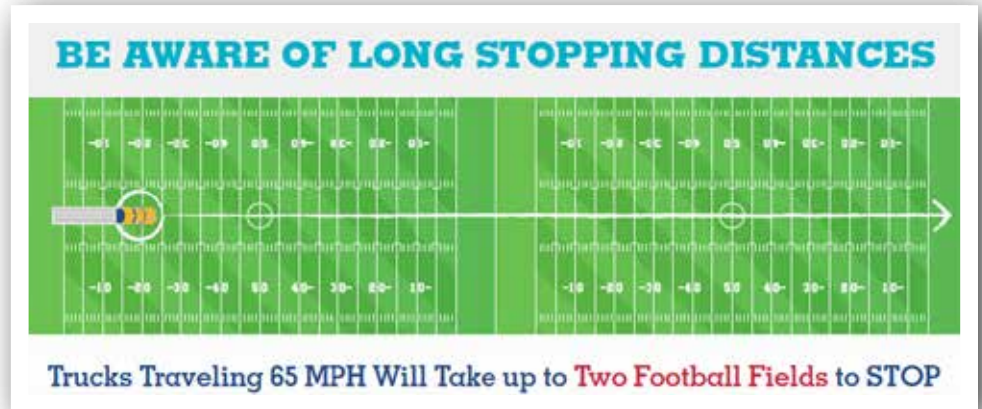
Don't Cut In

Never Cut Off A Large Truck

The Federal Motor Carrier Safety Administration (FMCSA) reminds motorist – **“Don't Cut In”**.

- **The stopping time and distance for a truck or bus are much greater than those of smaller vehicles.**
- Stopping distance increases even more when a commercial vehicle has a heavy load or there are road conditions like rain, ice, or snow.
- **A fully loaded truck traveling**

under good conditions at highway speeds requires a distance of almost two football fields to stop. A car should never suddenly cut in front of a truck, as it reduces the truck's allowable safe stopping distance. ■



Words That Start With Sun Word Search



Circle-Word List

- | | | |
|----------|------------|-----------|
| Sunbathe | Sunflower | Sunseeker |
| Sunblock | Sunglasses | Sunset |
| Sunburn | Sunlight | Sunshine |
| Sunburst | Sunrise | Sunstroke |
| Sundries | Sunscreen | Sun Tan |

And The Answer is?

Which type of playground equipment had the most reported injury incidents between 2009 and 2014?

- Slide
- Seesaw/Teeter Totter
- Swing
- Monkey Bars



*See page 5 for answer.

Supporting Our Community

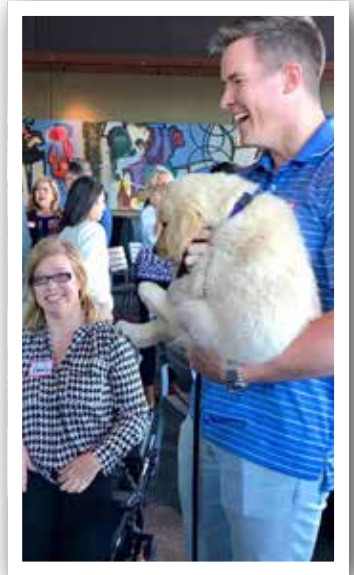
Justice Teaching

Another day of Justice Teaching for Scott Murray and Jason Guari at BAK Middle School of the Arts with seventh graders. The attorneys taught about the different forms of government and gave students the opportunity to develop their own form of government in an imaginary setting. ■



Service Dogs In Training

Keith Hedrick, a Board Member of Genesis Assistance Dogs, Inc, attends a recent fundraising event in Palm Beach Gardens. The newest edition is named Finn. Finn will be paired with a client in need in about two years. ■



Meet Caitlin Mills

Caitlin is a Legal Assistant for the Pre-Litigation Department supporting the Senior Paralegal and the firm's attorneys working up and preparing cases for demand and settlement. ■

Thank You For Your Confidence And Trust In Us

We at Murray Guari are thankful and humbled by the **positive feedback from our clients**. We remain strong on our focus – helping our clients when they need it most. **Here we share a recent comment review provided by a client:**

“From the first we knew we were in good hands. We were kept up-to-date on every aspect of our case and any questions were addressed immediately. Tracy and Tonya knew what was going on all the time and we depended on them greatly. Our case was resolved to our satisfaction and then some. We highly recommend Jason Guari!” -CD

Murray Guari – Hablamos Español

Nosotros, tanto como usted, llamamos el Sur de la Florida nuestro hogar. Practicamos la ley de lesiones personales 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. Si usted tiene un accidente de auto, un resbalón o caída, un producto defectuoso, negligencia médica o algún otro tipo de negligencia, llámenos al (561) 366-9099 o póngase en contacto con nosotros en el Internet en www.murrayguari.com. Nosotros tenemos un abogado disponible para hablar con usted en cualquier momento. ■

Recognitions

Our attorneys have been recognized on the local and national levels for their achievements in law, as well as their community leadership and other activities.



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How Can We Help?

At Murray Guari Trial Attorneys PL, 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 for you.** 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. ■



Keith Hedrick, Scott C. Murray, Jason J. Guari, and Scott B. Perry

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