

Accusations like this try to obscure an important truth: if you've been hurt in an accident, the insurance company's interests don't align with yours. You want the full settlement you're entitled to, and they want to keep it as low as possible.

A Good Lawyer Can Help

You know whose interests do align with yours? Your lawyer's. But choosing the right lawyer – someone who knows how insurers avoid paying victims and won't let them get away with it, for example – is important. When you hire an experienced personal injury lawyer, the lawyer's sole purpose is to make sure that no one cuts corners on your settlement.

You can't always control if you get into a car accident. But with the help of a smart, capable attorney and doctor, you can control how you get out of one.

Don't let insurance companies, uninformed doctors, or the wrong lawyer keep you from getting the full settlement you deserve.

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**WHAT YOU
NEED TO
KNOW NOW
IF YOU HAVE
BEEN
INVOLVED IN
AN AUTO
ACCIDENT**



Navigating Doctors, Insurers and Lawyers After Your Car Accident

Doctors, lawyers, and insurance companies provide valuable services – that’s why we pay them. But if you’ve been in a car accident, there’s no guarantee they won’t cut corners. An experienced personal injury lawyer and doctor – someone who knows the ins and outs of how accident victims can get taken advantage of – is your most important ally. Here’s why

Doctors

If you’ve been hurt in a car accident, you need a complete and accurate diagnosis from a doctor to get the full settlement you deserve. An incomplete diagnosis won’t just hurt your recovery – it could drastically increase your medical costs.

Let’s say you got in an accident. You were driving and got hit from behind, and then you were taken to the hospital by ambulance and briefly lost consciousness. Now you’re feeling neck pain radiating down into your shoulder, arm and hand. You also have headaches, dizziness, blurred vision and loss of concentration. You relay all of this to the doctor.

What does a complete diagnosis look like? A full orthopedic, physical and neurological exam looks at all injured body parts, whether or not they ultimately get treated. A complete diagnosis might look something like this:

Complete Diagnosis:

1. S06.DX1A Concussion, brief loss of consciousness
2. R42 Vertigo, dizziness and giddiness
3. M54.12 Cervical radiculitis
4. G44.89 Headache
5. S16.1XXA Cervical strain
6. S13.4XXA Cervical sprain
7. M99.01 Cervical segmental dysfunction
8. M48.32 Cervical traumatic spondylopathy
9. S43.401A Right shoulder sprain
10. M77.01 Right medial epicondylitis
11. G56.01 Right carpal tunnel

By contrast, an incomplete diagnosis might only say this:

Incomplete Diagnosis:

1. S16.1XXA Cervical strain
2. S13.4XXA Cervical sprain

You don’t need a medical degree to see there’s a huge difference between the two.

Why is this important? Because your diagnoses are used by the insurance companies to establish the maximum settlement you will receive for your injuries.

Look at the diagnoses above. See the codes on the left of the symptoms? Oftentimes, these codes are all the auto insurance companies want to use to determine the value of your case. An incomplete diagnosis cuts this down considerably. As the saying goes: garbage in, garbage out.

Insurance Companies

When you get in a car accident, the insurance company enters your doctor’s diagnostic codes into a software program (named, ominously enough “Colossus” in some cases)

and then the program spits out a decision about your case.

Insurers take this opportunity to give you a low-ball estimate. Colossus and similar programs reduce the value of your claim by diminishing the compensation attributed to certain common injuries (e.g., whiplash).

Unfortunately, that’s just the beginning of the tactics insurers use to avoid paying you. Here are some others:

- Claiming that the victim, the doctor, or both are lying
- Forcing claims all the way to trial by making only low-ball settlement offers (thereby increasing the costs and time required to prosecute a case against the at-fault driver)
- Convincing at-fault clients to not disclose policy limits
- Refusing to accept service of the court documents when a lawsuit is filed
- Limiting reimbursement to 6-8 weeks of medical care following damage to your car
- Placing your claim in the “minor impact, soft tissue” category based on property damage amounts regardless of how badly you were hurt.

The goal here is two-fold: in the short term, insurance companies hope to convince unknowing victims to settle for less money. In the long term, they try to discourage victims from bringing lawsuits. Both goals have their profits –not your recovery – in mind.

Insurance companies like to paint lawyers with a broad brush, claiming that frivolous personal injury lawsuits are clogging up the court system. (In fact, personal injury cases account for only about 1 percent of the cases filed in California.)