



Dear Prospective Client:

Because I want to help you protect your legal rights, I have prepared this bonus report as a special gift for you. Regardless if you decide to hire my law firm to represent you or not, the following tips will help you receive a fair and just settlement for your injuries.

10 Tips to Negotiate a Case

- 1. The Facts.** You need to make sure that you know the facts in your case and have the supporting documentation such as the accident report, medical bills, medical records, etc.
- 2. Documentation.** Before the insurance adjustor can evaluate your case they need to have written documentation in their file. This will often include your medical records, medical bills, wage loss documentation, accident reports, etc. If the insurance adjustor asks you to provide documentation, it is important that you provide the documents in a timely manner so they can evaluate your case with all the facts.
- 3. Future Medical Care.** If it is expected that you will need ongoing medical care like prescriptions or physical therapy and/or you will need future medical treatment like surgery, then it is important that you provide written documentation concerning what medical care and treatment you will need and how much the treatment will cost. The insurance company will note do this work for you and failing to provide this documentation will reduce the value of your case.
- 4. The Law.** You need to know what Iowa law is concerning your injury cases and how it will affect the facts in your case. You should know that not everything in your case will be admissible in court. For example, if the other driver has 5 prior speeding tickets that will likely not be told to the jury in the case of a car accident. In a work injury matter, you should know whether your case is considered a scheduled member injury case or an industrial disability case and how the difference greatly changes the amount of compensation you should receive.
- 5. Your Attitude.** Keep in mind that often insurance companies will make very low offers in the beginning that will likely be insulting to you. Be prepared for this and

do not fly off the handle and yell at the insurance adjustor if their initial offer is much lower than what you expected. It is important to keep calm and cool attitude during the negotiating process. Showing the insurance adjustor that you are easily angered will not help your case. Along the same lines, it is seldom effective to threaten the insurance adjustor with going to their supervisor. Most of the time the offer has already been approved by his/her supervisor so threatening to talk to their supervisor seldom is effective.

6. Your Mindset. You should be prepared to listen at least as much as you talk. Let the insurance adjustor explain his/her position and why they are making the offer. Do not interrupt the insurance adjustor or make noises like sighs to express your disbelief of their low offer. You should be prepared with questions and comments to respond to their offer.

7. Subrogation and Medical Bills. It is important that you know who is paying back your health insurance, car insurance, etc. from the settlement proceeds. Also, you should know if you are expected to pay the medical bills from the settlement proceeds.

8. What Does a Settlement Mean? Keep in mind that once your case is settled, you cannot later change your mind and ask for more money from the insurance company, even if you condition worsens, you need additional medical care or you receive additional medical bills.

9. Should You Have a Professional Negotiate for You? Depending on the nature and extent of your injuries you may be better off handling your case on your own. For example, if your injuries are relatively minor (ie. no broken bones or surgery) or you have made a full recovery (you do not have ongoing pain or problems caused by the accident) then it may be in your best interests to try and settle your case on your own. However, if you sustained significant and permanent injuries you should definitely consider consulting an attorney because there are many things that you could do or not do that could end-up costing you thousands of dollars. For example, if you need a tooth pulled do you pull it yourself?

10. What are the Benefits of Having a Professional Negotiate for You? You will have someone on your side fighting for you, protecting your rights, explaining how the legal system works and providing you with experience and knowledge about how much your case is worth. If your health insurance plan is not an ERISA plan, then you can charge the plan an attorney fee which goes back to you as our client. For example, if you have \$15,000 in medical expenses paid by your health insurance plan, if you have an attorney involved, you only have to pay the insurance company back \$10,000 and the additional \$5,000 goes to you. If you do not have an attorney involved, the entire \$15,000 goes to the health insurance company. If it is an ERISA

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plan we will negotiate with them and often they will accept a substantial reduction. This increases the amount of money you receive in your pocket.

Again, thank you for contacting my office. If you need further assistance please feel free to contact me.

Sincerely yours,

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Practicing Primarily in Personal Injury (Car and Motorcycle Accidents, Dog Bites, etc.)
and Workers' Compensation (Work Injuries)

**Committed to Leveling the Field Between Injured Iowans and
Insurance Companies™ by Fighting for Justice and Respect™**

(WARNING: THESE ARE GENERAL STATEMENTS AND NOT INTENDED AS LEGAL ADVICE. EVERY CASE IS DIFFERENT AND THERE ARE EXCEPTIONS TO THE ABOVE. THEREFORE, YOU SHOULD CONSULT AN ATTORNEY CONCERNING YOUR CASE AND HOW TO BEST HANDLE IT.)

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