



The People's Lawyer®

"I May Not Handle Every Injury Claim In Florida... But I Sure Am Gonna Try!" ©

News From Accident Lawyer John Fagan

1-844-JOHN-411

Car & Motorcycle Accidents | Dog Bite | Nursing Home Neglect | Slip & Fall | Workers' Comp



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I thought you might want to know:

Insurance Companies Are Required To Deal Fairly With You!

If you're injured or harmed due to an accident, you'll very often have to deal with your own or someone else's insurance company. This can be an obstacle, because insurance companies would generally prefer not to pay any more in compensation than they absolutely have to. But what you might not know is that, in general, insurance companies have a legal obligation to act in "good faith." This means that they're legally required to investigate, evaluate, and process your claim fairly.

If it's clear that you've been harmed and someone else is at fault, or that the accident is covered by the policy, the company has a legal duty to offer you a fair settlement. Of course, insurance companies have their own definition of "fair," which is why you need a good lawyer on your side to negotiate with them. But in extreme cases, if an insurance company completely stonewalls in a way that's totally unreasonable, the company itself can be sued for acting in "bad faith."

In a recent California case, a man suffered extensive injuries in a car crash with a driver who had no insurance. The man asked his own insurance company to pay the \$250,000 limit under his "uninsured motorist" coverage. He also promptly provided his insurer with all his medical records.

If you or someone you know has been injured in an accident, call me for a free consultation. 1-844-JOHN-411 (1-844-564-6411)



Nonetheless, the insurer totally ignored him for five months. The company then demanded that the claim go to arbitration, under a part of the policy that said that if a dispute can't be resolved, it has to be arbitrated.

The man sued the insurance company for acting in bad faith, and the California Court of Appeal allowed the suit. The court said that while the insurance policy allowed for genuine disputes to go to arbitration, it didn't allow the company to simply demand arbitration without investigating, evaluating and attempting to fairly resolve the claim, as a means of stonewalling and delaying payment of a fair settlement.

In another recent California case, an insurance company sent an adjuster on an inspection after a tree fell and damaged a policyholder's house and car. The adjuster allegedly made demeaning comments to the homeowner and lied about the scope of coverage under the policy.

The same court said the adjuster could be sued personally for misrepresenting the coverage, describing the adjuster's alleged conduct as "appalling."



Thanksgiving is not only about the turkey and the feast that follows, it is a celebration of the blessings of family and friends who share our lives. For this, we can all be thankful.



Happy Thanksgiving!

**John Fagan
&
The Accident
Lawyer Team**

Who Is At Fault In Rear-End Accidents?



A trucking company was sued for heart attack after car crash.

Eighty-five-year-old Adbulla Kassem was driving home from a family dinner in Dearborn, Michigan, when he rear-ended a tractor-trailer. It was a minor, low-speed crash and it didn't cause any direct physical injuries. Nevertheless, after the accident Kassem suffered a sudden cardiac arrhythmia and died.

Kassem's family sued the trucking company, and the Michigan Court of Appeals allowed the suit. The court first said the trucker could be responsible for the accident because it was a dark and rainy night and the truck driver had failed to place the trailer's rear bumper in the "down" position, which prevented Kassem from seeing the truck's taillights until it was too late to avoid the crash.

The court then said there was medical and scientific evidence that Kassem's heart attack was directly caused by severe fright from the collision, which resulted in a sudden surge of blood pressure and adrenalin. In other words, the trucker could be held liable for causing an accident that literally scared an elderly man to death.

State Bird

When a Butterball Talk-Line staffer asked a caller what state her turkey was in (meaning how thawed was it) the caller responded with, "Florida."



Pumpkin Cheesecake Bites

Ingredients

- 3/4 c. crushed ginger snaps, divided
- 3/4 c. crushed graham crackers, divided
- 4 oz. cream cheese, softened
- 2 1/2 c. melted white chocolate, divided
- 1/2 c. pumpkin puree
- 1 tsp. pumpkin pie spice
- Pinch of kosher salt
- 1 tbsp. coconut oil

Instructions

- Line a large baking sheet with parchment paper.
- In a small bowl, mix together ginger snaps and graham cracker crumbs. Set aside.
- In a large bowl, beat cream cheese until light and fluffy.
- Add 1/2 cup white chocolate, pumpkin puree, pumpkin pie spice, and salt and beat until incorporated. Beat in cookie crumbs until well mixed.
- Scoop mixture into tablespoon-sized balls and freeze until solid, about 30 minutes.
- Mix together remaining 2 cups melted white chocolate with coconut oil, then dunk truffles to coat. Place back on baking sheet, and sprinkle with remaining cookie crumbs.
- Refrigerate at least 10 minutes, or until ready to serve.