

A VERY IMPORTANT GUIDE
INCLUDING BONUS CHECKLIST TO KNOW
IF YOU HAVE FOUND THE RIGHT ATTORNEY



7 DEADLY MISTAKES THAT WILL WRECK YOUR CAR CRASH CASE

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INTRODUCTION

Who is behind this guide and why should I listen?

I want to thank you for requesting this special guide. I think this information will help you in your quest to obtain the best possible result in your injury case.

My name is John Page and I am a personal injury attorney in St. Louis, Missouri. I have been helping individuals who have been injured in tractor-trailer crashes, truck crashes, car crashes and motorcycle crashes for over a decade.

I only represent personal injury victims. If you need a will or you have a traffic ticket, I can't help you.

I represent people who have been injured by the negligence of others. I also represent families in wrongful death cases when they lose a loved one in an accident.

Though each case is different and past results cannot be used to predict future results, I can tell you that I have been privileged to help my clients and their families recover millions of dollars as compensation for the hurt and pain they suffer.

I have written this guide so consumers can have good, solid information before hiring an attorney to deal with the insurance company. There are a lot of books you could buy or internet sites that you could visit that have great information, but I want you to have this valuable information right now, for free, to read in the comfort of your own home or office.

I work on cases with a variety of experts in the fields of plastic surgery, neurology, orthopedic surgery and accident reconstruction, to name a few. I make sure our clients' cases are properly and completely prepared for settlement or trial in an expeditious, yet thorough, manner.

Representing personal injury victims is one of the most challenging areas in the practice of law. It is also one of the most rewarding. I actively handle every aspect of the litigation process, from client intake through trial. I have represented personal injury victims living all over the country.

I am a member of the Missouri Bar, the Missouri Association of Trial Attorneys, the American Association for Justice, the Association of Plaintiff Interstate Trucking Lawyers of America and the Million Dollar Advocates Forum. In addition, I have been honored with Martindale-Hubbell's AV Peer Review Rating. This is the highest rating a lawyer can achieve from their peers.

I enjoy what I do. I do not simply "handle" cases. I set a limit on the number of cases I accept so that every client receives the personal and proper attention they deserve. I take great pride in representing real people with real problems on an individual basis.



WHY A FREE SPECIAL GUIDE?

I am tired of large insurance companies taking advantage of personal injury victims. It irritates me that insurance companies immediately contact injury victims before the injured person has a chance to speak with an attorney.

I recently went through the claims process myself. It was unbelievable the things the insurance company tried to do. They had no clue I was lawyer and handled the case as if I was a layman. They were really nice up front, but then they turned sneaky, and finally, just plain mean.

For years, one major insurance company (that shall go unnamed here) encouraged injury victims to not hire an attorney. Hmmm. Why would an insurance company encourage people to not get a lawyer? I believe the answer is self evident.

It's almost never in the financial best interest of the insurance company to have accident victims receive competent legal advice.

Though you may not need an attorney to represent you in every situation, you should at least have some basic facts at your disposal to help you decide whether or not you need professional legal representation.

Most attorneys require you to make an appointment to get the information that you have here. Others pressure you to sign a contract before they will answer basic questions. I believe you should have this information immediately and without any pressure.

Hiring an attorney to represent you is an important step that should not be taken lightly, nor done under pressure. I want you to be educated about the process and possible pitfalls, so that you don't fall victim to an unscrupulous adjuster or insurance company. I see it all the time.

Please, do not take the contents of this guide as a substitute for legal advice. Each case is different, with its own subtle complexities and nuances. It's beyond the scope of this book to take every

possible consideration into account. I am not in the position to give you legal advice until I have accepted your case in writing and have had the chance to learn all the facts pertinent to your specific situation.

I hope you find this special guide helpful and informative. If you have any questions going forward after you have read this guide, please feel free to call me on my cell phone 24 hours a day, seven days a week at 314.322.8515.



MISTAKE NUMBER 1

Talking to the insurance company immediately after the crash and later when you are on pain medication

You are under no obligation to make a statement to the insurance company until you are ready to do so. What can seem like an innocent remark at the time can later be given a sinister twist during cross examination in court or during the settlement negotiations.

At some point you will have to call your insurance company about the crash. Although your insurance policy most likely requires you to cooperate with your insurance company, it is crucial that you talk to a lawyer before making this call. Your insurance company is a business and as a business, it will always look out for its own interests before it looks out for yours. That's why it's always a good idea to speak with an attorney before you speak with anyone else.

The sooner you notify your insurance company the sooner they can start getting benefits such as medical expense payments flowing to you. Frequently, the at-fault driver is uninsured or underinsured. Failing to notify your insurance company in a timely manner and/or failing to cooperate with your insurance company may be reason enough for them to try to deny you uninsured/underinsured coverage.

Even if your insurance company calls you first and suggests they take your statement over the telephone, tell them you would prefer not to give a statement until you have had time to consult with your lawyer. They are taking your recorded statement for a reason, and you can assure yourself it is for their own good.

Unless your lawyer is present, never agree to dictate a verbal statement into a tape recorder over the telephone. Also, never agree to give a verbal statement when in the presence of an insurance adjuster, without an attorney.

Take great care when giving a statement to either your own insurance company or the other party's insurance company. In either event, the statement can later be used against you. Both insurance companies are anxious to find something, no matter how insignificant, that they can use to protect their interests and derail your claim.

Never agree to sign a statement of any kind without competent legal advice. Whatever the circumstances may be, calmly advise whomever you may be dealing with that you will not sign any documents until after your attorney has had a chance to review them. When the adjuster throws a fit and says you don't need a lawyer, bells should go off in your head. It should indicate that you most definitely need a lawyer.

Although you need to take great caution not to speak with the insurance companies too soon, it is very important that you talk with and cooperate with the police at the scene of the accident, providing you are able. Never listen to the other driver, who may say, "We don't need the police. We'll just handle this ourselves." You must realize that the other driver may tell a completely different story later.

You would be surprised how often the at-fault driver's version of the accident changes dramatically when a person harmed by the driver brings a claim. What is said at the scene by the driver to the police is admissible at trial. Also, others can testify to what they saw and heard. This can help corroborate your story. If the at-fault driver changes their story after a claim is brought, it will be necessary to use witnesses who were at the scene who either saw or heard what happened.

You want the police at the scene to document everything. Although good intentioned, every person in the world may tell you exactly

what they saw the first time, but will tell a completely different version every time thereafter. This has been proven in countless scientific and anecdotal studies throughout history.

Having a police investigation and a police report will also help to establish who was at fault. Insurance companies rely heavily on the police report when determining who was to blame. If there is no police report, the two sides must duke it out over who was at fault.

In addition to trying to lure you into giving a statement when you are not thinking clearly and at your most vulnerable, insurance companies often use other tactics designed to wear you down and get you to go away.

- **Deliberate Delay** They know that personal injury victims are often in a financial squeeze. Even if you have good health insurance, the fact that you may not be working may make it difficult to meet co-pays and deductibles. The insurance company knows you are getting treated by doctors, so they take their time with your claim, even after your treatment has ended.
- **Requesting Unnecessary Information** Insurance companies will insist that you track down every little piece of information before “we can evaluate your claim.” Even if the information they are now asking for would not add a penny to their offer, they are happy to wait another six weeks or

longer for you to track it down. Meanwhile, they are earning interest on the money they are NOT paying you.

- **Disputing Medical Treatment** Even though most insurance adjusters have not gone to medical school, they seem to know just what treatment is right for you. Their computer program will somehow tell them when you should be better.
- **Nickel And Dime The Medical Charges** Just think, if the insurance company shaves off just 5% of your claim and can do that on the millions of claims made each year, the insurance companies get rich and keep getting richer.
- **Misrepresenting Insurance Coverage** This can have a huge impact on your case. The insurance company will tell you, for example, that there’s only \$25,000 in coverage when, in fact, there may be more coverage available to the defendant.
- **Acting Like Your Friend And Making False Promises** Watch out for the adjuster who befriends you, shows up at your house and promises to pay your future medical bills. This is a tactic to stop you from hiring a lawyer. You can be sure that they won’t come to your house once you’ve hired a lawyer. And those future medical bills? Well, they’ll

pay them until their computer says that the claim is costing them too much.

- **Telling You That You Don't Need A Lawyer** They might tell you that your claim will be settled faster, that you will get to keep all of the recovery rather than pay a percentage to a lawyer and that you can always hire a lawyer later. Remember, these people are not on your side. Their goal is to settle your case as quickly and as cheaply as possible.

Negotiating with the insurance company is probably the biggest obstacle to your goal of getting a fair and reasonable settlement. There are many downsides to negotiating with the insurance company on your own. If you fall victim to what they say, you will most likely settle too soon and will be stuck with future medical bills and lost wages that you will have no way of recovering. It is imperative that you be very patient and careful.



MISTAKE NUMBER 2

Refusing medical treatment at the scene of the accident and later minimizing your injuries to your doctors

Many people, even while in extreme pain, will refuse medical attention at the scene of an accident and go home. Not surprisingly, after several hours, their pain and discomfort often increase. When dealing with typical insurance adjusters on your own, you are often told the pain you are feeling has nothing to do with the crash. That's why when you are injured in a crash, you should immediately ask for an ambulance to the closest emergency room. In addition to the obvious medical reasons, from a legal standpoint it is important to have documented in a medical record that you had complaints and what those complaints were.

Let's face it, there are some people who go to the doctor for every minor ache or pain, and others who won't go no matter what, thinking that their problem will eventually resolve itself. A person can delay going to the doctor for days or even weeks and yet still have suffered an injury. The insurance company doctor will use this delay in treatment to claim either that you were not really hurt in the accident or you would have gone to the doctor right away, or that the injury is real but must have happened apart from the accident. Why can't you just explain why you waited? You can, but in the claims process, the more things you have to explain, the weaker your case becomes. In the eyes of the insurance adjuster, every little thing you have to explain creates more doubt about the legitimacy of your claim.

Another thing injury victims often do is fail to fully explain their injuries to their doctor or fail to disclose "all" of their injuries. It is common for an injury victim to tell their doctor about the injury that is bothering them the most and leave out all the other injuries. You must thoroughly explain the extent of all your injuries in addition to all the pain the injuries are causing and how they affect carrying out normal daily activities. Always tell your doctor if anything hurts, even if it is mild pain.

If you do not tell the doctor about everything, and I do mean everything, their records will reflect you do not have pain, when in fact, you may have serious and significant injuries.

Also, never let a doctor cause you more pain during an examination than is comfortable. If you endure discomfort during an examination, let the doctor know immediately. If you are silent, the medical record will reflect that you had no pain. You must verbalize all of your complaints regarding pain.

Pain is an indication of damage. Doctors need to know about all damage you suffered in the crash. Pains in certain parts of your body can help the doctor identify your injuries.

If you are silent during your doctor appointments, it will appear that you are not in pain. This is dangerous because you could leave the hospital with injuries that have not been diagnosed. This could lead to further injuries. Also, inaccurate medical records make it difficult for you to get fair compensation for the damage you suffered.

Getting medical attention is the most important thing that you can do immediately following any type of crash. There are important guidelines you should follow once you have seen a doctor.

- 1. Tell your doctor about all of the symptoms you are having, even if you don't think or are not sure they are related to the crash.** This is so all complaints are documented as early as possible in your medical chart. Since you are not a doctor, symptoms that you do not think are related to the trauma might actually be symptoms of

something quite clearly related. The idea is not to be a complainer, but to fully explain all your symptoms to the doctor immediately following the accident.

2. **Follow your doctor's advice.** The insurance company's doctor and lawyer will argue that you would have healed long ago and been just fine today had you done what your doctor ordered. This is just another way to plant the seed of doubt.
3. **Attend all scheduled doctor appointments and therapy sessions. But if you can't, call and explain why.** A bunch of "no show" entries in your medical chart with no explanation makes it look like either you are not cooperating with the treatment your doctor has recommended or that you must not need treatment at all. If you call and explain why you can't make an appointment, the doctor's staff will usually note the reason in your chart. If it is explained correctly on the chart, you won't have to try to remember months later why you missed a particular appointment.
4. **Keep track of all time missed from your job as a result of the crash.** Do this even if you are compensated by your employer and/or lost income insurance. Don't forget to keep track of time missed for doctor appointments, physical therapy sessions and diagnostic testing. If you are self-employed, keep a detailed account of job income and opportunities that you either have to forgo or postpone. Make sure you can back

up every item with corroborating witnesses or proper documentation.

5. **Keep a log of your daily activities.** This doesn't need to be fancy, but be sure to include things like what you are able and not able to do and how these compare to your activity level before the accident. Jot down any missed activities and why. Make special note of issues that occurred in the initial phase of your injuries such as headaches, nausea, specific pain and any difficulties sleeping.



MISTAKE NUMBER 3

Not gathering important information at the scene of the crash

Most people are not thinking very clearly immediately after an automobile crash. If you are seriously injured, you can't do anything other than seek emergency medical attention. But, if you are able, you (or someone else at the scene) should attempt to collect important detailed information.

- Get the other driver's name, mailing address, phone numbers and e-mail address. Also, get the make and model of the car, the other driver's license number, registration and insurance company contact information. If the at-fault driver is driving a company car, get the name, address and phone number of their employer.

- Immediately seek out witnesses and ask them to give you a statement of their observations, along with detailed contact information such as work and home addresses, phone numbers, and e-mail address. The opportunity to later identify witnesses who were at the scene may never come. There is usually only one chance to get all of the details, and they can make or break a case.
- Photograph all damage to your car – inside and out, top to bottom. The amount of damage to a car is a poor predictor of how badly its occupants were hurt, but, that is not necessarily what the average person thinks. So if there is damage, you want to make sure it is photographed. Sometimes, particularly in rear end collisions, the damage is more apparent from inside or under the car where the damage to the frame or hidden bumper components can be seen. If your seat broke or was laid back flat, photograph it. If your knee made a dent in the dashboard or your head cracked the windshield, photograph it. If the airbags deployed, photograph them. Photographs help illustrate that the impact was much greater than is apparent by just looking at the car.
- Take pictures of the accident scene, including road signs and traffic lights – anything that can set the scene.
- Have someone photograph your injuries. Aside from the fact that they help document what you have gone through,

photographing your injuries can serve as important evidence to help prove the collision was the cause of your injury.

Many injury victims fail to preserve or properly document evidence, but it is critical in resolving issues of liability and damages. If the evidence is not retained, photographed or accurately documented, providing proof on important issues can be made more difficult. As the claimant, you have the burden of proof on issues of fault and damages. Therefore, the loss of important evidence can have a major impact on the value of your case.



MISTAKE NUMBER 4

Signing documents when you do not understand all of the consequences of signing

Never sign anything from an insurance company without getting independent legal advice. Accident victims frequently overestimate the goodwill of an insurance adjuster, when, in reality, the adjuster is only interested in protecting the interests of their employer – the insurance company that pays their salary. There is only one way to make sure you are not signing something you shouldn't...speak with a lawyer.

Signing a document from the insurance company can immediately change the course of your claim and usually not for the better. Do not sign any document of any kind, including the back of a check, unless you fully understand every word, the implications,

and possible consequences of signing. In the process of educating you about personal injury law, your lawyer will not advise you to sign unless they are confident you fully understand.

- Signing the back of a check can amount to a complete release of all aspects of your claim, present and future, regardless of the magnitude of your injuries and/or damages.
- Signing a medical release can open up your entire medical history. Insurance companies can have a field day looking for excuses to minimize your claim or reject it altogether.



MISTAKE NUMBER 5

Settling your case without an attorney and settling too early

According to an Insurance Council Research study in 1999, accident victims who retain the services of an attorney on average received three and one half times more for their settlement than those who did not.

In addition, those who settle their cases prematurely may forever preclude themselves from making any further claims related to the crash. An example of this is an injury that gets significantly worse as time goes on.

If you settle your case right away and if you don't protect yourself by making sure the release is sufficient, you might sign something

that prevents you from further compensation for your worsening injury in the future.

Your lawyer will undoubtedly tell you to not even consider a settlement offer from the insurance company or sign any of its documents until your injuries have been completely healed. It often takes two to three months or more just to determine the extent of your injuries. After that, you need to allow time for doctor visits, and often, physical therapy. So, don't even think about settling before you are completely healed and have completed all treatment as recommended by your doctor.

It is true that not every injury case needs a lawyer. In fact, attorney fees in many cases where there are only minor injuries can eat up a large portion of any settlement received. For minor cases, it may not be worth going through the time and work it takes to hire a personal injury lawyer.

Once you have decided that you do need a lawyer, you can begin the task of finding the right lawyer for your case. It is extremely important that you find a lawyer with whom you are comfortable, who will listen to your concerns and hopes for the outcome of the case, and who will have your best interests at heart. Above all, you want someone who will fight for you and see to it that you receive all the benefits and compensation to which you are entitled.

Finding a qualified personal injury attorney is an important task. It can also be a confusing and frustrating task if you jump into the process unprepared. So, where should you start? You can go straight to the Internet, but your decision should not be based on advertising alone. Look for lawyers who have websites that show examples of the types of cases they handle. Usually, you can find this information under the "recent results" or "past results" tab on the lawyer's website.

You can also get a referral from an attorney you know or from friends or relatives who have been involved in similar cases.

The following are some good points to look for in a lawyer. Note that not every attorney will meet all of these criteria, but the significant absence of these factors should raise a red flag:

- Experience – obviously, the longer a lawyer has been practicing a particular area of the law, the more they probably know.
- Membership in their state trial lawyer associations.
- Informational Material – Does the lawyer have a website? Has the lawyer written any information for the general public to review? Have you ever heard of the lawyer? Taking the time to create an informative website or write information

for the general public are typically good indicators of the respect the lawyer has in the legal community.

- Ask any prospective attorney if they are licensed in the state where your case will be filed.

Once you have decided on a lawyer, make sure you both understand your goals and you understand how the relationship between your attorney and you will work. Ask your lawyer how they will keep you informed about the progress of the case. Many attorneys send a copy of every piece of correspondence and pleading in the case to the client. Your lawyer should also take time to explain the “pace” of the case and in what timeframes you can expect activity to take place.

In addition, find out who in the firm will actually be working on your case. Make sure that you and your attorney have a firm understanding as to who will be doing what. There are a lot of things that go on with a case that do not require the senior attorney’s attention. You will find that well respected personal injury lawyers are well respected because they have a dynamic support staff helping them with all the work behind the scenes. You probably don’t want your lawyer to be the one requesting your medical records, etc. You want your lawyer to be the one doing the negotiating on your case.



MISTAKE NUMBER 6

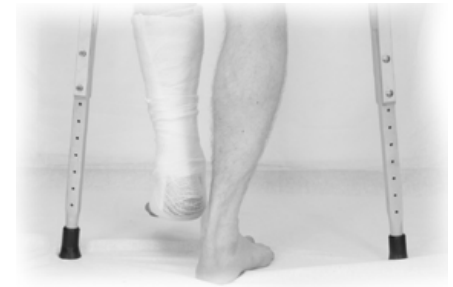
Ignoring time limits for notices and other requirements

There are many different deadlines related to personal injury cases. There are certain statutes of limitations for different types of cases. It is usually considered dangerous to wait until the statute of limitations almost expires to file suit. In many of these instances, the defendant sued is either not the correct defendant or is now blaming someone else.

While there are legitimate reasons for delaying filing suit, there is no excuse for lawyers who routinely wait until the last minute to see if the insurance company will settle.

There are also specific requirements in many insurance policies that require you to notify the insurance company within a certain amount of time after a crash. Read your policy closely, or ask an experienced injury attorney for help.

Failure to meet the requirements as stated in your insurance policy could result in your claim being denied.



MISTAKE NUMBER 7

Misrepresenting your activity level

Insurance companies routinely hire private investigators to conduct videotape surveillance. They also search YouTube, Facebook and other social networking websites or “Google” you.

Don't claim that because of the accident you can't run, walk, climb or lift heavy things and then get caught on videotape running, walking, climbing or lifting heavy things. The insurance companies will surely use it against you. There is no way to overcome the eye of the camera.

Unfortunately, this has become a very popular tactic of many insurance companies. With high-tech cameras that can video

injury victims a mile away, you never know if they are watching you. It is a scary thought, actually.

Be honest about your activity level. Honesty is the best policy. Always!



SPECIAL 15 POINT BONUS CHECKLIST

How do you know if you have found the right attorney?

Here is a list of 15 vital points you must consider when choosing the right lawyer for your case:

1. Ask if they have information available like this guide or a website. If not, ask why.
2. The most important qualification an attorney can have is experience dealing with the type of case you have. A real estate attorney does not practice personal injury law full-time and vice versa. Ask the attorney how much experience they have handling personal injury cases.

3. Will the attorney you meet with be handling your case on a day-to-day basis or will it be handed off to an assistant?
4. Can the attorney be reached outside of normal office hours. If so, how?
5. How quickly does the attorney return your calls, on average?
6. If the attorney appears in court on your behalf, when will you be notified as to the outcome of the proceedings? How? By phone? In writing? E-mail?
7. How often will you receive updates about the status of your case?
8. What types of cases does the attorney typically handle?
9. Will you have to call the attorney to get updates or will they automatically keep you informed on a regular basis?
10. How many cases does each attorney in the firm handle?
11. Are they trial attorneys? Have they participated in jury selection?
12. When was their last jury trial?

13. What was the last case they settled? For how much?
14. Why is your case worth their time and effort?
15. Can they recommend an attorney from whom you can get a second opinion? If the attorney can't give you the name of another attorney, are they truly confident in their own abilities?



CONCLUSION

I hope you have found this guide helpful. Please let me remind you once more of the various and strict deadlines related to auto accident injury claims. Please engage competent legal advice as soon as practically possible. As always, I can be reached 24 hours a day, seven days a week, 365 days a year on my cell phone at 314.322.8515.

All the best wishes!

**If you or someone you know has been
injured in a car crash, contact:**

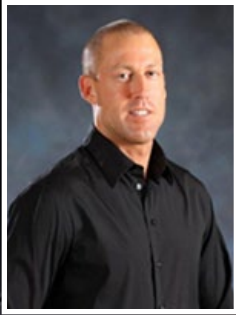


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WA



“I have written this guide so consumers can have good, solid information before they hire an attorney to deal with the insurance company... Representing personal injury victims is one of the most challenging areas of the practice of law. It is also one of the most rewarding... I take great pride in representing real people with real problems on an individual basis.”

– **John J. Page**
Attorney at Law

There are many things that can go wrong following a car crash. Considering that you’ve just been injured in the accident, through no fault of your own, you might be thinking, what else could go wrong? The hours, days, weeks and even months after a crash are crucial to your personal injury case. What you do – and don’t do – during this time can mean the difference between a successful case and a lost one.

St. Louis attorney John J. Page has been helping individuals who have been injured in car crashes for over a decade. He knows first hand how being unprepared for what lies ahead can set off a ripple effect of missteps that can ruin your injury claim.

In his new book, Mr. Page discusses the 7 Deadly Mistakes That Will Wreck Your Car Crash Case and how any wrong turn, even some you think are completely insignificant, can cast doubt on your credibility and give the insurance company reason to minimize your claim or deny you coverage altogether.

*The choice of a lawyer is an important decision and should not be based solely on advertisements.

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