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The Law Office of David E. Gordon

Board-Certified Civil Trial Specialist

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Rideshare apps and what to do if you are in an accident

One of the major selling points of rideshare apps such as Uber and Lyft is that they are a great option for impaired drivers. According to the Pennsylvania Department of Transportation, nearly 30 percent of all motor vehicle deaths are alcohol-related.

These apps also provide job opportunities and more affordable transportation options for consumers. In the fourth quarter of 2020 alone, there was a 19 percent increase in the number of people using the Uber app. Ninety-three million users said they use the app on a monthly basis.

What may be surprising is that a 2019 study done by the University of Chicago Booth School of Business found that ridesharing is also linked to a 3 percent increase in traffic accidents and fatalities.

Whether you are the driver or the passenger of a rideshare vehicle when an accident occurs, it is important to take quick action just as you would for any other car accident.

1. **Call 911** If anybody has been injured and needs medical attention, it is of utmost importance to call 911 immediately.
2. **Call the police** The police will assist in taking witness statements, gathering information and preparing an accident report.
3. **Gather information on your own** Document all the facts and information you can about the vehicles involved, the drivers involved and any witnesses to the event.
4. **Contact the app and tell them you were a passenger/driver in an accident** Uber asks riders to go to a specific area of their app (under Trip and Fare Review) and let them know what happened. A representative from Uber will contact you, verify you are safe and collect any additional information needed.

Uber Drivers will be e-mailed an Incident Report Form to complete. Uber then notifies the insurance carriers involved. Drivers should locate their insurance deductibles information and expect a call in 2-3 days from their carrier.

5. **Call your attorney** We are experienced in accident and injury claims and will help assure your rights are protected.

Tips for getting the best personal injury settlement

Anybody can find themselves in need of legal assistance after suffering a personal injury. Car accidents, medical malpractice, assaults, injury from a defective product and defamatory statements are all examples of personal injury. Personal injury law (also known as tort law) enables a person injured by one of these types of acts or other similar acts to file a civil lawsuit and seek damages for any type of losses sustained. The purpose of this area of law is to allow the injured party to recoup financially from the harm done.

The settlement process usually begins with some type of negotiation, perhaps with an insurance adjuster from the defendant. You will want to have put together a personal injury settlement demand letter with a set amount after estimating the range of what your particular claim may be worth. Before speaking to any insurance adjuster, it is important to have a minimum settlement number within your range in mind. This is not a number you would reveal to the adjuster, but rather a bottom-line figure to keep in mind as offers and counteroffers begin. This number can be revised up or down depending on additional information as the process moves along.

One good practice is to never accept the initial offer from the adjuster. Often, an adjuster will offer a low figure to see if you understand the value of your claim. If the offer is reasonable and within your range, a counteroffer just under your demand letter amount would demonstrate reasonableness on your part and could spur a quick negotiation and settlement. If the adjuster's initial offer is so low that you believe it to be a negotiating tactic, ask the adjuster to list the reasons why the offer is so low. Then respond to those reasons in a letter. Ask for a response to your letter during the next meeting. The adjuster should now come forward with a reasonable offer. Also, never reduce your offer twice before hearing back from an adjuster. Wait until they counter with a higher number on their end before lowering yours.

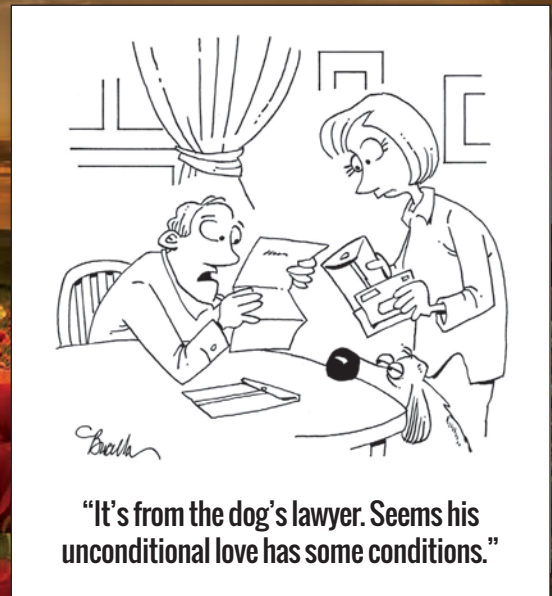
One tip during negotiations is to always emphasize emotional components in your claim. If there are severe injury or accident photos, refer to those. If the incident interfered with your ability to care for your family or children, mention how they suffered too. Always keep in mind if negotiations are not going the way you had hoped or planned, consider talking to a personal injury attorney. This is especially true if the compensation amount is more than a few thousand dollars, you are seeking future damages as well and if there is a question of who was at fault. Lastly, always put the settlement in writing right away when you and the insurance adjuster agree on a number.



Shelby County Covid-19 Update

Covid-19 cases in Shelby County, TN are down, but the virus is NOT out. We are now experiencing about 35 new cases a day in Shelby County, dramatically down from the 680 cases suffered on January 3, 2021. Despite these vastly improved numbers, we must remain vigilant. Seniors and individuals with co-morbidities should continue to practice safe distancing to be on the healthy side of this condition.

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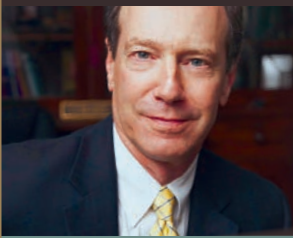


"It's from the dog's lawyer. Seems his unconditional love has some conditions."

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*The greatest professional compliment we can receive is when one of our clients refers a friend, family member, or neighbor to our firm. **Thank you!** We appreciate your confidence in us.*



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Special Disability rules you need to know about if you're over 50

Chances are that you already know about the Social Security Disability (SSDI) benefits you can receive if you're unable to work because of a medical condition. But did you know that older Americans ages 50 and up are also eligible for special considerations? The longer you work, the more susceptible you are to injuries, illnesses, and ailments. The Social Security Administration (SSA) understands your plight and can accommodate your unique needs.

When you apply for Social Security Disability benefits, your case and information will be carefully inspected. This includes comparing your medical symptoms to those listed in the Blue Book listing of impairments. These listings include respiratory issues, digestive problems, speech conditions, and more. Even if your disability doesn't fall under one of the impairments found in the Blue Book, you still have a chance to receive disability because of the "grid rules."

The Grid Rules

The Social Security Administration considers four important factors when deciding if you qualify for disability benefits. These include:

- ▶ **Residual functional capacity (RFC):** This is the most work you can accomplish in spite of your mental or physical impairments. You will fall into one of five "exertional" levels based on your medical records ranging from sedentary to very heavy.
- ▶ **Education:** The less education you have, the higher your likelihood is of receiving SSDI.
- ▶ **Previous work experience:** The SSA will closely review your past relevant employment history and place you into three categories, including unskilled, semi-skilled, and skilled.
- ▶ **Transferability of skills:** The SSA will figure out to what degree your past work skills can transfer into a new or similar position.

The Odds Are in Your Favor

If you're aged 50 or older, the grid rules may work in your favor. Older Americans may have more trouble accomplishing work tasks and are less likely to have more transferable skills.

To navigate SSDI, it's a smart idea to consult with a qualified disability attorney to see what options work best for you.