

**WOULD YOU
RIDE YOUR
MOTORCYCLE
NAKED?**

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ATTORNEY AT LAW

Would You Ride Your Motorcycle Naked?

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WOULD YOU RIDE YOUR MOTORCYCLE NAKED?

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WHY SHOULD YOU READ THIS BOOK?

As an attorney who regularly handles motorcycle accident cases, I have seen first-hand the devastation that can result. Experience has taught me that there is no such thing as a minor motorcycle crash. Severe road rash, leg amputations, multiple fractures and death are common outcomes when motorcycles collide with cars or trucks. That the injuries can be catastrophic goes without saying. What many motorcycle riders never anticipate, though, are the financial damages that can result. The medical bills become mountains and the lost wages pile up. Your mortgage and car payment are late, and you see everything you have worked your entire life for at risk.

You expect your insurance to cover you. That's why you have it, right? Unfortunately, I have been in the position of explaining to people that motorcycle insurance is different. Some damages that would be covered if the accident happened while you were driving a car are NOT covered if you are on a motorcycle. Too many times I have had to tell people that their recovery was limited because of the type and amount of insurance they chose to buy.

By the time someone is sitting in my office, it is too late for the secrets I will reveal in this book to do them any good. I have wished many times that I could go back in time and help people choose the right coverage before the accident took place. I finally got tired of wishing and feeling bad for people, and decided to get off my duff and do something about it. I wrote this book to put this information in people's hands before they ever have that crash that brings them to my office.

I wrote this book in the hope that I can help you help yourself. I can't make you choose the right insurance coverage. I can't make you protect yourself and your family from the financial hell you will go through if you are ever in a serious motorcycle crash. But

I can provide you with the information necessary to make an informed decision. Based on my experience representing bikers, I know that the proper information is all they need to make the right decision for themselves and their family.

It is my hope that you will find this information helpful, but if you have additional questions, please feel free to browse the Frequently Asked Questions section on my website at <http://www.zifflaw.com> or visit my blog at www.NYInjuryLawBlog.com.

If you have been injured due to someone else's negligence, please feel free to e-mail me at agee@zifflaw.com or call 1-800-ZIFFLAW (943-3529).

WOULD YOU RIDE YOUR MOTORCYCLE NAKED?

That's exactly what you are doing if you don't have the right amount and right kind of insurance coverage. Without the right coverage, you and your family could be left unprotected in the event of a crash.

FALLACY #1

People often think they have great insurance (when in reality it isn't nearly enough) because there are a lot of misconceptions about motorcycle insurance. I have heard these same misconceptions over and over again from people of varying ages and varying income levels. I don't know how these misconceptions became so well rooted in the motorcycle community, but the most common ones will be exposed in this book.

The problem isn't that people don't care enough to buy the right kind of insurance. And the problem certainly isn't that people can't afford the right kind of insurance, as will be discussed later. The problem is that people *THINK* they *DO* have the right kind of insurance when in fact they do *NOT*!

FALLACY #2

A second reason people sometimes believe they have the right insurance is because insurance is so darn confusing! I deal with insurance and insurance companies every day. I actually read those big fat insurance contracts your insurance company sends you every six months. I make a living fighting with insurance companies and making them live up to their promises, so I *HAVE* to read those policies. You don't have to, and probably never have. I don't know anyone other than contract lawyers who enjoy reading 75-page contracts, so I don't blame you a bit. Insurance is confusing, but it isn't rocket science. Your insurance company could write those contracts in a way everyone could easily understand if they wanted to, but the truth is they don't *WANT* you

to understand those contracts. They don't want you to understand their obligations to you. They don't want you to question what they are doing. Insurance companies only want one thing from you; a check every month.

FALLACY #3

The third reason people think they have the right kind and right amount of insurance is because their insurance company tells them they do. When a biker needs insurance for his or her motorcycle, they have two choices. They can walk into a local insurance agent's office or, as more and more people do everyday, they can get their insurance online or over the phone. When you walk into a local insurance agent's office, what do you see above the door? Probably a big sign advertising the name of the insurance company they sell policies for. So who do you think that insurance agent works for and how do they get paid? They get paid by the insurance company for selling you a policy of insurance. Let me put it more bluntly: your insurance agent works for his insurance company, not for you! And those people you talk to on the 1-800 numbers? They work for the insurance company, too.

In NY, insurance agents aren't like other professionals. Your doctor, your lawyer, your accountant and your architect all owe you a duty of care. They have an obligation to look out for your best interests. If they breach that duty by failing to exercise a reasonable degree of care, you have the right to sue them for it. But insurance agents are different. They don't owe you a duty because they don't work for you. They are in essence representatives of the insurance companies. If they fail to sell you the right kind and right amount of insurance you cannot sue them for it.

Just like every other profession, there are good, bad and indifferent insurance agents. The difficult part is telling the good ones from the rest. Since this is my book, I am going to take the liberty of generalizing about insurance agents. Because insurance agents

don't work for you, they will try to push you toward the product they sell that has the highest profit margin for them. At the same time, they will steer you away from insurance products that carry the greatest risk to their employer. They do this in the interest of maximizing their own fees and keeping their employer, the insurance company, happy. Is that the kind of insurance you want? The kind that makes your insurance agent the most money and minimizes the risk for the insurance company? If not, please read on.

COMMON MISCONCEPTIONS ABOUT MOTORCYCLE INSURANCE

As previously mentioned, there are a lot of misconceptions about motorcycle insurance. I couldn't begin to list of all of them, but I will discuss and dispel the most common and most dangerous ones I hear on a regular basis in the motorcycle collision cases I handle.

MISCONCEPTION #1

“No worries, my car insurance will cover me if I am hurt on my motorcycle!”

The single most common misconception I hear is people thinking they don't need to purchase a lot of motorcycle coverage, because their car insurance will cover them in the event of a collision. **DON'T MAKE THIS CRITICAL MISTAKE!** You are **NOT** covered by your car insurance for an accident on your motorcycle! In fact, every motor vehicle policy contains an exclusion specifically denying coverage for injuries sustained while operating a motorcycle. It doesn't matter whether your car insurance is through the same company, whether the bills get mailed to you in the same envelope, or whether the same agent sold you the policy. Your car insurance **WILL NOT** cover you for an accident with your motorcycle.

MISCONCEPTION #2

“My homeowners' insurance will cover me, right?”

Another variation of this misconception I have heard is that your home owner's insurance will cover an accident on your motorcycle. This is equally false. Your homeowner's insurance has an exclusion for accidents occurring in or on almost any vehicle required to be registered with the State of New York and absolutely will not cover an accident occurring on a motorcycle.

MISCONCEPTION #3

“My motorcycle insurance covers my medical bills and lost wages just like my car insurance.”

Another common misconception people have is that their motorcycle coverage will cover their medical bills and lost wages just like their car insurance. Nothing could be further from the truth. Unlike with cars, there is no “no fault” coverage for motorcycles. Basic motorcycle coverage is designed to cover property damage and personal injuries sustained by others in the event you are found responsible for a collision. It is not designed to protect YOU!

MISCONCEPTION #4

“The insurance company for the car that hit me will have to pay.”

Another variation of this misconception is that if the biker is not at fault for the collision, the insurance for the car that is responsible will pay their damages. This is only partially true. Car insurance, not motorcycle insurance, has two general categories; liability coverage and coverage that protects the operator and his or her passengers known as “no fault” insurance. As stated in the previous paragraph, if you are injured in a motorcycle collision, even if it wasn’t your fault, there is no “no fault” insurance for the motorcycle occupants. Under New York’s rules, you are NOT eligible for the car’s no-fault coverage because you were not a passenger in the vehicle. Your damages can be covered by the liability portion of the car’s insurance policy, but the problem is when those damages are paid. The insurance company for the car responsible for your injuries can’t be MADE to pay anything until a jury orders them to pay. And that may be YEARS after you were injured. You can’t submit your medical bills and have them paid as you receive treatment. They won’t pay your lost wages as they are incurred. Under the liability portion of a policy, insurance companies make only one payment in full and final settlement of your case. Depending on the complexity of your case and the nature of your injuries, that could take years.

MISCONCEPTION #5

“Don’t worry, be happy – my insurance company will take care of me!”

Perhaps the most dangerous misconception people have is about the insurance industry as a whole. Some people feel that because they have insurance and pay their premiums every month that the insurance companies will take care of them when necessary. Sadly, nothing could be further from the truth. Year after year and case after case, I see just the opposite happen. I see insurance companies shirking their obligations even to their own customers. I see insurance adjusters lying to people about the laws governing vehicle collisions. I see insurance adjusters beating the ambulance to the accident scene in the hopes of having someone sign all their rights away in exchange for a few hundred dollars. Insurance companies are money making institutions. The only thing they care about is their bottom line. They love you when you send them a check every month and don’t submit a claim. When you have the potential to cost them money, the audacity to expect them to finally provide the coverage you have been paying for, they look for any excuse to keep from paying you a penny.

IF THE CAR RESPONSIBLE FOR THE COLLISION HAS INSURANCE, WHY DO I NEED TO WORRY ABOUT MY OWN?

I have had this question asked of me often, and the answer is simple: not every motorcycle collision involves another vehicle. Traveling around on two wheels carries certain risks. You are much more susceptible to pot holes, loose gravel, foreign substances or objects in the road, tire failure, bugs, bees, wildlife, dogs and any number of things that might cause you to take swift evasive action. Even the most experienced rider can be involved in an accident when something unexpected happens. In that event, you have no choice but to look to your own insurance policy to cover your damages and those of any passenger you may have with you.

The second answer I give to this question is based on the required policy limits in New York. Somewhere in the vicinity of 75% of all vehicles on the roadway carry the minimum liability limits allowed by law. Those limits are \$25,000 to any one person injured as a result of the driver's negligence and no more than \$50,000 total per accident no matter how many people are injured. So if a drunk driver mows you and ten other bikers down on your next poker run, you will all have to split his \$50,000 in coverage. If you are the only one injured, your maximum recovery is just \$25,000.

In all my years as an attorney I have yet to see a biker involved in a collision who sustained less than \$25,000.00 in damages. Most FAR exceed this amount. As we all know, there is no such thing as a minor motorcycle accident. So if you know that any motorcycle collision you are in will cause you more than \$25,000.00 in damages, and there is only a 25% chance that the responsible driver will have more than \$25,000.00 in available coverage, the questions becomes why wouldn't you worry about your own insurance coverage?

SO HOW CAN I PROTECT MYSELF AND MY FAMILY?

Most insurance companies that sell basic motorcycle insurance also sell add-ons to their policies that will help protect you in the event of a loss. What follows is a list of different types of coverage you should consider adding to your policy. This is coverage that will protect you and your loved ones in the event of a collision.

Medical Payment Coverage

Medical Payment Coverage is not “no fault” insurance, but it acts in much the same way. This coverage will pay for medical expenses YOU and your passengers incur as a result of a collision involving your motorcycle. The amount of medical payment coverage you will need depends upon whether you have health insurance, and the quality of that coverage. If you do not have any type of health insurance or medical payment coverage, and you are involved in a motorcycle collision, you are in for a world of hurt. There will be no one available to pay your medical bills. Your doctors will refuse to treat you once they realize you have no insurance coverage. As I mentioned previously, even if the accident was entirely the fault of the other driver, there is no way to make them pay your medical bills as they are incurred. Even when they do agree to a settlement, if they have the minimum policy limits (as 75% of the public does) that \$25,000 is unlikely to cover all your medical bills, much less your other damages such as lost wages and pain and suffering.

Even if you DO have health insurance, it is a good idea to have some medical payment coverage. This can be used for any expenses that are not covered by your health insurance, such as medications, co-pays, and other fees that health insurance inevitably fails to cover.

Uninsured Motorist Coverage

Uninsured Motorist Coverage (UIM) protects you against the reality that, despite laws requiring every vehicle on the highways to be insured, many drivers have no insurance. If you have UIM coverage and are involved in a collision with a vehicle that has no insurance, and the collision is not your fault, your insurance company will pay you for your lost wages, medical expenses, and pain and suffering up to the limits of your UIM coverage. Essentially, your insurance company steps into the shoes of the uninsured driver, meaning that they won't pay unless that uninsured driver is at fault for the accident. Just as in a case against an insured driver, your UIM coverage won't pay your losses as they are incurred, but only in a lump sum at the end of the case, which could take years.

UIM coverage will also pay in the event you are involved in a collision with an unidentifiable hit-and-run vehicle. In order for coverage to be afforded, there must have been actual contact with the vehicle. "Ghost" vehicles which cause a biker to lose control of their motorcycle even though there is no contact will not trigger coverage.

Spousal Liability Coverage

It is imperative you have Spousal Liability Coverage if you ever ride with your spouse. In New York State, spouses are generally prohibited from bringing a claim for personal injuries against one another, no matter how clear the liability. This coverage, however, allows your spouse to make a claim against you in the event you are responsible for a collision or any other type of accident, whether or not another vehicle is involved. Without this coverage, your spouse could be left with no means of reimbursement for his or her injuries, medical bills, and lost wages. The best part about this coverage is that many insurance companies will add it for free or at next to no cost to you. I have

personally handled several cases where we were able to obtain a significant settlement for our injured client using Supplemental Spousal Liability. Without that coverage, there would have been no recovery available.

Collision Coverage

Collision coverage for motorcycles works the same way it does for cars. It pays for property damage to your motorcycle regardless of who is at fault for the collision, and can provide for a rental vehicle if that coverage is negotiated. This protects you from having to pay out-of-pocket in the event you are responsible for the collision. Even if you aren't responsible for the collision, it allows for the prompt repair of your motorcycle without having to argue with the responsible person's insurance company.

SUPPLEMENTAL UNDERINSURED MOTORIST COVERAGE

The Most Important Insurance You Can Have, And Why Your Agent Won't Sell It To You.

This finally brings us to the coverage that almost no one knows about but could be the most important coverage you can have if you are involved in a serious accident. Remember earlier I talked about how the minimum policy limits required in NYS are only \$25,000 per person and \$50,000 total per accident no matter how many people were hurt? If you are in a bad accident, those amounts could be exhausted in a heartbeat. The good news is that New York *requires* your insurance company to offer you another type of coverage called Supplementary Underinsured Motorists coverage, or SUM. Your company is *required* to offer you SUM coverage up to the amount of liability coverage that you carry on your vehicle. What SUM coverage provides is coverage from *your* insurance company to protect *you* (and your passengers) in the event that the other driver is driving with policy limits that are not high enough to cover your damages (underinsured). While liability coverage protects the other guy, SUM coverage protects you! You would think that everyone would know about and have SUM coverage, but I can tell you from experience that very few people actually do, AND THAT IS JUST THE WAY THE INSURANCE COMPANIES LIKE IT!

Why don't people know about SUM coverage? Because most carriers hate writing SUM coverage because the premiums they charge for SUM are low, while the potential payouts are high. As we previously discussed, insurance companies are in the business of making money, not protecting you and your family. SUM isn't great for profits and consequently insurance carriers do not encourage their agents to push SUM coverage. If you learn nothing else from reading this book, please know that you should definitely ask your insurance agent about SUM coverage! You should insist on SUM limits equal to the amount of your liability limits. It won't cost you much extra but it will provide you a lot more protection.

A Real-World Example Of How Your Motorcycle Insurance Works

Let me give you an example to explain how SUM coverage works in combination with the other driver's liability coverage. Assume you are well informed from having read this book and you tell your insurance agent that since you are carrying \$250,000/\$500,000 of liability coverage to protect the other guy, you also want \$250,000/\$500,000 of SUM coverage to protect you and your passenger. Let's assume you and your spouse are out for an afternoon cruise when a drunk driver fails to see you approaching and turns left directly in front of you. You and your spouse are badly hurt. You have a broken leg, broken ribs and horrible back pain. Your spouse is in the ICU with a broken neck and wrist. Both you and your spouse end up needing surgery. Your medical bills total more than \$100,000. Both you and your spouse are out of work for months. Your lost wages are more than \$50,000. Your mortgage and car loans go unpaid.

The good news is that your private health insurance, in combination with the medical payment coverage you wisely chose to purchase, covers 100% of your medical expenses. The bad news is that the bank is about to foreclose on your house and repossess your cars because you had no income while you were out injured. So you think, "No problem, it's the drunk driver's fault so of course he will be liable for my expenses." That's a great thought, if the drunk driver had sufficient insurance coverage to fully compensate you for your damages. As we have already discussed, though, 75% of all vehicles on the road have only the minimum policy limits allowed by law, and that turns out to be the case here as well. Accordingly, all his insurance company is required to pay is a maximum of \$25,000 each to you and your spouse.

You might think that if the drunk's insurance limits are only \$25,000/50,000 that you could go after his personal assets. You are correct, *assuming* there are any personal assets to go after.

The reality is that the people causing these collisions rarely have any assets to speak of, and even when they do they can be very difficult to access, as personal injury awards are dischargeable in bankruptcy. This means that even if you are lucky enough to obtain a huge verdict against the drunk driver, the chances of ever collecting a penny more than the insurance limits are slim to none.

Luckily, this is not the end of the story. Remember, you were smart enough to pay for that extra \$250,000/\$500,000 of SUM coverage. As it turns out, that was the best money you ever spent. Why? SUM pays you the difference between the amount of your coverage and the amount of the coverage for the other driver who is “underinsured.” In our example, you and your spouse have total SUM coverage of \$500,000 and the drunk driver has \$50,000 of coverage, so YOUR insurance company is required to pay YOU AND YOUR SPOUSE the full amount of your damages up to \$450,000!

SO HOW MUCH WILL THE RIGHT COVERAGE COST ME?

Nothing in life comes free, and the same is true with motorcycle insurance. Having the right insurance will cost you more. The problem is that bikers who have always risked it all by riding around with minimum coverage are conditioned to think that motorcycle insurance should be dirt cheap. There is a reason minimum coverage is dirt cheap; it's because it provides you with NO PROTECTION! Once you understand this fact, and that motorcycle insurance should be viewed (and priced) just like any other automobile you own, the price of the right insurance coverage for your motorcycle looks more reasonable.

Type of Coverage	Amount of Coverage	Cost of Coverage	Increased Cost Over Basic Policy
Bodily Injury, Includes Spousal Liability	\$250,000/ \$500,000	\$144	\$53
Optional Basic Economic Loss (OBEL)	\$25,000	\$7	\$7
SUM Coverage	\$250,000/ \$500,000	\$96	\$78
Medical Payment Coverage	\$10,000	\$185	\$147

The charts on page 19 (Figure 1 and Figure 2) are both sample declaration pages for a 55 year old male biker with a 2004 Harley-Davidson motorcycle. Figure 1 is for the minimum policy limits of \$25,000 per person and \$50,000 per accident in liability coverage and the mandatory uninsured motorist coverage. It also includes \$1,000 in medical payment coverage. While the price, at only \$140 per year, is certainly attractive, this is the kind of coverage that will leave you and your family broke, homeless and with thousands of dollars in unpaid medical bills if you are ever involved in a serious collision

Figure 2 is a sample declaration page for the same person with the kind of coverage I have previously recommended. The chart above demonstrates the increased coverage and the cost of that coverage over the basic policy.

Figure 2 raises your liability coverage to \$250,000 per person/\$500,000 per accident for an extra \$53 per year, and also increases your property damage liability coverage from \$10,000 to \$100,000 per accident. This increase in coverage will help protect your personal assets in the event that you are at fault for an accident and that person's personal or property damage exceed the meager policy limits of the basic policy. The good news is that the insurance company throws in Spousal Liability Coverage for free! Figure 2 also adds \$25,000 in Optional Basic Economic Loss (OBEL) coverage for only \$7 per year. OBEL coverage provides extra personal injury protection to anyone injured as a result of your negligence.

Enough about the other guy; what does all this increased coverage do for you? For an extra \$78 per year, only \$6.50 per month, you can now increase your SUM coverage to \$250,000 per person/\$500,000 per accident. As we discussed above, this is coverage that protects YOU in the event the driver responsible for the accident has insufficient coverage to pay for your damages. \$10,000 in medical payment coverage costs you an additional \$157 per year over the basic \$1,000 medical payment coverage in Figure 1.

Comprehensive/Collision Coverage, which is required by the bank if you have financed your motorcycle, costs you an additional \$223 per year. Based upon the age and condition of the motorcycle, this is something you may want to consider. If your motorcycle is financed, the bank will require you to carry Comprehensive/Collision Coverage whether you want to or not. The funny thing is that I see cases where bikers insist on carrying Comprehensive/Collision Coverage to insure a motorcycle that may only be worth four or five thousand dollars, but balk at paying for appropriate coverage to protect themselves and their families!

An increase in the insurance premium from \$140 per year for the minimum coverage outlined in Figure 1 to \$445 per year for the full coverage afforded by Figure 2 may induce sticker shock. But that \$445 per year is probably still less than what you pay to insure your car. Another way to think about it is that you are buying 10 times the coverage for roughly three times the cost. That extra \$305 per year, only \$25.42 per month, also buys you peace of mind, knowing that everything you have worked for your entire life won't be lost if you are involved in a collision. It buys you the security of knowing your family will be taken care of in the event you are seriously injured.

Knowing everything you know now, would you ride your motorcycle naked?

If you have been injured in a motorcycle collision or have any questions concerning New York or Pennsylvania motorcycle coverage, contact Attorney Adam M. Gee at the *ZIFF LAW FIRM* today! At Ziff Law, we have been representing motorcyclists and the injured of the Twin Tiers for more than 60 years.

Outline of Coverage

Figure 1

2004 HARLEY-DAVIDSON FLSTF CC: 1450

State: NY Use: Pleasure/Commute

	Limits	Deductible	Premium
Liability To Others			\$91
Bodily Injury Liability	\$25,000 each person/\$50,000 each accident		
Includes Supplemental Spousal Liability			
Property Damage Liability	\$10,000 each accident		
Mandatory Pedestrian Personal Injury Protection	\$50,000 each person	\$0	3
Aggregate Pedestrian No-Fault Benefits	\$50,000		
Death Benefit	\$2,000		
Maximum Monthly Work Loss	\$2,000		
Other Reasonable & Necessary Expenses (per day)	\$25		
Mandatory Uninsured Motorist	\$25,000 each person/\$50,000 each accident		18
Medical Payments	\$1,000 each person		28
Total premium for 2004 HARLEY-DAVIDSON			\$140
Total 12 month policy premium, with paid in full discount			\$140

Outline of Coverage

Figure 2

2004 HARLEY-DAVIDSON FLSTF CC: 1450

State: NY Use: Pleasure/Commute

	Limits	Deductible	Premium
Liability To Others			\$144
Bodily Injury Liability	\$250,000 each person/\$500,000 each accident		
Includes Supplemental Spousal Liability			
Property Damage Liability	\$100,000 each accident		
Mandatory Pedestrian Personal Injury Protection	\$50,000 each person	\$0	3
Optional Basic Economic Loss	\$25,000 each person		7
Supplementary Uninsured/Underinsured Motorist	\$250,000 each person/\$500,000 each accident		96
Medical Payments	\$10,000 each person		185
Comprehensive		\$500	55
Collision		\$500	168
Accessory Coverage	\$3,000		included
Roadside Assistance		10	
Total premium for 2004 HARLEY-DAVIDSON			\$668
Total 12month policy premium, with paid in full discount			\$668

Premium Discounts

Policy

home owner, transfer and paid in full

Appendix A

For years we have watched outsiders bombard our televisions, radios and phonebooks with ads trying to convince our friends, neighbors and clientele that the only way for them to get top dollar for their case is to retain an attorney who practices in a big city three hours away. Time and again we have been forced to pick up the pieces when, disillusioned by long car rides and the impossible task of getting a live person on the phone, our friends and neighbors come back to us to finish handling their claim. Year after year we have watched the quality of lawyer advertising descend to new found depths. Just when we thought we had seen it all, they find ever new ways to make our stomachs turn.

Well, we at the Ziff Law Firm can't and won't take it anymore. WE HAVE HAD ENOUGH! As many people have told us, bigger is not better, especially when bigger means that you don't know which one of fifty attorneys or seventy paralegals is supposed to be working on your case. Contrary to what the grotesque ads would have you believe, hiring a lawyer who works in a big city is not a guarantee of anything other than a long drive to see them. Any attorney can be a "big city" attorney, as long as they can stomach living there.

At the Ziff Law Firm, we pride ourselves on being local attorneys. We choose to live in a community where we see our clients at church, in the grocery store, and at the ball field. We enjoy living in a community where we can make a difference in people's lives. For more than 60 years, the attorneys at the Ziff Law Firm have been dedicated to ethically and aggressively prosecuting our clients' cases, with results that equal those of any jonny-come-lately big city firm. We live here, our children go to school here, and you don't need a roadmap, compass and a day off from work to find our office. That's why at the Ziff Law Firm, we pride ourselves on being LOCAL LAWYERS with BIG CITY RESULTS!!!

Appendix B
We are different (and proud of it!)

The lawyers at the Ziff Law Firm strive to be different:

- **We do not take every case!** We are selective about the cases we take. So if you sprained your pinky or only missed a couple days from work and now are feeling fine, we are not the law firm for you. That's not to say that we won't help you by explaining what your rights are under the law, it just means that we can't agree to take your injury case. Call us or e-mail us first and we will tell you what we think you should do.
- **We take fewer cases so we have more time for your case.** Because we don't take every case, we have more time to work on the good cases. We think that is why we have been successful in getting such good results over the years. See our website at: <http://www.zifflaw.com> for some of our results. If you hate computers, call us at (607)733-8866 and we will send you a copy of our results.
- **We are local lawyers, not lawyers three hours away.** We know that you are constantly bombarded by lawyer advertising from distant lawyers who claim that they can handle your local case. Do you really want to drive to Buffalo (or Rochester or Syracuse...) every time you need to see your lawyer? Do you really think a Buffalo lawyer is going to routinely come visit you? Has the Buffalo attorney ever tried a case in Chemung, Steuben or Schuyler county? Does he know the local judges, the jurors, the court personnel? For more than sixty years we have concentrated our practice on the Southern Tier of New York and the Northern Tier of Pennsylvania. If we can't handle your case we will be happy to help you find a good local attorney who can help you.
- **Four injury lawyers, not fifty.** At the Ziff Law Firm, Adam Gee, Carl Hayden, Jim Reed and Christina Sonsire personally

handle every case. Unlike at those big firms, paralegals or non-lawyer “case managers” do not negotiate your case. Your case is not shuffled around a huge office. You get the personal attention you deserve.

Ziff Law Lawyers Do Handle Other Types of Legal Matters

We know that the laws are so complex that one attorney can't begin to master all the areas of law. While our four Injury Attorneys only handle personal injury and medical/legal malpractice cases, we do have other lawyers in our firm that handle other types of cases – Real Estate, Wills & Estates, Bankruptcy, Estate Planning, Matrimonial/Family Court and Workers' Compensation. If we don't have an attorney who handles your type of matter, we are happy to help you find a lawyer who does.

Our Reputations Mean the World to Us!

We live in a small area where everyone knows everyone else. We can't tell you the number of times we run into our clients at Lowe's, Wal-Mart or Wegman's. It's one of the things we love about our area, but we also know that if we do a poor job for a single client, word will travel like wildfire. Although we aren't perfect (and we are constantly working to improve), we strive to do the best we possibly can for every client.

We Are Proud of our Reputation in the Legal Community as “Lawyer’s Lawyers”

A significant percentage of our cases comes from other lawyers who recognize that their clients can be best served by referral to us. Our firm is A-rated (the highest rating!) by other attorneys in the Martindale-Hubble Attorney Directory. Carl Hayden was the only local plaintiff's attorney ever selected for the prestigious position as a Fellow of the American College of Trial Lawyers. In recognition of his achievements on behalf of his clients, Jim Reed was selected for the Multi-Million Dollar Advocates Forum. Both Jim and Carl have been selected for inclusion in *NY Super Lawyers*

Magazine. Adam Gee has won many difficult cases in and out of the courtroom, including the handling of many appeals before the Appellate Courts of this State, including the New York State Court of Appeals. Adam and Jim have both been rated a perfect 10.0/10.0 by the lawyer rating service Avvo.com.

We are Easy to Talk To

We understand that most folks have been fortunate enough to not need an attorney before and might be anxious about calling one. That's why we try to provide as much information as possible in books like this one and on our website (<http://www.ziffllaw.com>). We truly believe that there's no such thing as a stupid question. If you have a question, feel free to call us (607-733-8866) or e-mail us at: info@ziffllaw.com.

We Hope You Ask Around About Us

We still believe the best way to find a lawyer is word-of-mouth. Ask around with your family, friends and neighbors to see whether they have heard of the Ziff Law Firm or have been represented by us. Ask if they think we did a good job for them.

We Want to Hear from You

If you have a suggestion to improve this book, our website, or our firm, we want to hear from you. Please e-mail any suggestions to our Managing Partner, Jim Reed at: jreed@ziffllaw.com.

Thanks for reading and call us if we can help.

Ziff Law Firm

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Free Newsletters from the Ziff Law Firm

Do you have unanswered legal questions? Do you want to learn what to do if your insurance company denies your claim? Do you know how to bring your own case in Small Claims Court? Do you want to know whether you need a Will or not? These are just a few of the topics that we discuss in our free newsletter *Legal News You Can Use*. Don't worry, our newsletters aren't the boring, canned newsletters you might receive from firms who just buy a pre-printed newsletter and slap their names on it – we write our own newsletters and we try to answer your questions. In fact, if you have a question you would like answered, just send it to us and we will be happy to include it in our newsletter or answer you directly.

We believe that an informed public is very important and that many legal disputes could be avoided if people had a better understanding of their legal rights and how to protect them. Often, simple advice before you have a legal dispute can avoid the dispute altogether. We offer both print and E-mail newsletters. Don't worry. We do not share your personal information with anyone else. There is absolutely no cost or obligation and from time to time we even give away Free Stuff!

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Legal News YOU Can Use

JIM REED AND CARL HAYDEN NAMED NEW YORK "SUPERLAWYERS"

Jim Reed and **Carl Hayden** were named as 2008 New York Super Lawyers by Super Lawyers, Inc. Reed and Hayden were the only plaintiffs attorneys in the State to be so honored. Sponsored by the publisher of Law 360, Super Lawyers are chosen following a rigorous research process based on 15 indicators of peer recognition and professional achievement.

"Carl and I are honored to have been chosen as New York Super Lawyers. It is a great honor and a testament to our hard work and dedication to our clients. We are grateful to the publisher of Law 360 for recognizing our firm's commitment to providing the highest quality legal services to our clients."

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Ziff Law Firm
 Legal News That YOU Can Use

CHRISTINA BRUNER SONSIRE JOINS THE ZIFF LAW FIRM

After more than 10 years in the Western Region, Christina Sonsire has joined our office as an Assistant District Attorney. She also practiced personal injury and municipal law, giving valuable experience. Christina has extensive courtroom trial experience and has successfully argued before New York Courts of Appeals for the Third Department.

Christina Sonsire is a member of the State Bar of New York and the Erie County Bar Association. She is also a member of the New York State Bar Association, the Erie County Bar Association, and the New York State Trial Lawyers Association.

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