

INSIGHTS

NEWSLETTER

AUGUST 1991

Automobile Insurance Uninsured & Underinsured Motorist Coverage

We recently settled a case for \$100,000.00 on behalf of a client who had a serious accident. The settlement money came from the client's underinsurance coverage on his own automobile policy. In a second case, we received a verdict from an arbitrator in the amount of \$650,000.00 for another of our clients. Yet, after recommending to all of our clients that they have uninsured and underinsured motorist coverage, we learn that a number of them do not understand the concepts of these types of insurance. Both are required by law and both protect the insured, members of the insured's family and persons suffering injuries in the insured's vehicle.

Uninsured Motorist Coverage

You and your wife are injured in an auto accident. The accident was caused by an uninsured motor vehicle, or one that fled the scene of the accident. You suffer injuries. Your own insurance carrier, under your

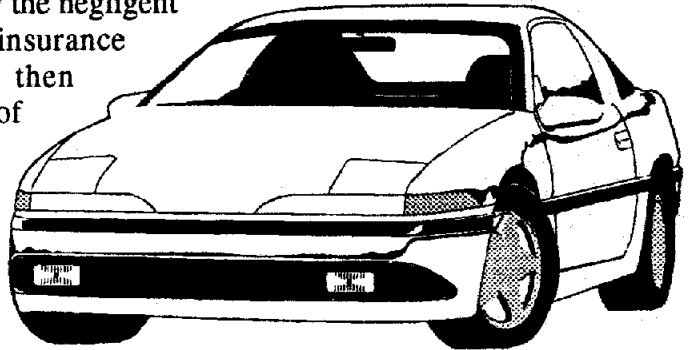
uninsured motorist coverage, will pay you for the injuries you suffered, which would normally have been payable by the negligent party. Your insurance company may then pursue recovery of its money from the uninsured motorist, if he can be located, at some date in the future.

Underinsured Motorist Coverage

You are involved in an accident in which you suffer serious injuries and your rightful recovery from the driver who caused the accident is \$50,000. Unfortunately, he only has \$10,000 worth of coverage (the minimum amount that complies with the law). The responsible party's insurance carrier will pay you the \$10,000 and your own insurance carrier will pay you the \$40,000 difference, assuming that you have at least \$50,000 underinsured motorist

coverage. Your carrier will attempt to recover its payment from the responsible driver.

Our office routinely processes uninsured and underinsured motorist claims as part of motor vehicle accident cases. Often proper



underinsurance can add significant value to your claim. Please contact Phyllis L. Sanders, Esq. for further information

INSIDE

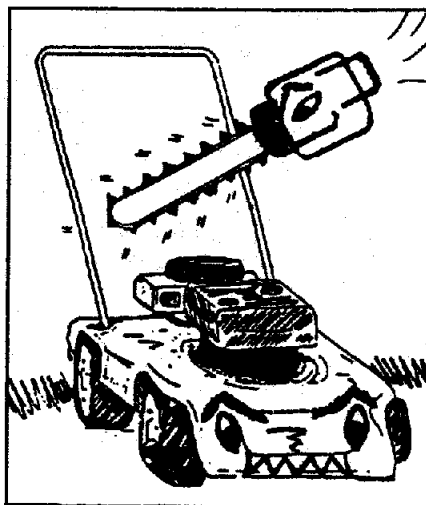
Government Stalls	2
Child Help	2
Product Injuries	3
Profile: Neil Moldovan	3
Lead Poisoning	4
Insights	4

PRODUCT INJURIES AT WORK AND AT THE HOME

More than six million on-the-job injuries and illness occur each year in the United States, according to the Occupational Safety & Health Administration (OSHA), many due to power saws, drills, stamping machines, and other industrial equipment. Millions more occur due to unsafe machines used at home: lawn mowers, chain saws, even washing machines.

Who's at fault?

If you've been the victim of a machine injury...if you've suffered an amputation, long-term hospitalization, extensive scarring, permanent injury...you should know that the manufacturer, designer, supplier or repairer could be liable for your medical bills and/or pain and suffering.



Why accidents occur:

Most product liability cases evolve because products were not built with proper safety guards or adequate warnings. For example:

- washing machines without built-in interlocks to stop

tion when the lid is open

- lawn mowers not equipped with automatic shut-off to stop the blade upon release of controls
- mechanical power presses and chain saws without barrier guarding

Do I Have a Case?

Two factors enter into case evaluation:

- the circumstances in which the product malfunctioned or performed unsafely, and;
- the severity of your injury.

At no cost, our firm will provide expert examination to determine whether we can proceed on your behalf.

Beware! A less-than-thorough attorney will accept a mediocre settlement without properly presenting the merits of the case.

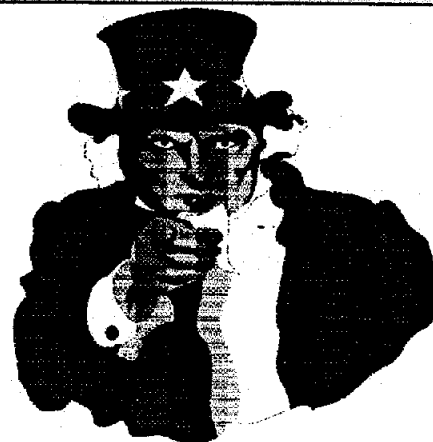
GOVERNMENT STALLS AID TO DISABLED CHILDREN

The Supreme Court ordered the Social Security Administration, in February 1990, to stop denying supplemental security income benefits to poor children with severe physical and mental disabilities. The Court ruled that the government had violated the law by using a narrow definition of the rule and providing benefits only to children who met specific medical requirements. Children who had disabilities such as Down's Syndrome, Muscular Dystrophy, Spina Bifida, AIDS, Cystic Fibrosis and other chronic illness and birth defects were excluded by Social Security Administration medical re-

quirement guidelines.

New regulations have been approved by the government that would allow approximately 37,000 more children to be added to the Supplemental Security Income Program. The administration must also re-evaluate cases that had been denied under the old regulations.

There have been 600,000 denials, going back to 1974 when the regulations were first established. It will be a task to locate the children who were denied in the year-long gap between the Supreme Court decision and the approval of the new regulations. Unfortunately, it is doubtful that all of



those cases will be reviewed under the new rules.

If you have a child who has been denied benefits and wish to actively pursue this issue, we are available to assist you. Our office has processed numerous social security matters for many years. Please contact Marilyn Diamond, Esq. for further information.

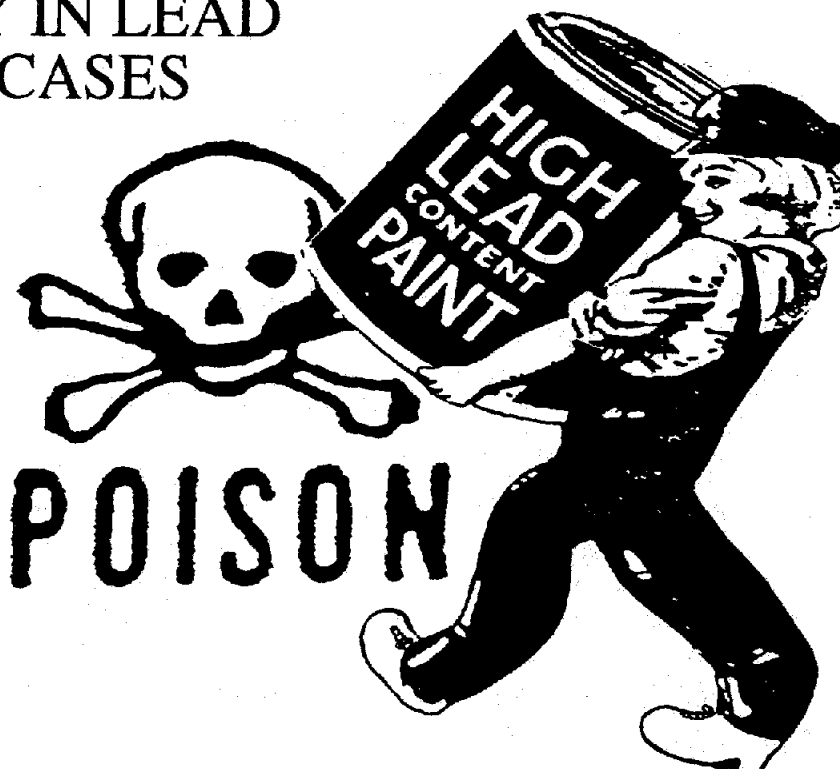
NEW HEADWAY IN LEAD POISONING CASES

Twenty years ago, lead based paint was found to be a health hazard for children. Lead poisoning is believed to be the No. 1 environmental problem facing children. Government studies indicate that approximately 57 million homes still contain lead paint. It is known that lead attacks the nervous system and causes a wide range of ill effects in children, ranging from a drop in academic performance to mental retardation. Public health experts have identified lead poisoning, resulting primarily from lead paint, as the greatest preventable threat to children's health.

A recent lawsuit filed at U.S. District Court in Philadelphia names as defendants the Lead Industries Association (LIA) and seven companies accountable for nearly all U.S. production of lead paint pigments in this century: NL Industries, Inc., Eagle-Picher Industries, Inc., Atlantic Richfield Co., Sherwin-Williams Co., SCM Corporation, Glidden Co. and Fuller-O'Brien Co. This suit claims that these manufacturers and LIA did not disclose the dangers of lead paint and withheld information of its toxicity for nearly 60 years.

Courts around the country are beginning to recognize the severity of lead paint related injuries, and are punishing defendants accordingly. As knowledge about the dangers of lead paint grows, so do verdicts and settlements. This is an important issue; the victims of lead poisoning are almost always children.

Our office has obtained successful results in lead poisoning cases. Please contact Stanley J. Sanders, Esq. for further information.



Profile: Neil Moldovan

Most product liability cases arise because products were not built with proper safety guards or adequate warnings. Neil Moldovan, who specializes in products liability law at our firm, states, "Society benefits from the work I do. The result is the protection and safety of consumers, especially children, who also need protection from themselves."

Neil has been practicing law in this area for about nine years. A 1982 graduate of the Cardozo School of Law in New York, he is a member of the American Trial Lawyers Association-Tort Division, The American Bar Association-Tort Division and tirelessly dedicates himself to writing on product liability and defect issues.

"Litigating product liability cases requires tenacity. You must

uncover information that can develop coherent ideas that show product failings. We must utilize the expertise of engineers, doctors and experts. These are the keys to success in pursuing product liability cases."

An outgrowth of the work that product liability attorneys have performed has resulted in the passage of the Consumer Product Safety Improvement Act of 1990. By January of 1993, the Consumer Product Safety Commission will set mandatory safety standards for products (e.g., garage door openers) used by consumers.

Our office has successfully resolved product liability claims against some of the largest companies in the United States. Please contact Neil Moldovan, Esq. for further information.