



DLG News

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Davis Law Group, P.S.

Our Mission is to Level the Playing Field Between Accident Victims and Insurance Companies.

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We Appreciate Your Referrals

Allstate Is The Worst Insurer For Consumers

Insurance Industry Employs "Deny, Delay, Defend" Strategy, Puts Profits Over Policyholders

Allstate ranks as the worst insurer for consumers, according to a comprehensive investigation of thousands of legal documents and financial filings.

The rankings show a distinct pattern of insurance industry greed amongst 10 companies that refuse to pay just claims, employ hardball tactics against policyholders, reward executives with extravagant salaries, and raise premiums while hoarding excessive profits.

"While Allstate publicly touts its 'good hands' approach, it has instead privately instructed its agents to employ a 'boxing gloves' strategy against its policyholders," said American Association for Justice CEO Jon Haber. "Allstate ducks, bobs and weaves to avoid paying claims to increase its profits."

1. **Allstate** (NYSE: ALL) set the standard for insurance company greed and placing profits over policyholders. Allstate contracted with consulting giant McKinsey & Co. in the mid-1990s to systematically force consumers to accept lowball claims or face its "boxing gloves," an aggressive strategy designed to deny claims at any cost. One Allstate employee reported that supervisors told agents to lie and blame fires on arson, and in turn, were rewarded with port-

able fridges.

Thousands of court documents, materials uncovered from litigation and discovery, testimony, complaints filed with state insurance departments, SEC and FBI records, and news accounts were reviewed to compile the rankings and statistics.

The rest of the rankings are as follows:

2. **Unum** (NYSE: UNM) - Unum's actions are even more shameful considering the type of insurance it sells: disability. Unum's behavior was epitomized when it denied the claim of a woman with multiple sclerosis for three years, stating her conditions were "self-reported," contrary to doctors' evaluations. In 2005, Unum agreed to a settlement with insurance commissioners from 48 states over their practices.
3. **AIG** (NYSE: AIG) - The world's biggest insurer, AIG's slogan was "we know money." AIG, described by commentators as "the new Enron," has engaged in massive corporate fraud and claims abuses. In 2006, the company paid \$1.6 billion to settle a host of charges.

Continued on Page 4

Love Without Boundaries: Giving The Most Vulnerable Children A Fighting Chance

While on a business trip to Virginia last month my wife and I learned about **Love Without Boundaries** and the **Anhui Cleft Healing Home** from another attorney whose family is very active with the organization. My wife and I were very touched by LWB. It is the first center in China devoted exclusively to caring for orphaned babies born with cleft lips and/or palates in a home-like environment. The care givers at the home hand-feed, nurture, and prepare babies to receive surgery to repair their clefts and give them the chance to find a new, loving family. We felt that our donation will be put to good use. In fact, we received a photo of the baby who will undergo surgery as a result of our donation! We were thrilled to have made a difference!



These stories of the children and the pictures that we saw truly moved us. We encourage our readers to learn more about **Love Without Boundaries** and to donate if at all possible. To learn more, visit: http://www.lovewithoutboundaries.com/cleft_home_donation_home.cfm. ■

For more articles, reports, studies, videos, news, and commentary on these and other legal matters...

Visit our web site at www.InjuryTrialLawyer.com

Ask The Attorney



Christopher M. Davis
Attorney at Law

Question: It seems like my insurance company may be unfairly denying my claim, they are disputing the coverage amounts. What is going on?

Answer: Personal injury cases can often involve insurance coverage disputes or claims that the insurance company acted unreasonably. Thankfully, our state has approved the **Insurance Fair Conduct Act (IFCA)** which prohibits a client's insurance carrier from engaging in conduct that is considered unreasonable. What is "unreasonable" depends on the facts involved. But the denial of a claim without reasonable justification may evoke liability under the Act.

An insurance company that violates IFCA may be liable for up to three times the amount of damages incurred as decided by the judge. IFCA holds insurance companies accountable for their actions. However, IFCA does not apply to health insurance companies. IFCA has certain pre-suit notice requirements so you should consult with counsel if you believe you have a claim. ■

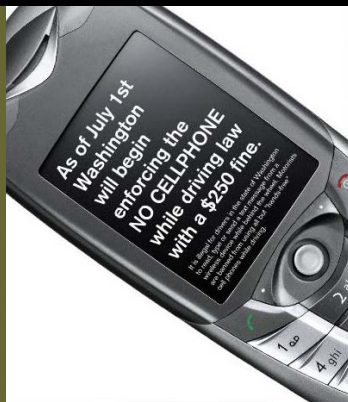
Client Satisfaction Survey

In sharp contrast to other service-based industries, lawyers typically do not use even the most basic methods for understanding how their clients experience the services they provide. But if attorneys don't understand what is important to their clients they have no way of knowing how to improve client satisfaction.

The general failure of the legal profession to gather information about client satisfaction may be attributable to the belief among many lawyers that clients only care about the outcome and do not care about their relationship to their attorney and his or her staff. Many lawyers do not understand that good lawyer-client communication is important to overall client satisfaction.

We want to be different. We believe that your entire experience with our office is important! We want to learn how we can improve the service that we provide to all our clients. We want to know what you care about. To that end we are developing a client satisfaction survey. In the coming months we will invite all of our clients to participate in the survey. And we will begin asking all clients to complete the survey at the conclusion of their case. We hope that all our clients will give us candid feedback. ■

REMINDER: Mischelle Weedman-Davis, our Client Relations Manager and wife of Davis Law Group founder Christopher Davis, is always interested and available to listen to your comments, both good and bad, about our services, staff and communications. You can contact Mischelle directly at 206-727-4000 x102 or and mischelle@injurytriallawyer.com.



New Cell Phone Law

We would like to remind you that as of July 1st 2008 Washington state began enforcing the no talking or texting while driving law.

It is now illegal for drivers in the state of Washington to carry on a conversation, read, type, or send a text message from a wireless device while behind the wheel of a vehicle. Motorists are banned from using all but "hands-free" devices while driving.

Please be safe. Please obey the law.

The Race To Heal—Part One

It makes perfect sense – a sprinter competing in a short distance race uses a very different strategy to win than a marathon runner does when competing in a marathon. For sprinters, the road to victory requires intensity, explosiveness, and an all-or-nothing approach. For marathon runners – just the opposite is required – patience, pacing, and endurance win the day. We find this metaphor accurate when considering how our auto accident patients heal from their whiplash injuries. Why? Many accident victims want (and try) to “sprint” back to full health and wellness. In reality, they’re often surprised and frustrated to find themselves in a marathon instead.

Eager to Heal

Every accident victim and their injuries heal in a unique way and in their own unique timeframe. Of course the type and severity of the accident plays a large part, but so does the patient’s mental and emotional ability to adjust to their body’s unique speed of recovery.

At Living Lotus Massage, we worked with a patient (we’ll call her Jill) who sustained a whiplash injury from a rear-end motor vehicle accident. During Jill’s initial appointment intake, we found she was already receiving chiropractic care five times a week, acupuncture twice a week and considering adding physical therapy and massage therapy as well, all within two weeks of her accident date. At that point Jill had not even seen her family doctor for a medical consultation – clear signs of the “sprinter” approach to healing. She had become successful using a “sprinter” approach to work, play and life in general – so it’s not surprising that would also be

her strategy of choice for healing. Jill believed that an intense, explosive and all-or-nothing approach to healing would result in her fully recovering in a matter of weeks. However, the nature of her unique whiplash injuries simply did not allow her “sprinter” strategy to work.

The Treatment Process

We recommended she consult her physician, and ask him if he believed injury treatment massage would be beneficial to include in her treatment plan for whiplash. After consulting with her physician, Jill cut her chiropractic adjustments back to twice a week, started receiving injury treatment massage therapy once a week. Jill’s injuries began moving through the following stages of recovery:

Acute Stage: Injuries are still inflamed and frequently painful when touched.

Sub-Acute Stage: Inflammation has subsided and painful, injured areas can be manipulated directly.

Chronic Stage: Pain has diminished, range of motion much improved, patient returning to normal activities.

Next Month – Part 2 of this article will cover the treatment stages in detail, speed of healing, and important points to remember.

Contributing Authors: Kaori Oto, LMP, and Roderick Overman, LMP, co-owners of Living Lotus Massage Clinic at Northgate.

Their clinic is located at 10564 5th Ave NE, Seattle, 98125 next to the Northgate Library). For massage appointments schedule on-line at www.livinglotusmassage.com or call 206.841.2508.

New Clients Welcome

We’d like to welcome everyone that joined our client family in May and June.

Out of respect for the privacy of our new clients we no longer list names in our newsletter.



The Ten Biggest Mistakes That Can Wreck Your Washington Accident Case

by Christopher M. Davis

It’s FREE as a public service to injured WA citizens!

Get your copy today by visiting WashingtonAccidentBook.com

Thank You For Your Referrals

Our success is built on referrals and word-of-mouth advertising. We would like to thank everyone who is kind enough to recommend our firm to their friends.

Thank you so much!

Please call to **let us know when you have referred a client** to us so we can recognize you and **send a special thank you gift!**

206-727-4000 x102

Allstate Is The Worst Insurer For Consumers *continued from page 1*

4. **State Farm** – State Farm is notorious for its deny and delay tactics, and like Allstate, hired McKinsey consultants. State Farm's true motives became apparent during Hurricane Katrina; for example, it employed multiple engineering firms until they could deny the claims of the Nguyen family of Mississippi. In April 2007, State Farm agreed to re-evaluate more than 3,000 Hurricane Katrina claims.

5. **Conseco** (NYSE: CNO) – Conseco sells long-term care policies, typically to the elderly. Amongst its egregious behavior, the insurer "made it so hard to make a claim that people either died or gave up," said a former Conseco-subsidary agent. Former Conseco executives were fined when they admitted to filing misleading financial statements with regulators.

6. **WellPoint** (NYSE: WLP) – Health insurer WellPoint has a long history of putting profits ahead of policyholders. For instance, California fined a WellPoint subsidiary in March 2007 after an investigation revealed that the insurer routinely canceled policies of pregnant women and chronically ill patients.

7. **Farmers** – Swiss-owned Farmers Insurance Group consistently ranks at or near the bottom of homeowner satisfaction surveys, and for good reason. For example, Farmers had an incentive program called "Quest for Gold" that offered pizza parties to its adjusters that met low claims payments goals. Like Allstate, it also hired the McKinsey consultants.

8. **UnitedHealth** (NYSE: UNH) – The SEC opened an investigation into former UnitedHealth CEO William McGuire for stock backdating, which ultimately led to his ouster in 2006 and returning \$620 million in stock gains and retirement compensation. Physicians have also reported that their reimburse-

ments are so low and delayed by the company that patient health is being compromised.

9. **Torchmark** (NYSE: TMK) – According to Hoover's In-Depth Company Records, Torchmark's very origins were little more than a scam devised to enrich its founder, Frank Samford. Torchmark has preyed on low-income Southern residents and charged minority policyholders more than whites on burial policies.

10. **Liberty Mutual** – Like Allstate and State Farm, Liberty Mutual hired consulting giant McKinsey to adopt aggressive tactics. Liberty's tactics were highlighted when a New York couple's insurance was "nonrenewed" by Liberty, even though they lived 12 miles from the coast and never experienced weather-related flooding.



"Ub-oh, your coverage doesn't seem to include illness."

Financial documents also revealed extravagant profits and executive compensation while policyholders' claims were routinely delayed and denied:

- Over the last 10 years, the property / casualty and life / health insurance industries have each enjoyed annual profits exceeding \$30 billion.
- The insurance industry takes in over \$1 trillion in premiums every year. It has \$3.8 trillion in assets, more than the GDPs of all but two countries.
- The CEOs of the top 10 property / casualty firms earned an average of \$8.9 million in 2007. The CEOs of the top 10 life / health insurance earned an average of \$9.1 million.
- The median insurance CEO's cash compensation is \$1.6 million per year, leading all industries. ■

Source: American Association for Justice press release.



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We care enough to send you the REAL DEAL!

Unlike other law firms that send clients, associates, and friends an impersonal newsletter that has been created by a newsletter service, ours is **100% home-grown**. It is written and designed in-house—by us!

