



BACHUS & SCHANKER, LLC

A T T O R N E Y S A T L A W

C O L O R A D O ' S I N J U R Y L A W F I R M

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Brought to you by
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PERSONAL INJURY PRACTICE

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Bachus & Schanker, LLC, opens new Ft. Collins office; welcomes Mac Hester as of counsel

In order to continue serving our clients statewide, **Bachus & Schanker, LLC**, announces the opening of a new **Ft. Collins, Colorado, office in the First National Bank Building, located at 155 Boardwalk, Suite 400**. The Ft. Collins office of Bachus & Schanker, LLC, is conveniently located close to I-25, Old Town, and Colorado State University. The First National Bank Building is also home to First National Bank, RBC Dain Rauscher, and Cheetah Advanced Technologies.

"The opening of the Ft. Collins office is an opportunity for us to reach out to our clients and potential clients who live outside of the Denver-metro area and provide them with the same level of legal representation as the largest corporations and insurance companies in America," said **Kyle Bachus**, a founding partner of Bachus & Schanker, LLC. "We are excited about becoming a part of the Northern Colorado community."

Mac Hester, an attorney with 20 years of experience, is joining Bachus & Schanker, LLC, as *of counsel* and will practice out of the Ft. Collins office. Mr. Hester has been a resident and community leader in the Ft. Collins area for more than 15 years. Mr. Hester, a former adjunct instructor in law at Colorado State University, is an experienced trial lawyer and has litigated and tried personal injury and commercial law cases in Colorado as well as South Carolina. He also has handled appeals in the Colorado Court of Appeals as well as the Supreme Court of South Carolina.

Mr. Hester serves on the board of the Ft. Collins Public Access Network, which is the local Public Access Channel, and he is a former board member of the Resource Assistance Center, which is a Larimer County nonprofit that works on affordable-housing issues.

Mr. Hester has diverse experience and expertise. He is an avid rock climber and has climbed El Capitan in Yosemite National Park. Mr. Hester also has strong academic interests. He has published articles in academic and legal journals as well as the opening chapter in the Colorado Trial Lawyers Association Auto Litigation Handbook. He is the co-editor of the Auto Litigation section of *Trial Talk* magazine. Mr. Hester is an accomplished public speaker and lectures regularly at Colorado Trial Lawyer Association and Colorado Bar Association seminars.

Mr. Hester's practice in the Ft. Collins office of Bachus & Schanker, LLC, will continue the firm's commitment to protecting and vindicating the rights of people injured through negligence, recklessness, or corporate greed.

"Mac Hester is a welcome addition to our firm," said Bachus & Schanker, LLC, founding partner **Darin Schanker**. "He is a skilled and respected trial lawyer throughout the state and will continue the firm's commitment to leveling the playing field for all injured individuals."

For more information, please visit our Web site at www.coloradolaw.net.

Bachus & Schanker, LLC, launches new Web site

To continue the most useful, innovative, and up-to-the-minute service to our clients, **Bachus & Schanker, LLC**, has launched a redesigned Web site. We can still be found at www.coloradolaw.net, but we have redesigned the site with brand-new information and layout. We have created the most comprehensive, user-friendly resource regarding Colorado injury law available online. We encourage comments and would like to hear about additional components that could be added online to better assist you and your family.

(continued on back page)

Patients' rights in hospitals

Going to a hospital for an emergency or a prescribed surgery or treatment can make anyone anxious. On top of that, many individuals and their families fail to understand what their rights are as patients.

Since most hospitals and care-providing centers prepare documents that specify their patients' rights, everyone can request a copy. Many institutions' patients' rights statements comply with the requirements of the Joint Commission on Accreditation of Healthcare Organizations.

The rights patients should be entitled to include:

- Respectful care
- Notification of next of kin upon admission
- Privacy
- Personal safety
- Confidentiality of treatment
- Understand the full extent of medical conditions
- Comprehend the ramifications of all prescribed treatments
- Participate in decisions about treatment
- Request or refuse service or treatment, according to law
- Formulate advance directives for care
- Review and contest billing
- File a grievance about service or treatment
- Receive service and care without regard to gender, economic status, educational background, race, color, religion, ancestry, national origin, sexual orientation, marital status, or the source of payment for care.



Patients believing their patient rights have been transgressed should contact legal counsel.

Auto accidents and injuries *Colossus®? What's that?*

Colossus software, developed by Computer Sciences Corporation, is used by several dozen national insurance companies to predict settlement values of accident and other injury claims.

Although marketers claim Colossus ensures fairness by considering many input factors, such as medical treatment, pain, and impairment level, critics express alarm. Their concerns include the software's lack of flexibility of input factors, such as pain and suffering and loss of consortium, reduced input from claims adjusters, and proprietary software secrecy.

Detractors, who perceive Colossus as a means of lowering claims values of the injured, were even more concerned when executives at a large insurance company boasted that Colossus had reduced claims payouts across the board by 20 percent.

Drivers involved in accidents who are concerned with settlement fairness can take several steps:

- Obtain the counsel of an attorney familiar with accident litigation.
- Determine whether Colossus software is being used by insurers in the settlement.
- Insist that adjusters include factors and information supportive to your claims and case, which Colossus may not value highly.



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Police response time

No national average or standard exists for police response times for Priority 1 calls for assistance.

Priority 1 means the caller faces a life-threatening danger, such as an armed robbery, assault, or shooting in progress.

Many cities and municipalities decline to release average police response-time data, even if it is collected. Some cities do. In 2004, Washington, D.C.'s metro police took an average of 8 minutes, 25 seconds to respond to Priority 1 calls. Boston's police took 8 minutes. San Francisco's officers arrived in 10 minutes.

Late responses

After a man was assaulted by a neighbor wielding an ax, he went to a police station to report the incident. A desk sergeant told the victim to return home and await a patrol car. Thirty minutes later, while waiting for police in his driveway, the victim's angry neighbor arrived and killed the man by repeatedly running him over. The victim's estate sued the police department for failing to protect him in a timely manner. A jury agreed and awarded the murdered man's estate significant damages.

ASBESTOS

Protect your family at home

Asbestos may be found in older homes in attics, pipe and furnace insulation, shingles, wallboard, textured paints, and floor tiles. Exposure to silently spreading asbestos dust can cause serious harm to the lungs, colon, and other organs. Even brief exposure can lead to irreversible asbestos diseases, including cancers.

According to the Environmental Protection Agency, home owners suspecting asbestos may be present in their homes can take several precautions. **Leave** asbestos material appearing in good condition alone.

Check suspected material regularly without touching it. Inspect for signs of wear, tears, abrasions, water or other damage, or flaking that can release asbestos fibers.

Discard suspect household materials.

Check with local health, environmental, or other appropriate officials to find out proper handling procedures, and dispose of damaged or worn asbestos gloves, stove-top pads, or ironing-board covers.

Obtain professional removal assistance if asbestos material seems highly damaged or if home maintenance or improvements may disturb it.



FOR YOUR SAFETY Recalled product roundup

Here are some recently recalled products you may have in your home or at work:

- ✓ **Atico International USA, Inc.**, asked consumers to return 480,000 Surf Club™ Arm Bands. Seams can tear, causing the inflatable child flotation device to deflate, exposing young children to drowning.
- ✓ **World Wide Cycle Supply Inc.** has voluntarily recalled 25,000 Harley-Davidson 16-inch BMX bicycles with front-wheel fork welds that can separate and cause rider injuries.
- ✓ **American Greetings Corp.** called back 120,000 Sesame Street Toy Sunglasses with lenses that can separate from frames and choke young children.
- ✓ **Target Stores** recalled 494,000 Back Trails Jr. Toddler, Youth and Child Bicycle Helmets, which fail to meet U.S. Consumer Product Safety Commission standards and can cause head injuries to bicycle riders.
- ✓ **Lamplight Farms, Inc.**, wants 963,000 Tiki® bamboo torches and about 18,000 replacement fuel canisters returned. The painted surfaces can absorb fuel, ignite, and burn users and their property.

What you mean to us

Those who use our legal services mean everything to us. That's why our promise to you is to always do our best every time you need to call on us for assistance.

We hope that the quality of our service pleases you. Behind the scenes, we are always working hard to make sure that each client receives the benefits of our hard work.

Client focus

We have a genuine interest in every client's satisfaction, and we also have a very strong work ethic. We train all our employees to bring integrity and honesty to all we do to be sure clients always feel that they receive our best efforts. We empower all our employees to make decisions that foster client satisfaction and loyalty.

Professionalism

If you have questions about service, consultation, billing, or anything else, we will give you straight answers. If we don't know an answer, we'll find out and get back to you right away.

You mean everything to us.

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The information included in this newsletter is not intended as a substitute for consultation with an attorney. Specific conditions always require consultation with appropriate legal professionals.

Bachus & Schanker, LLC, **FIRM NEWS** launches new Web site

(continued from front page)

The new Web site, located at www.coloradolaw.net, features a video library where clients and interested individuals may learn more about the different areas of law we practice and learn about our philosophy and commitment to speaking up for justice. Additionally, the Web site features a secure client access page so clients may easily access information about their particular cases and communicate with the attorneys, case managers, and paralegals about their cases.

The Web site also has Web pages with helpful books and resources that individuals may find useful as they work with Bachus & Schanker, LLC, to resolve their specific cases. Bachus & Schanker, LLC, encourages all of our clients to get involved with consumer groups and take part in consumer advocacy organizations. The Web site features links and information about different groups and organizations in which clients may participate. This Web site is just another way that Bachus & Schanker, LLC, is leveling the playing field for you and your family. Please explore our Web site at www.coloradolaw.net.

Bachus & Schanker, LLC, achieves highest peer-review rating by Martindale-Hubbell Law Directory

Bachus & Schanker, LLC, has been designated by our colleagues as preeminent in our field. We have achieved an AV rating, the highest preeminent peer review rating by *Martindale-Hubbell*. We are listed in the Bar Register of Preeminent Lawyers. The Bar Register of Preeminent Lawyers lists only those select law practices and law firms that have been designated by their colleagues as preeminent in their fields.

For more recent firm news and information about this honor, please visit our Web site at www.coloradolaw.net and click on "Firm News."

Bachus & Schanker, LLC, client awarded more than \$1 million in arbitration

On February 13, 2006, Bachus & Schanker client Jim F. was awarded more than \$1 million with interest at an arbitration for compensation for injuries he sustained in an automobile accident caused by an uninsured, negligent driver. Because American Family refused to pay Jim anything as compensation for his injuries, **Darin Schanker**, a founding partner at **Bachus & Schanker, LLC**, filed a request for arbitration as required by Jim's policy.

For more recent firm news and information about this case, please visit our Web site at www.coloradolaw.net and click on "Firm News."

Bachus & Schanker, LLC, client compensated \$1.5 million for motorcycle accident injuries

Bachus & Schanker, LLC, clients, William C. and Lisa S., were recently compensated \$1.5 million by State Farm for catastrophic injuries they sustained in a serious motorcycle collision. Unfortunately, William did not have health insurance, nor did he have medical payments coverage on his motorcycle, which would have paid some of his medical expenses. Bachus & Schanker, LLC, founding partner, **Kyle Bachus**, filed a lawsuit against the driver on behalf of William and Lisa. After Bachus & Schanker, LLC, filed the lawsuit, the driver's insurance carrier, State Farm, agreed to settle this case in exchange for payment of State Farm's \$1.5 million policy limit.

For more recent firm news and information about this case, please visit our Web site at www.coloradolaw.net and click on "Firm News."