



BACHUS SCHUMACHER & SCHANKER, LLC
ATTORNEYS AT LAW

THE VERDICT

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WELCOME to Bachus

Schumacher & Schanker, LLC's first newsletter, designed to bring you updates and information regarding our practice areas. We hope you enjoy this edition, and we welcome your comments and suggestions.

Bachus Schumacher & Schanker, LLC offers comprehensive legal services to severely injured clients in the Denver Metro Area. We provide aggressive representation and extensive trial experience to clients who were catastrophically injured due to someone else's negligence. Our practice areas include Auto Accidents, Premises Liability, Products Liability, Medical/Dental Malpractice and Insurance Bad Faith.

At Bachus Schumacher & Schanker, LLC, we represent our

clients with the highest concern for their well-being and interests, we protect consumers from unscrupulous insurance companies and powerful corporations, and we pursue every remedy available to compensate our clients for the damages they sustain. Our attorneys and staff are highly organized and dedicated to preserving our clients' rights as well as the civil justice system that protects us all. We involve our clients throughout their cases, keeping communication our top priority.



We offer you this newsletter as a means of keeping you updated on Bachus Schumacher & Schanker, LLC. Throughout the year, we will provide information on legal issues we feel are important to our clients and our community. We welcome your comments and suggestions. Please feel free to refer us to your friends and family for their legal needs. ■

TRUTHS & MYTHS: Auto Claims, Insurance Companies & Courts

Unfortunately, the consumer only gets one side of the story regarding insurance companies and lawsuits. Because insurance companies make billions of dollars annually, these entities easily control portions of the media. Because we live in a society that bases the majority of its beliefs on what we watch on television and what we learn on the radio, we have been force fed what the insurance companies want us to believe, in hope that its misinformation will become our truth. Want to know the real truth? Here it is:

Insurance companies want more of our money. Why? Take a look at the annual net profits of 3 of the largest insurance corporations:

- ▶ State Farm \$2.4 billion
- ▶ AllState \$2.2 billion
- ▶ Farmers \$320 million

Following are the net worths of these 3 insurance corporations (they show a value greater than some countries):

- ▶ State Farm \$74.0 billion
- ▶ AllState \$34.2 billion
- ▶ Farmers \$12.1 billion

So why do our auto premiums continue to climb higher and higher? The corporations claim it is because of too many lawsuits – yet the facts are:

- ▶ Less than 1% of all drivers in auto accidents file a lawsuit.
- ▶ Less than 15% of all auto accidents involve anyone getting hurt.
- ▶ Lawsuits from auto accidents are actually decreasing, by more than 25% over the last ten years. But...
- ▶ Insurance corporations raised our premiums almost 30% over the last five years.
- ▶ Profit for a Colorado policy is over 300% higher than surrounding states.

The bottom line: *Insurance corporations want more of our money for more profits. But, don't we give them enough of our hard-earned cash as it is?*

For more information or assistance with your claim, call Bachus Schumacher & Schanker, LLC. Let us help you sort out the insurance industry truths & myths. ■



VEHICLES

'91-96 Chevrolet and GMC light trucks, sport-utility vehicles and vans - The anti-lock brake system (ABS) could malfunction, thereby resulting in increased stopping distances. Have your dealer replace the sensor switch in the ABS system of 4-wheel-drive vehicles. Have your dealer modify the computer-control unit in the ABS system in 2-wheel-drive vehicles.

'96-98 Honda Civic - The floor mat could prevent the accelerator pedal from returning to idle when your foot is removed, there-

by possibly causing a crash. Have your dealer install a positive floor mat retention system.

'99 Dodge Ram - The hydraulic fluid could leak onto hot exhaust and cause an underbody fire. Have your dealer install a longer heat shield for the hydraulic clutch line.

HOUSEHOLD PRODUCTS

Bell Bellistic, Qualifier and Rhythm bicycle helmets - The helmet could come off in a crash, thus exposing the rider to serious head injury. The helmets were sold at bicycle dealers from 10/98 to 4/99. Recalled helmets have a date sticker inside them which bears

the date from 10/98 through 3/99. For information, call 800-456-2355.

Cosco Arriva and Turnabout infant safety seat/carrier - When used as a carrier, the handle could release unexpectedly, thereby causing your child to fall. The seats were made from 3/1/95 to 9/9/97. Stop using the seat as an infant carrier and call Cosco at 800-221-6736 for a free repair kit. Information is also available at www.coscoinc.com.

General Electric & Hotpoint Dishwashers - The switch that allows the selection of "heated dry" or "energy saver" functions can melt and ignite over time, thus posing a fire hazard. Stop using the dishwasher and keep the door unlatched to prevent a flow of electric current from the latch to the slide switch. Call General Electric at 800-599-2929 or visit www.geappliancerecall.com to find out how to obtain a rebate toward the purchase of a new dishwasher.

Nursing Home Neglect

Sometimes we are forced to place a loved one in a nursing home. We hope that we have found the best possible care and have placed them in good hands. Unfortunately, proper care is not what our loved ones always receive. We hear horror stories about residents who suffer from mistreatment and neglect while in a nursing home. Improperly trained or abusive nursing home workers may cause this harmful treatment. We also see suffering caused by greedy, uncaring or understaffed facilities.

Neglect occurs when a nursing home fails to provide a resident with services, treatment, care or even life's basic necessities such as food and water. It also happens when nursing homes deny a resident's right to be free from chemical or physical restraints or their right to be treated with dignity. Neglect often leads to emotional suffering, physical harm or even death.

How can you tell if a loved one is being neglected or abused in a nursing home? Here are some of the first signs to look for:

- ▶ bed sores
- ▶ gangrene
- ▶ severe dehydration
- ▶ broken bones due to falls
- ▶ severe malnutrition
- ▶ rapid weight gain or loss
- ▶ burns
- ▶ unsanitary conditions

If you notice any of these signs, speak to the nursing home administrator immediately. Do not accept any excuses. The law says that nursing homes must be properly staffed and provide proper care. You may also register a complaint with the Colorado Office of the Ombudsman for the Institutionalized Elderly.

State and Federal laws provide for the protection of nursing home residents and their families. Abuse or neglect of any kind is unacceptable. If you think a loved one is being neglected, abused or treated without dignity, call Bachus Schumacher & Schanker, LLC. We want to help. ■



Large Truck Accidents

In the last ten years, the over-the-road transportation industry has undergone explosive growth. Large trucks represent only 3% of all registered motor vehicles in the United States, yet they are responsible for 22% of all deaths in multiple vehicle collisions. In 1996, nearly 393,000 large trucks were involved in traffic crashes in the United States. Despite the efforts of the federal government to pass safety laws to protect the public, trucks continue to kill and injure American citizens.

Did you know that many trucking companies and their risk managers have lawyers available, ready to respond to urgent calls regarding serious collisions involving their trucks? There is a reason for this: The trucking companies realize what is at stake. Securing the scene of the collision and gathering evidence immediately may be the key to saving a trucking company millions of dollars in potential damages. In fact, if an accident is serious enough, a trucking company executive and the company's lawyer may fly a corporate jet to the scene within hours of the collision.

It is equally important for you to act immediately following a collision. The hours and days after the collision are crucial, and you should act quickly to protect your rights. Tire marks, debris on the roadway, the position of the vehicles, highway and weather conditions all may be crucial to proving liability in substantial damage claims.

The experienced personal injury lawyers at Bachus Schumacher & Schanker, LLC make it their business to protect the legal rights of truck injury victims. When you retain our firm in truck cases involving serious injuries, our lawyers assemble a team of accident reconstruction experts and experienced accident investigators within hours to ensure that your legal interests are protected. ■



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FIRM NEWS

Bachus Speaks at an Auto Insurance Seminar

On February 11, 2000, Kyle Bachus, a member of The Board of Directors of the Colorado Trial Lawyers Association and the Colorado Trial Lawyers Association's Automobile Litigation Task Force, was a speaker at the Association's seminar, "How to Hammer Allstate." The chief mission of the all-day seminar was to provide the 260 seminar participants with legal strategies to combat Allstate's claim tactics.

BSS Attorneys attend the National Convention

All of the attorneys at Bachus Schumacher & Schanker, LLC attended the Association of Trial Lawyers of America (ATLA) Winter Convention. ATLA is one of the leading Consumer Advocate Organizations in the United States. Membership is composed of some of the finest trial lawyers in the country. One of the primary goals of this organization is to work on behalf of consumers to maintain accountability on the part of negligent corporations and to preserve our civil justice system. Over 900 lawyers attended the ATLA convention. The lawyers from Bachus Schumacher & Schanker, LLC were three of only seven lawyers who attended from the state of Colorado.

REFERRALS

At Bachus Schumacher & Schanker, LLC, we want you to think of us as *your* law firm. If you have a legal matter that needs attention, let us know. If we do not specialize in your matter, we will refer you to a firm that does. Please feel free to refer us to your friends and family for their legal needs. We welcome the opportunity to help.

J. KYLE BACHUS

JON R. SCHUMACHER

DARIN L. SCHANKER

PERSONAL INJURY LAW

AUTO ACCIDENTS • SEMI-TRUCK ACCIDENTS • PRODUCTS LIABILITY • PREMISES LIABILITY • MEDICAL/DENTAL MALPRACTICE • AIRPLANE ACCIDENTS • TRAIN ACCIDENTS • INSURANCE BAD FAITH