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# ALEXIS AND MARK'S

*A Little about the law-A lot about everything else!*

# NEWS

## A NOTE FROM ALEXIS AND MARK

Thank you for all your referrals!

Here we are already in October. We are starting to plan Halloween. By "plan" I mean the kids are telling me what costumes they want. I usually do most of my Halloween shopping on October 30th! (*Editor's Note from Mark: Are you shopping early this year? I thought we would continue the tradition of buying the costumes on the afternoon of Halloween, itself! Financial advice in tough times: costumes bought on the 31st are all discounted!*)

In any case, Zev's subject of the last month was his 6th grade dodge ball tournament. The school puts together a dodge ball tournament for each grade and each child can donate \$10.00 and they get an extra 10 lives. The donations went to support a teacher who had cancer and had to withdraw from teaching school this year to fight cancer. The school raised \$14,000 which I thought was amazing. It is unbelievable what motivation an extra 10 dodge ball lives can give to a 6th grader. I think Zev asked me for the \$10 every single day until I gave it to him to make sure he got his extra ten lives. What is amazing about that is that Zev doesn't remember anything, yet when it came to his extra ten dodge ball lives, all of a sudden he was Mr. Organized. In any case, Mark was the only parent who watched the dodge ball tournament. I wanted to go but we thought Zev might be a little embarrassed if I walked into his middle school game with the baby and 5-year old Ariella (who was home sick that day) to watch him play. Instead, I went to get Tate's YMCA flag football jersey - I figured I could at least get one errand out of the way! We even made Zev and his friend original Dodgeball shirts with iron-ons from Officemax. Apparently, the shirts were a hit.

Kailey is practicing her dance solo. She is very excited. Her National schedule came out and assuming her national dance competition this year is taking place in Florida. She is trying to convince me that no

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## ARE YOU A DANGEROUS DRIVER?

### 9 WAYS TO TELL

Surely you've seen them on the road: They're swerving in and out of lanes, ignoring rules of the road, and engaging in other rude -- and dangerous -- behavior. Or maybe you are that bad driver? Take a look at these questions to find out if you fit the profile.



- 1 When you reach a stop sign and no one is coming from another direction, do you roll through instead of stopping?
- 2 Do you talk on the cell phone while driving instead of pulling off and stopping to talk?
- 3 Do you take your coffee and muffin or other food and drink on the road with you, driving with one hand while using the other to eat?
- 4 If you're out shopping in a crowded area and are looking for a parking space, do you become so focused on your search that you lose sight of the cars and pedestrians around you?
- 5 Does your driving change when you go into areas with higher police presence?
- 6 Does listening to music while you drive sometimes leave you oblivious to all but the music?
- 7 Do you find yourself in confrontations on the road, either through verbal arguments or hand gestures, because of either your own driving habits or the habits of others?
- 8 Does your "work hard, play hard" lifestyle leave you sleepy behind the wheel at times?
- 9 When you're driving with passengers, do you turn around to talk, taking your eyes and mind off the road?

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## A NOTE FROM ALEXIS & MARK

other kids should be able to come with her to Florida and that she should be able to go by herself. So far she has not been successful. On another note, we are very happy for Kailey. She ran in the student council elections for three straight years. Unfortunately, she did not win in 3rd grade or 4th grade. However, this year she ran was elected as a representative for her class. That was not good enough, as she then decided to run for Vice President of the student council . . . and she won! Apparently, there were others that were going to run for vice-president, but when she announced she was running for vice president, the competitors dropped out! Kailey said all the boys in her class voted for her...which Mark was not too happy about! *(Editor's Note from Mark: It is OK if the boys vote for her in 5th grade. I think that is fine, as long as they understand that starting in 6th grade, they are not allowed to speak to my daughter again until she is about 25 years old. They can wave to her from a distance, and that is about it!)*

Tate went with his grandparents and his aunt/uncle and cousins this month to Detroit. He went to visit a cousin named Sammy. He was especially excited because he was allowed to miss two days of school. There was a Bar Mitzvah back in Detroit (where Mark's extended family and close friends still live) so Tate was sent as one of the family ambassadors – because taking all 9 of us was out of the question! On the flight back from Detroit, we are told by a reliable source (Mark's sister) that Tate sat in a row with two adults. The two adults were playing gin rummy, and Tate has no idea how to play the game. Somehow, he managed to talk them into abandoning their rummy game, and switching to "go fish." Then, after getting them to make it a 3-person go fish game, Tate continually changed the rules of the age-old card game, managing to find a way that under the new "Tate rules" Tate was able to win every game. Way to go, Tate.

Ariella is doing well at her new school. She's only been to the nurse about 10 times now since the beginning of the school year. She has even managed to convince her teachers that she is sick. I got called twice a couple of weeks ago that Ariella was at the nurse and had to be picked up from school. The only reason I haven't been called the past week is because there is no school because of school break. It's amazing that Ariella has been totally cured this last week. *(Editor's note from Mark: Yes, it is amazing how Ariella is always fine on the weekend at during breaks, but needs daily nursing attention when she is supposed to be sitting in kindergarten. Ariella has already been to the nurse more in her first 10 weeks of school than her three older siblings, combined, in the last 5 years.)*

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## Company Advertisements

**Caveat Emptor.** Let the buyer beware. Sounds like great legal advice. Maybe it is, although we did not learn it in law school, but from a classic Brady Bunch Episode. You know, the one where Greg buys the car? OK, maybe some of you missed that one.

Anyway, while the phrase caveat emptor does not directly relate to our discussion today, but it does express a general need for people to avoid being too trusting, too willing to believe what others tell them. It is not surprising that people will act in their own self-interest, or that somebody may not tell you the truth if it does not benefit them. The need to not automatically believe what someone is telling you obviously is true in everything from the television news to the newspaper articles and certainly to any advertising that you come across.

As personal injury trial lawyers, our clients have either suffered serious injury or lost a family member because of the negligence of someone else, be it in an auto accident, on a construction site, or elsewhere.

As a result, we are often fighting the insurance industry to obtain fair compensation for our clients. We have found that the marketing and insurance companies' commercials are often misleading. Is this a surprise? Of course, not. Insurance companies have a vested interest in creating a public perception of an out of control jury system filled with frivolous lawsuits. The more people believe that, the less likely the seriously injured person with a legitimate claim is to receive fair compensation from a jury. After the millions that have been spent over the years, how many Arizona residents believe the number of injury lawsuits is out of control? How many people believe Arizona courts are filled with frivolous lawsuits? Conversely, how many people think they can trust their own insurance company when they need to make a claim?

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## A NOTE FROM ALEXIS & MARK

Talia has turned into a totally "Daddy's girl." She doesn't want me to do anything for her... everything is all Mark. She obviously is delirious, but that's fine for me... like I want to have the responsibility to get her dressed, get her food, put her clothes on, etc..... *(Editor's Note from Mark: Did you all see how that works? Take a look at every single entry in this little update so far, and see how much Alexis wrote about each child. Now, when she gets to Talia – who has magically and recently decided/realized how AWESOME her dad is, she gets one sentence, only. I consider this to be some sort of dad-loving-child discrimination. I intend to set up a task force in Talia's honor to further investigate the root of this discrimination. And, by the way, Alexis failed to mention that EVERY TIME I come home, Talia comes running from wherever she is and gives me a big hug.)*

Pierce is doing well too. He is happy because we visited his favorite place...Chuck E Cheese. Only watching him throw the ski ball could do his ski ball skills justice. He has been talking about having his birthday party at Chuck E Cheese. Poor thing has no idea of time which is a good thing otherwise he'd be really upset that his birthday is not for another 8 months. Oh, to be a kid! *(Editor's Note from Mark: Pierce is still learning how to talk, although he is making great progress. Still, whenever he cannot think of the words to say, he fills in the time with either "na na" or "Chuck E Cheese." So we have random reference to Chuck E Cheese whenever the child is not sure what else he wants to talk about!)*

Karina just had her 1 year old birthday. She is talking!!! She says "Hi!" We are pretty sure she said "Yeah" too but it was hard to say. She is walking all over the place. She is on whole milk now ---- big stuff for a one year old! She is still being pulled in all different directions by her brothers and sisters. We have a rule that they are not supposed to grab her from behind so she can see who is coming to get at her but the rule is not being respected that well... Mark needs to be more strict with his kids. *(Editor's Note from Mark: For a wife who spends hours each week telling me I am too strict with the kids . . . Also, I think Karina is saying DaDa, too. I noticed that was missed in the list of words Karina can say. Sure, Karina doesn't yet know what "Hi" means, but she can repeat it when you ask her too. And I totally understand she does not know what "DaDa" means, but I say it still counts as a word. Now, if she was repeating "MaMa" that would be a different story, altogether!)*

Kenzie the dog!!! Poor Kenzie had a rash so we had to bring her to the vet. I think Kenzie costs us more money in medical costs than anyone in our family – other than Mark.

We know these are firmly held beliefs, usually based not upon facts or even personal experience, but from both the subtle and not-so-subtle affects of the marketing done by the insurance industry. Would it surprise you to find out that the number of injury lawsuits is declining throughout the US? Would it surprise you to learn that judges are required to dismiss all cases in Arizona that do not have a factual or legal basis, i.e. Arizona judges throw those cases out of court so they never are even heard by a jury. Many would be surprised to learn that Arizona juries do not just give away money, but in fact are among the most conservative juries in the country in terms of the verdicts the award to the injury victim.

Right now there is a commercial for an insurance company where the scene is implying that a greedy Plaintiff has just driven somebody into bankruptcy. the truth is the at fault person is almost never left to pay for the verdict because in most cases their insurance company will protect them, which is part of why we buy insurance to protect ourselves.

Does this commercial, or other self-serving marketing by the insurance industry, mean the insurance companies are lying? No. Does it prove no insurance company can be trusted when making a claim? Not, really. What it should do, however, is serve as a reminder that the messages we see – from the insurance industry and others – should not be taken at face value. As a law team that takes the fights for the injury victim, we know how important this message can be.

## Did You Know?

Did you know we help people who have been seriously injured in many ways? Below, are examples of the types of injuries that we handle:

- |                          |                        |
|--------------------------|------------------------|
| ✓ Motorcycle Accidents   | ✓ Nursing home abuse   |
| ✓ Construction Accidents | ✓ Trucking Accidents   |
| ✓ Auto accidents         | ✓ Serious injuries     |
| ✓ Slip and falls         | ✓ Product Liability    |
| ✓ Wrongful death         | ✓ Bike accidents       |
| ✓ Dog bites              | ✓ Pedestrian accidents |

## CURRENT CLIENTS

If you have not seen the doctor for four weeks or more, please call us to discuss your case. If you are having continued discomfort and need help with a doctor referral, we are here to help.

If you need to discuss something about your case or need to speak to Alexis or Mark, please call your assigned paralegal's direct line to set up an appointment. Thank you!

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# ALEXIS AND MARK'S NEWS

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