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**PROCEDURAL OUTLINE OF YOUR
PENDING PERSONAL INJURY CASE**

As was explained to you during your initial consultation, you and various members of this firm will be working together as a team to put forth the strongest possible case for you and to bring about a speedy and just resolution of your claim. Over the next several weeks, months, and perhaps years, a great deal of time and effort on both your part and ours will be necessary to insure a favorable result in your case. While this may be your first accident case, it is certainly not ours. This letter will serve as a simple procedural outline of what is likely to happen in the future. Once we have obtained the basic information from you regarding how your accident happened and what injuries you sustained, we generally proceed as follows:

1. We will write to your doctor and hospital (if applicable) and request that they furnish us with their records of your treatment. The doctor is likely to charge a fee for his report ranging from \$125.00 to \$750.00. As soon as we receive his bill, we will forward it to you for payment.
2. We will write to the defendant and inform him that we have been retained to represent you. We will request that he contact his insurance company and notify them of your claim. We will also conduct our own investigation of your accident and obtain whatever police or accident reports are available. Other than receiving copies of our letters, you probably will not hear from us for some time.
3. If we are contacted by the defendant's insurance company, we will provide them with the records of your medical treatment and lost wages, and attempt to

negotiate a settlement. You will be notified of any settlement offers, and the ultimate decision regarding settlement is always yours. While it is possible to settle a case at this very early stage, it is highly unlikely. We are generally required to commence a law suit to recover the true value of your claim. A law suit is commenced by serving a summons and complaint upon the defendant. The summons and complaint state in general terms what happened in the accident. The complaint is delivered to the defendant, and he in turn, turns it over to his insurance company.

4. The attorney for the defendant's insurance company generally sends us an answer within approximately sixty days. The defendant's answer usually denies that the accident was his fault. Simultaneously with the service of the answer, the defendant's attorney will request a list of particulars regarding exactly how the accident happened and the details of your injury. This "DEMAND FOR A BILL OF PARTICULARS" or "INTERROGATORIES" will be forwarded to you so that you can provide us with as much information as possible.
5. Very often it takes quite some time to accumulate all the information necessary to complete the Bill of Particulars or Interrogatories, and it very often takes months before final responses can be prepared.
6. After written disclosure is completed, Examinations Before Trial (Depositions) are generally held. The EBT is a question and answer session in which the defendant's lawyer examines you and we examine the defendant. All of the questions and answers in the EBT are recorded by a court stenographer, and a booklet is prepared of the testimony. Prior to the time the EBT is conducted, we will notify you and schedule a time for you to review the facts of your case with the attorney that will be accompanying you to the EBT. EBT's are often adjourned because of scheduling difficulties between the law firms.
7. After the EBT is concluded we will exchange additional information with the other lawyers if necessary. You will most likely be required to attend a physical examination by a doctor of the insurance company's choosing. The insurance company is entitled to this examination, and we will provide you with instructions for attending the examination at the appropriate time.
8. Once the physical examination is completed, your case will be placed onto the court calendar to wait its turn for trial. While most cases are settled before trial, insurance companies generally do not offer top dollar until just before the actual commencement of the trial. The length of time it will take to conclude your case depends upon numerous factors including the nature of your injuries, the question of liability for the accident, your doctor's report and the insurance

company doctor's report, the insurance company involved, and whether the parties greatly differ as to the value of the case. While we will attempt to settle your claim prior to trial, we always prepare the case as if it were going to trial to insure that we are ready to proceed at any time.

9. We are often asked "How much is my claim worth?" Determining the value of your claim requires the evaluation of a number of factors. The nature and extent of your injury, length of treatment, permanent impairment, loss of earnings, and damages for pain and suffering must all be considered. There are other important variables affecting values such as pre-existing medical conditions, comparative fault, the insurance companies involved, the insurance policy limits, and the jury pool for the applicable court for your case. Determining the value of your case is impossible until all of the evidence has been gathered and even then, we often disagree with the valuations of the responsible insurance company. We will provide you with a "settlement value range" and then try to get an offer within that range. The final decision will always be yours.
10. If it appears that your case is going to go to trial, we will contact you with the scheduled trial date, and meet with you prior to the trial to discuss the trial procedure. During the time that your case is on the trial calendar, you will generally not hear from us unless we receive a settlement offer from the defendant. Please be assured that we do everything possible to bring your case to a speedy resolution. Our court system is not perfect, and it often takes between two and three years for a case to ultimately come to trial. Many cases settle right before and even during the trial.

We recognize that our clients are often confused by the formalities involved in a law suit. Accordingly, we invite you to call us at any time that you have questions regarding the status of your case.

Thank you for allowing Kantrowitz, Goldhamer & Graifman, P.C. to be of service to you. Your expression of confidence is greatly appreciated.

Very truly yours,

**KANTROWITZ, GOLDHAMER
& GRAIFMAN, P.C.**

By: Barry S. Kantrowitz