

LAW OFFICE OF MALHOTRA, STAYSHYN^{LLP} & WILSON

Summer 2011 Issue

YOUR
PERSONAL
INJURY LAWYERS

*166 YEARS OF
EXPERIENCE*

Our Services

Personal Injury
Claims

Motor Vehicle
Accidents

Insurance Claims

Slip & Fall Cases

Canada Pension
Hearings

Product Liability

Alternative
Dispute
Resolution

Professional
Malpractice &
Negligence

Class Actions

Civil &
Commercial
Litigation

Wrongful
Dismissal

FREQUENTLY ASKED QUESTIONS

1. I have just been in an automobile accident. What is the first thing I should do?

First, call the Police, by dialing 911. At the scene of the accident, be sure to obtain the name, address, license number, and insurance information from the other drivers involved, as well as all witnesses. If you are injured in an accident, it is important to seek treatment immediately. Sometimes serious injuries do not cause immediate pain. If you experience even minor pain after an accident, you should go to the hospital or call your doctor immediately.

2. An insurance adjuster for the other driver just called me, and asked me to give a "statement" about the accident. Whose side are they on?

Not yours. The other driver's insurance company has two goals: first, they want to protect the interests of the driver who caused you injury, and second, they want to pay you as little money as possible.

3. Should I give the "statement" that the insurance adjuster for the other driver is requesting?

If you were injured, or if you are partially or totally at fault in the accident, you should contact our personal injury team prior to deciding whether or not to give a statement to an insurance company.

4. I have been injured. Who will pay my medical bills?

If you have "medical payments" coverage in your work or private benefits policy, you will be able to have your bills paid under that coverage. Otherwise, your auto insurer is required to pay bills under that coverage (different coverage limits may apply) or OHIP may cover some expenses. There are many pitfalls and obstacles for the injured party to overcome so it is imperative that you call our personal injury team immediately to get you all the benefits you are entitled to.

5. Can I get money for my pain and suffering?

Upon convincing proof to the insurance company of your pain and suffering, most insurance companies will agree to pay for pain and suffering damages, however, your injuries must pass the "threshold test" and a deductible. This will be further explored with our office in our free consultation. Proof of pain and suffering is one of the most challenging aspects of an automobile accident claim, and requires witness statements and doctor reports to support the claim.

6. The accident was a short time ago, but the insurance company is offering me money now. Should I take it?

Be very careful. Insurance companies make a profit by keeping money and investing it, not by paying it to injured victims. An early offer may not fully compensate you for your injuries, especially if you do not know yet the full extent of the injuries. Remember that, once you accept the offer of the insurance company, they will pay you no further money. This will be true even if you later discover that your injury is worse than you thought.

7. If I hire a lawyer, what will the lawyer do for me?

Your lawyer should help you to find the best medical providers trained in treating patients with your injuries; interview and obtain statements from all witnesses to the accident; research the law that applies to your case; preserve the evidence of your damages in a way that will be admissible in court if it is necessary to go to trial; advise you as to the value of your claim through research as to settlements and judgments of other cases similar to your own; prepare a detailed and convincing settlement brief to present to the insurance company to obtain a fair settlement of your claim; and, take your case to trial, if it is necessary in order to obtain fair compensation for you.

8. I would like to talk to a lawyer, but I cannot afford one. What can I do?

If you have a case and we represent you, you will not have to pay our legal fee unless and until we recover money for you. It will cost you nothing to meet us to determine whether we can help you.

Why Choose Us?

Experience and Results - You get an experienced team of litigators who fight to get you the highest compensation and best healthcare treatment while having an exceptional record for outstanding results.

- No Legal Fees Unless You Win!
- No Obligation- FREE consultation
- We Will Come to Your Home or Hospital Room
- We Will Get You The Best Medical Care
- We Have Successfully SETTLED MILLIONS OF DOLLARS in Injury Claims

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Philosophy: Why we only represent victims

At Malhotra, Stayshyn and Wilson, justice is more than a word.

Our philosophy is one of respect for the language of justice, embodied in words such as:

- Fairness.
- Respect.
- Integrity.
- Justice.

These words reflect the values we were taught as children, and they define who we are as citizens of the world. But too often, they are just words. **We take these values seriously, and they are reflected in our practice.**

You may ask why we represent only victims? The answer is simple, it the victim that needs us most and it is in knowing that we serve a greater purpose to help all of society.

There 2 very appropriate statement of principle that we operate by:

"He who shuts his ear to the cry of the poor will also cry himself and not be answered."
Proverbs 21:13

"I pass each hour knowing that I am working to achieve justice, not obstruct it; working to right wrongs, not hide them; and working against wrongdoers, not for them." Brian Herrington

Our values are demonstrated every day in the way we practice law: by the dedication of our lawyers and staff, by the relationships of mutual trust that we build with our clients, and by our unflagging commitment to community service.

- Our skilled, experienced lawyers, backed by a team of top-notch paralegals and investigators, take pride in their professional integrity. We are dedicated to providing exemplary representation to each client, case by case.
- We advocate inside the courtroom and out, in legislative chambers and the political arena, for the rights of innocent people who have been harmed by the abuse, deceit, or negligence of others.
- Our commitment to community is visible in the faces of families whose lives are enhanced by the charitable and civic causes we support.

We translate our values into action tailored to each unique case.

At Malhotra, Stayshyn, Wilson, we translate words like "fairness" and "justice" into action as we set our goals and go about achieving them. From the beginning, you can trust your legal team to respect your right to make critical decisions – such as choosing whether to settle or to take your case to trial. You can be sure that your lawyers are focusing on results that are fair and just in your specific situation; every case is different.

The Malhotra, Stayshyn, Wilson team does not believe that dollars are the measure of success – although we have achieved significant successes for our clients by this measure. We attribute our reputation as powerful client advocates to the thousands of victims whom we have helped reclaim their right to happy, successful lives.

When we pursue justice on your behalf, our goal is to win with honor.

In doing so, we serve notice to those who abuse power and cause harm that their actions will not be tolerated in a civil society.

***Disclaimer:** The information and resources presented are for informative purposes only. The information is provided as a general reference work as a public service. The reader is advised to check for changes to current law and to consult with a qualified personal lawyer on any legal issue. The use of this material does not create a lawyer-client relationship. Because the information is prepared for a general audience, without investigation into the facts of each particular case, it is not legal advice. The thoughts and commentary about the law is provided as a service to the community, and does not constitute solicitation or provision of legal advice. We provide this general legal information on an 'as-is' basis. We make no warranties and disclaim liability for damages resulting from its use. Legal advice must be tailored to the specific circumstances of each case, and laws are constantly changing, so nothing provided, should be used as a substitute for the advice of competent counsel.*