



5 BIGGEST MISTAKES TO AVOID IN YOUR PERSONAL INJURY CASE

Ronald F. Wittmeyer, Jr.
Managing Attorney



LAW OFFICES OF
RF WITTMAYER, LTD.
PERSONAL INJURY LAW

Mistake #1

Not Seeking Immediate or Prompt Medical Attention



(847) 916-0428 • InjuryLawAttys.com

Sometimes after being involved in an accident, your body may be in shock and you may not realize that you have been injured. You may also not realize the extent of your injuries. Don't underestimate your injuries.

Many times in the days that follow an accident, you will feel much worse than you did immediately following the accident. You should **seek immediate medical attention** if you sustain any trauma and you believe you have been injured.

If you can't get a prompt appointment with your doctor, visit an emergency room or urgent care center. And when you go to the doctor, make sure to tell your medical providers about all of the parts of your body that are causing you any pain or other symptoms.



Sometimes What Initially Seems to be a Minor Problem, Turns Out to be a Serious Injury



(847) 916-0428 • InjuryLawAttys.com

Additionally, even if you have a pre-existing condition in a part of your body that you may have re-injured in the incident, make sure to tell your doctor about this injury too. This is still a legitimate injury called an **aggravation injury**, which means a pre-existing condition that was made worse by the accident.

If you have suffered an aggravation injury, tell your doctor about the pre-existing condition and also describe in what ways the accident has made this condition worse, if that is the case. Delays in treatment always potentially hurt your case. Remember, the insurance company will argue that you must not have been injured very badly if you waited to go for medical treatment.



Mistake #2

Dealing Directly With the Adverse Insurance Company



(847) 916-0428 • InjuryLawAttys.com

While the adverse insurance claims representative (CR) may appear to be very friendly and seems helpful, they are not your friend. Simply put, they get paid to minimize your claim.

When I was an insurance company claim rep many years ago, we worked very hard to keep injured claimants from hiring lawyers. Why? Because we knew we would pay less to a claimant who did not have a lawyer. We called these claimants controlled claimants.

Do not sign any documents provided by the adverse insurance company without first consulting a lawyer on your behalf.



Adverse insurance companies will also sometimes offer you a quick settlement...

...even before you have finished your medical treatment. The insurance company wants to close your claim file and get their insured released from your claim.

At times, adverse claim reps will even send you a check with release language on the back of the check, without you even asking. They hope that you will desperately need the money and cash the check, thereby giving up all rights to your claim.

Do not fall for this trap. No matter how nice the adverse claims rep might seem, the insurance companies don't keep their shareholders happy by voluntarily paying you fair compensation for your injuries and damages. The only way to recover fair compensation from an adverse insurance company is to bring the fight to them, by having a skilled advocate on your side, handling your case.



(847) 916-0428 • InjuryLawAttys.com



Mistake #3

Not Consulting With an Experienced Personal Injury Attorney Right Away



(847) 916-0428 • InjuryLawAttys.com

Since the adverse insurance adjuster is not on your side, you need someone whose sole objective is to protect your best interests. By hiring a qualified personal injury attorney promptly, that attorney will control the information that is given to the other side. The attorney will give you advice on what to do to help your case and what not to do that could hurt your case.

The attorney will also start gathering and preserving evidence needed to prove your case at trial. This evidence includes photographs, videos, incident reports, witness statements, and scene or product inspections by qualified experts.

An early investigation and preservation of evidence can make or break your personal injury case. Once too much time passes, critical information and evidence can be lost forever. We want our investigators to get to witnesses and evidence first, before the other side does.



Mistake #4

Not Following Doctors' Orders



(847) 916-0428 • InjuryLawAttys.com

Everything you do in connection with your medical treatment that is related to your personal injury claim will be closely scrutinized by the adverse insurance company and their lawyers. No one believes what you say, because the insurance company views you as either a scammer or somebody trying to exaggerate their injuries to make a profit. Therefore, what's contained in the medical records becomes very important.

- If your doctor orders certain testing like an x-ray, EMG, or MRI, follow your doctors' order and get those tests performed.
- If your doctor orders certain treatment like physical therapy, chiropractic treatment, or injections, follow your doctors' order.
- If your doctor recommends surgery, that of course is a very serious decision.



Legally, your refusal to have surgery cannot be used against you in court.

However, the adverse side, and possibly even jurors may wonder why you didn't want to have a medical procedure that was available to you and was recommended by your own doctor.

- Make every effort not to miss medical appointments and if you must miss one, call first to reschedule.

Do not allow significant gaps of time to go by without following up with your medical treatment. If you allow large gaps of time without your having necessary treatment, the adverse insurance company will argue that either you must not be very badly hurt, or some new trauma must have happened during the gap in your medical treatment to have caused new injuries.



(847) 916-0428 • InjuryLawAttys.com



Lastly, if you end up seeing another doctor...

...make sure to tell that second doctor about your prior medical treatment for your accident injuries and whether the prior treatment helped you or not. Otherwise it can be made to look like you are “doctor shopping”, and/or hiding important information from your doctor.



(847) 916-0428 • InjuryLawAttys.com



Mistake #5

Talking to the Wrong People

The wrong people include the adverse claim representative.



(847) 916-0428 • InjuryLawAttys.com

- Do not give a recorded statement to the adverse insurance company.
- Do not sign a medical release for the adverse insurance company.
- Do not discuss your accident or injuries with anyone other than your employer, your doctors and medical personnel, and your own insurance company.
- Do not share details of your accident or your injuries on Facebook or other social media or otherwise online. Sharing information in this way can only come back to hurt you.



Do Not Discuss Your Accident or Injuries on Social Media



(847) 916-0428 • InjuryLawAttys.com

- You can bet that the adverse insurance company claim reps search online for information about you that they may take out of context and use against you.
- Posts about your accident, how you feel, and your medical treatment or your medical condition can hurt your case. Posts about any of your activities can be used to try to minimize your injuries and minimize your case. If you have been injured in a car accident, or other accident, it's best to be very careful about your Facebook and other social media posts or tweets.





To win a personal injury case, you need an experienced personal injury lawyer who is familiar with all types of accidents, such as car accidents, truck accidents, slip and falls, construction accidents, and nursing home abuse. An experienced attorney also needs to understand all of the related types of injuries.

The law Offices of R.F. Wittmeyer Ltd., have the experience to win your personal injury case.

**EXCEPTIONAL SERVICE.
PROVEN RESULTS.**

CALL TODAY FOR A FREE CONSULTATION
(847) 916-0428 • InjuryLawAttys.com

Ronald F. Wittmeyer, Jr.
Managing Attorney



LAW OFFICES OF
RF WITTMAYER, LTD.
PERSONAL INJURY LAW