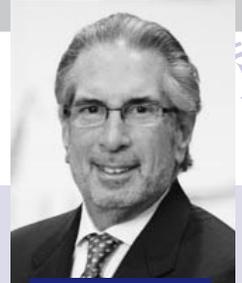


CHAIKIN
SHERMAN
CAMMARATA
SIEGEL P.C.

Attorneys at Law

Happy Holidays from CSCS

A message from Managing Partner Ira Sherman



Ira Sherman

It is always a pleasure to wish everybody happy holidays and a healthy and happy new year from all of us at **Chaikin, Sherman, Cammarata & Siegel, P.C.** We have been blessed with health and a wonderful 2012, filled with the joy of helping our wonderful clients.

Joseph Cammarata, Allan Siegel, and I have been partners for many years and work together extremely well. We work as a team on all the most tragic and complex cases. Although these are invariably cases where “no amount of money” can compensate for the loss, we take pride that we have been uniformly successful in achieving full and complete justice for our clients.

Rand Chatman has been our senior claims manager and manager of the claims department for 10 years. Many of you know and love Rand, as we do, and recognize him as “the best” in the industry. We are very excited that Rand celebrated his 10-year anniversary with CSCS.

Erik McConnell, the other senior claims manager, joined CSCS many years ago and has broken all records with his wonderful way of negotiating fantastic settlements. What a spectacular team they make! Their extraordinary assistant, **Misty O’Neil,** joined us this year and has made a huge impact on our ability to assist you and to make the claims group more efficient.

As you know, **Nia Morson** has also been a part of Chaikin, Sherman, Cammarata & Siegel, P.C., for more than 10 years. Nia and her partner at the reception desk, **Rikki O’Reilly Jones,** bring sunshine to the reception area with their wonderful, effervescent personalities and smiles.

Matthew Tievsky, a former clerk for a judge in the Maryland Court of Special Appeals, has now completed his second year at CSCS. Matthew has achieved a major accomplishment by taking and passing the Virginia bar, making him now barred in Maryland, D.C., and Virginia. Congratulations, Matthew!

Joining Matthew as an associate in the firm is **Amy Mogetz,** who is licensed in D.C. and Virginia. Amy comes to us with years of personal injury experience. Amy will be taking the Maryland bar in 2013. We wish her luck and are confident she will be successful!

Rounding out our staff is **Sandy Hudson,** legal assistant to Joseph Cammarata; **Diane Johnson,** legal assistant to Allan Siegel; and **Tiaundra Shirley,** legal assistant to Matthew Tievsky and Amy Mogetz. Mr. Chaikin used to say that in order to make a good lawyer, you need a lawyer...and an excellent legal assistant. We are fortunate to have three excellent legal assistants.

The person that adds the “oil” to the litigation machine is our file clerk, **Robert Sora,** the most helpful, competent person we have ever had in this “utility” position. It is a pleasure to have Robert as a part of our team.

Last but not least is **Biera Chin,** who has also been with the firm as my legal assistant and office manager for almost 10 years. Biera had a significant accomplishment this year when she graduated and received her associate degree in accounting. Biera is respected for her competence and loved by all for her caring and warm personality.

On behalf of all of us at CSCS, we wish you all a happy and healthy 2013!

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Attorneys available

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a week.

Practice limited to personal injury

- Free consultation
- Home appointments
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We do not get paid
unless you do.

PARTNERS ALLAN M. SIEGEL AND JOSEPH CAMMARATA SETTLE CASE FOR \$1.75 MILLION

The law firm was hired by the wife and children of a man who died as a result of injuries suffered in an automobile collision. The wrongdoer was driving home from a wedding at 4:30 a.m. when he



crossed a double yellow line and collided head-on with the car occupied by our clients' husband and father. The driver of the other vehicle had a blood-alcohol content of .19 and pled guilty to involuntary manslaughter.

The challenge was obtaining compensation for the family. The driver was incarcerated and had no assets. He was driving a company van at the time of the collision. However, the company claimed that he did not have permission to be using the company van to drive home from a wedding, intoxicated, at 4:30 a.m. Therefore the insurance company declined to cover any of the losses. The driver of the van claimed that the owner of the company personally told him he could use the van whenever he wanted, so long as he filled it up with gas.

The break in the case came when the owner of the company reported the van stolen the day after the collision to the police and his insurance company. Partners **Allan M. Siegel** and **Joseph Cammarata** were able to prove, through extensive investigation and discovery, that when the company's owner reported the vehicle stolen, **he knew that it was not actually stolen.** Evidence was uncovered that he was aware that the driver had the van and had been in an accident, and he knew exactly where the vehicle was, but failed to advise the police or his insurance company. In fact, the owner had the vehicle destroyed before the police or the insurance company could recover it.

The case was scheduled to go to trial in a Declaratory Judgment action filed by the insurance company. A Declaratory Judgment proceeding is a special case filed by the insurance company in which the court is asked to determine if the insurance policy would apply. Rather than go to court on the insurance issue, the insurance company settled the case at mediation for \$1.75 million. While no amount of money will ever replace our clients' husband and father, we are glad that we were able to obtain compensation for the family to make their lives more comfortable.

IS YOUR CAR INSURANCE ADEQUATE?

Conduct a year-end review

Having "full coverage" does not mean having adequate coverage to protect you and your loved ones from financial ruin in the event of tragedy.

There are many components to an auto insurance policy. For example, there are minimal amounts of insurance coverage you are required to have in the event you are at fault in a collision. Each state has different required minimal amounts. Depending on your financial situation, you may need more than the minimal amount of coverage. In addition, if you are involved in a collision and not at fault, and the at-fault driver does not have any insurance or not enough insurance to cover all of your damages or injuries, then your insurance may cover those losses. In that event you must have adequate uninsured or underinsured motorist benefits available under your own insurance policy. In short, you must have more coverage than the at-fault driver. Too often we have cases with significant damages and losses when the at-fault driver has minimal coverage and the client has no coverage available greater than the amount of the at-fault driver's coverage.

You should assure yourself you have sufficient coverage to pay for your injuries and damages in the event a wrongdoer's policy is not adequate or is nonexistent.

Further, your auto policy may provide coverage for payment of medical bills incurred as a result of a collision, regardless of fault. Finally, an auto insurance policy may provide "collision coverage" for payment of property damage, regardless of fault.

We urge you to take a moment before year's end to review your auto insurance policy. Don't get caught short in the event of a collision. We will be happy to review your insurance policy with you, at no cost to you. Please do not hesitate to give us a call.

Ira Sherman selected to join the Board of Directors of the Brain Injury Association of America

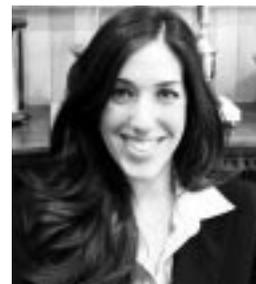
On December 7, 2012, partner **Ira Sherman** was selected to join the Board of Directors of the Brain Injury Association of America. Mr. Sherman is a co-founder and Vice President of the Brain Injury of the District of Columbia, and we are proud that he has been named to the board of the national organization.

Joseph Cammarata appointed co-chair of AAJ Energy Drinks Litigation Group

Partner **Joseph Cammarata** was recently appointed by the American Association of Justice as a co-chair of the newly formed Energy Drinks Litigation Group. The purpose of this group is to coordinate and provide information/resources to attorneys involved in litigation related to injuries and deaths caused by energy drinks. Please see the article on the back page of this newsletter to learn about the dangers that can be presented by these drinks.

CSCS welcomes new associate AMY MOGETZ

The law firm is proud to announce that **Amy B. Mogetz** has joined the law firm as a litigation associate. Ms. Mogetz brings a wealth of experience to the firm and has litigated cases involving wrongful death, medical malpractice, pharmacy malpractice, products liability, and other personal injury cases in both Virginia and the District of Columbia. She has also practiced in several federal courts, including the Eastern District and Western District of Virginia. She is a tenacious litigator and is proud of the results she has obtained on behalf of her clients.



Ms. Mogetz grew up in Richmond, Va., and graduated cum laude from Virginia Commonwealth University. She then earned her Juris Doctorate from Albany Law School in Albany, N.Y. After returning to her home state of Virginia, Ms. Mogetz became a member of both the Virginia and District of Columbia bars.

Ms. Mogetz is excited for the opportunity to join the firm and apply her skills to helping persons who have been injured due to the negligence of others.

Filing a lawsuit under the District of Columbia Consumer Protection Procedure Act

The District of Columbia has a law intended to allow consumers to hold accountable persons who engage in unethical commercial behavior. The law empowers any consumer to act not just on his own behalf, but on behalf of D.C. consumers as a class. The law is called the Consumer Protection Procedure Act (CPPA).

The CPPA bans a variety of unlawful trade practices committed by any individual or business. These practices include falsely stating the qualities of goods or services, or their price; exaggerating a person's qualifications; harassing a consumer; and failing to obey or provide the terms of a commercial contract. Generally speaking, for the CPPA to apply to a commercial act, it must affect a consumer within the District of Columbia. For example, if the violator puts out a false advertisement, the consumer must see the advertisement within D.C. Neither the consumer nor the violator needs to reside in D.C. Nor does the consumer always have to make a purchase in D.C.

If the law applies, the person bringing the lawsuit is

entitled to three times the damages that he suffered due to the violation (or \$1,500, if greater), attorney's fees, punitive damages, an injunction against the unlawful trade practice, and, if the lawsuit is a class action, such additional relief as is necessary to make the victim whole.

The recent discovery that Kia and Hyundai have been exaggerating the miles-per-gallon (MPG) ratings of many of their 2011 and 2012 model automobiles is a prime example of where the CPPA might be put into action. Falsely exaggerating the benefits of a commercial product constitutes an unlawful trade practice under the CPPA. The D.C. law would apply to violations that occurred in D.C. (i.e., to advertisements falsely stating the MPGs that were seen by consumers in D.C.). Any consumer who viewed an advertisement in D.C. that falsely stated the MPGs of a Kia or Hyundai vehicle, then purchased that vehicle because of the advertisement, has a case under the CPPA.

If you think you have a cause of action under the CPPA, please do not hesitate to call us.

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Attorneys at Law

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We are your law firm

We want you to think of us as your law firm.

If you have legal matters that need attention, please let us know. If we cannot handle the matter, we will refer you to a competent firm that can.

Please feel free to refer us to your family, friends, and neighbors for their legal needs. We welcome the opportunity to help.

Call us. You're going to feel a whole lot better about things.

CLIENT CORNER

Our client, **Gray Williamson**, is the manager at **Williamson Auto Body** in Capital Heights, Md. We recommend that you call him at **301-516-4390** if you are in a car accident and need to repair your car.

Of course, if you are injured, you should call the law firm first. His shop works with all major insurance companies.



CSCS AT THE MOVIES

If you have time to see a movie over the holidays, we recommend you see **Lincoln**. Learn about how Abraham Lincoln made sure slavery would never happen in America again.

Beware of ENERGY DRINKS

They can be harmful to your health

Often people who need a "pick me up" turn to energy drinks to provide a boost. Energy drinks are beverages whose intended purpose is to sustain alertness. Energy drinks are highly caffeinated and also contain herbal supplements.

The U.S. Food and Drug Administration (FDA) has confirmed its receipt of reports that the energy drink "5-hour Energy" may have been involved in at least 33 hospitalizations and 13 deaths over the past four years. Similar reports have been made with the FDA concerning other energy drinks, such as Monster Energy Drink and Rockstar Energy Drink. Adverse effects may include heart attack, miscarriage, irregular heartbeat, loss of consciousness, migraine, and psychotic disorder.

The Substance Abuse and Mental Health Services Administration, a federal agency, found that approximately 12,000 emergency room visits in 2009 were attributable to energy drink consumption.

Energy drinks should not be used as a substitute when a person needs sleep or rest. You should consult with your doctor before consuming an energy drink to determine whether using an energy drink will aggravate any medical problem or condition.