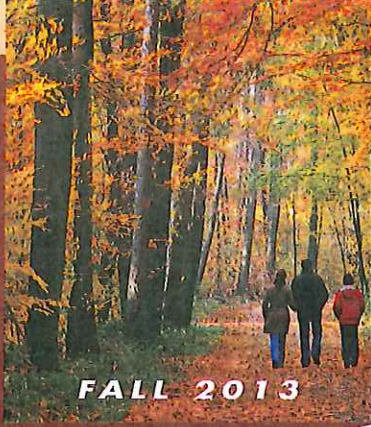


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INSURANCE BAD FAITH

More and more insurance mishaps—automobile accidents, homeowner issues, among others—are occurring each day. Unfortunately, some policyholders have unfavorable experiences when it comes to filing a claim and getting satisfactory results. As an insured individual, you want to believe that your insurance carrier is in your corner, will represent you in a fair manner, will settle your claim in a timely fashion, and not give you the runaround by unnecessarily prolonging the process. When insurers do not play fair, how does the policyholder respond?

According to the law, property and casualty insurers, who provide everything from homeowner's to automobile driver's policies, have a good-faith responsibility to deal fairly with their customers. This means coverage providers and their agents must seek ways to pay all fair benefits promised to policyholders, not to disallow them. On some occasions when policyholders need their insurers the most, some insurers redefine their obligations and services to avoid paying their promised benefits. The most common tactic is to deny claims outright or prolong the process to the point where policyholders simply get tired of fighting and give up.

An insurance company has many duties to its policyholders. A common first-party context is when an insurance company writes insurance on property that becomes damaged, such as a house or an automobile. In this case, the insurer is required to investigate the damage, determine whether the damage is covered, provide a list of quality and reputable repair centers in its network, and pay the proper value for the damaged property.

Some insurance companies have a penchant for skimping on providing the best services or misguiding their policyholders to the best of their ability. This is better known as the insurance company acting in *bad faith*. Bad faith often involves the insurance carrier's improper investigation and valuation of the damaged property, or its refusal to even acknowledge the claim at all.

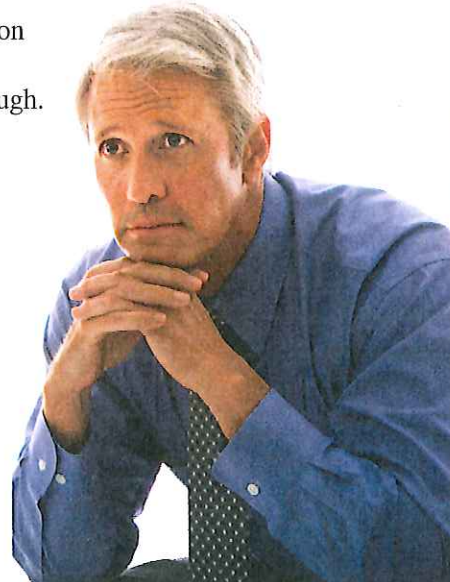
Here are examples of ways that insurers avoid meeting their general duties to act fairly and in good faith on behalf of their policyholders' claims:

- Misrepresenting coverage breadth or specifics during application or claims handling.
- Blaming claimants for not submitting information quickly enough.
- Investigating claims very slowly.
- Interpreting policy language unfairly or dishonestly.
- Denying covered claims with convoluted reasoning.
- Refusing to pay for covered losses.
- Not participating or agreeing to reasonable settlement negotiations.
- Offering untimely or inadequate settlements, even though insurer liability is evident.

It's the law

By law, insurance companies have a good-faith responsibility to deal fairly with its policyholders. This

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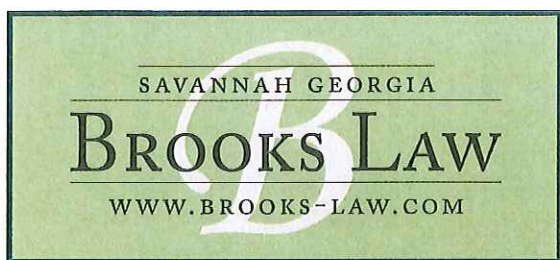
INSURANCE BAD FAITH (continued from front page)

means insurers putting the needs of the policyholder first. Anyone who has purchased insurance and faithfully paid premiums, and who feels that an insurer may be acting in bad faith, should contact legal counsel.

What to do if you feel your insurer is acting in bad faith:

- Ensure that you are up to date on your paid premiums.
- Review your policy.
- Know your policy limits.
- Keep all documentation relating to your risk.

Brooks Law Office is experienced in dealing with insurers and can help policyholders recover denied benefits by researching customers' policies, sales transactions, and correspondence, as well as insurers' internal claims manuals, procedure guides, and training materials. If you feel that your insurance carrier is not treating you fairly, attorney **Eugene C. Brooks** can help. He will gather the facts, analyze them, and determine an appropriate course of action to help you recover your losses. Contact Mr. Brooks and be assured that your rights will be protected and insurers will be held accountable for acting in bad faith.



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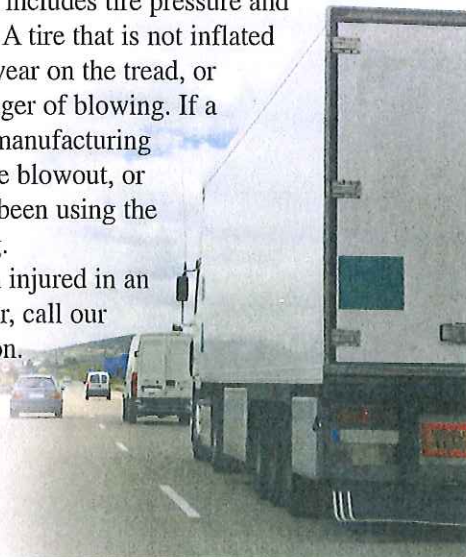
Tractor-trailer tire blowouts

Chances are good that you've been driving on the highway and noticed large hunks of tire tread on the side of the road left by a truck. Those huge pieces of metal and rubber aren't just left there; they tend to fly off of trucks as a result of unexpected tire blowouts. The blowout and the debris can have serious—sometimes fatal—consequences.

That tractor-trailer tire blowouts happen so often in the trucking industry is disturbing. If a driver isn't able to maintain control of a truck, he or she is in danger, and so is everyone else on the road. Not to mention that flying debris can cause accidents as drivers try to swerve out of the way.

Truck drivers are responsible for checking the safety of the vehicle and the load, and this includes tire pressure and wear, before each and every trip. A tire that is not inflated to the appropriate pressure, has wear on the tread, or damage to the sidewalls is in danger of blowing. If a tire appears to be roadworthy, a manufacturing defect could be to blame for a tire blowout, or the trucking company may have been using the wrong type or size tire for the rig.

If you or a loved one has been injured in an accident involving a tractor trailer, call our office today for a free consultation.



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