

INSTRUCTIONS TO CLIENTS

"MY DAY"

PURPOSE OF "MY DAY" -- We have talked to you about "My Day" when you were in the office. We would like each of you to start making notes separately and not to discuss your final notes with each other. As you go along, you may want to discuss things with each other but things may come up which might embarrass the other party, so we would prefer that you do your final writing of "My Day" in private and then mail it to this office. It will be kept strictly confidential.

HOW THESE INJURIES HAVE AFFECTED YOUR LIFE -- We call it "My Day" because we want you to take a normal day, from the time you get up until the time you go to bed, and explain in detail how this occurrence has changed your life. For example, the way you put on your clothes, the way you get in and out of bed, the way you take a bath, etc. By your life, we mean your working life, your playtime, your hobbies, your life as a husband or as a wife, etc. This includes your disposition, your personality, your nervousness, etc. We need to know how it has affected the marital relations between you and your spouse. (The law calls this loss of consortium.)

YOUR PAIN AND SUFFERING -- We want a description of your pain, both at the scene of the occurrence and at all times thereafter. We want to know whether or not it is a shooting pain, throbbing pain, etc. We want your words and not anyone else's. We are interested in your pain during the hospital treatment and your pain and discomfort since the injury. It may be helpful to keep a diary on these matters and also on your "My Day" material regarding how it has affected your life.

START AT YOUR HEAD TO REMEMBER YOUR COMPLAINTS AND INJURIES -- A good rule to follow in order to remember all of your problems is to start at your head and, in detail, go down through all parts of your body moving from your head, neck, shoulders, etc., and explain in detail any problems that you have with each part of the body. Also give details with regard to your medication and what it has been for, if you know. For example, medication in the hospital for pain or afterwards for nervousness, etc.

DON'T USE THE WORDS "I CAN'T" -- Please do not use the words "I can't," because can't means physical impossibility. For example, you can't use your left hand, because you haven't got one. But other than this definition of "can't," I think you should stay away from it. Don't say "I can't do it," "I don't do it," "I never do it." We would prefer you would use such words as "I am not able to do it as well" or some other words meaning the same thing. You should always work towards the idea that "I am trying and I will continue to try and do more things." Everyone will admire you more if you try. In regard to your activities such as your housework, your yard work, your work at the office or factory, you should detail what things you are able to do and what things you are not able to do as well as before. If your injury seriously hampers your activities, then you should also show how many things you are able to do now.

SURVEILLANCE BY THE INSURANCE COMPANY -- You need to be aware that it is possible and even likely that the insurance company for the person who caused your injuries and/or *even your own insurance company* if you present an underinsured claim to your own carrier, may hire a specialized investigator, detective or other surveillance person to watch, photograph, and take video-tape of you as you engage in your daily activities at home, at work and/or playing in sports or other leisure activities. They will observe and record that, indeed you can lift, bend, drive, walk, run, play golf, mow, etc. It is not likely that you have ever before encountered an adversary like you now have in the insurance company to whom you present your claim. The insurance company holds the purse strings, so to speak, has control of the playing floor, and has the advantage of unlimited funds to invest in the reduction and/or denial of your claim. It is important that you be aware of any strange, unusual or suspicious vehicles or persons in your neighborhood, at work, etc. We encourage you to live your life post-injury as close to

normal as you wish and are physically able. However, it is important that you be alert and observant, and alert this office immediately of the date, time, and location any time you believe you are under surveillance.

FACEBOOK AND/OR MYSPACE PAGES -- If you have a Facebook and/or MySpace page, please be conscientious of any and all postings (including comments, as well as photographs) that may be adversarial to your claim. Insurance companies have become aware of these websites and are using them against claimants like you to reduce the value of a claim.

"MY DAY" WITNESSES -- We would like for you to contact your friends and neighbors, persons at work, etc. and on a separate sheet of paper for each witness give us his name, address and telephone number. Have them describe, or you describe in detail, on a separate sheet of paper what each witness knows about how this injury has changed your life. For example, your neighbor could tell about how you are not able to work as much around the house, or your friends could tell how you don't bowl now, or you don't do some other type of hobby. It is better if these witnesses are not your relatives. It is all right if they are your friends, because they would be more likely to have observed you. Again, please paint word pictures and give details and descriptions of specific instances. It is impossible to be too detailed.

LOSS OF WAGES OR LOSS OF POTENTIAL INCOME -- One of the major things in your case may be the loss of income or potential income. We will need a copy of your union contract showing wage rates, copies of your W-2 forms, and your income tax returns for at least the last five years. Please obtain from your employer the exact days you missed from work because of this accident and the amount of money you would have made if you would have been working these days. If this injury has prevented you from being advanced in your employment or has prevented you from obtaining employment, please give us the names, addresses and telephone numbers of witnesses who may prove this for you. We would also like to know in detail what services you have been prevented from performing around the house, such as supervision of the children, and all the other services performed either by a husband or a wife.

KEEP A COPY OF YOUR ANSWERS -- Please keep a copy of the answers that you give us in working up your material on "My Day" because this will be helpful to you for the trial, depositions (your sworn statement) and for the answering of interrogatories (answers to questions). If you cannot type, make yourself a copy by using a ball point pen and carbon paper.

QUESTIONS OR HELP IN ANSWERING YOUR "MY DAY" -- If you need any help in writing your "My Day," please call this office for an appointment. Do not come in without an appointment.

START MAKING NOTES -- The best way to write your "My Day" is to just start, right now, making notes. Then after a few weeks, prepare the copy for us and the copy for yourself. As time goes on prepare additional information and send it in to the office.

USE YOUR IMAGINATION -- You know your own life better than we do. Use your imagination and go into all aspects of your life. Explain to us, in the greatest detail possible, how this occurrence has affected your life. Paint a word picture so that we can sell our most important product--YOU.

