

The Poppe Newsletter

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What Donald Trump & Hans Poppe Have In Common

For one thing, they both know the importance of being an excellent negotiator. Because of our areas of practice, we regularly negotiate multi-million dollar personal injury cases and handle multi-million dollar breach of contract cases. In order to negotiate the best deals for my clients, or know when a deal isn't possible, I have studied some of the top negotiators in the country. I want to tell you a short story that George Ross, Donald Trump's chief dealmaker (see photo below), personally shared with me about this time last year. I think it will help you adopt the mind-set of an expert negotiator.

A multimillionaire had twin 10-year-old sons, one was an incurable optimist and the other an incurable

pessimist. He thought to himself, "If I could get the optimist to be a little more pessimistic, and the pessimist a little more optimistic, I'd have two great boys." So on their birthday, the father arranged for each son's present to be delivered to the house. He bought the pessimist a \$5,000 10-speed Japanese racing bike. Looking at the sleek red and silver model, he thought, "What could any 10-year-old possibly find wrong with this present? He should love it." For the optimist, he had two loads of horse manure dumped in the middle of his son's play room.

On the morning of their birthday, he visited the pessimist son first and asked, "How do you like your present?"

"Like it?" said the boy, "I hate it. It's the worst thing you could have gotten me. If I take the bicycle outside I'll probably get hit by a bus and end up in the hospital with two broken legs. If I'm lucky and I do make it to the playground, some kid twice my size will beat the crap out of me and steal the bike. How could you be so thoughtless to give me a present like this?"

"Well, I really blew that one," thinks the father as he walks down the hall to check on his other son. He says to himself, "The other one is a sure winner." He opens the door to the playroom and sees the optimistic

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Hans Poppe & George Ross,
Donald Trump's Chief Dealmaker

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Areas of Practice

- Automobile Injuries
- Trucking Accidents
- Legal Negligence
- Nursing Home Neglect
- Unfair Insurance Denials
- Medical Negligence
- Personal Injury
- Professional Negligence

Identity Theft - 20 Ways to Protect Yourself

As readers of The Poppe Law Firm Blog know, last year one of the largest data breaches in history was discovered when a former Countrywide employee was arrested and charged with illegally accessing the firm's computers for more than two years. The information was being sold to mortgage brokers to be used as sales leads. In an attempt to appease its customers, Countrywide offered security monitoring services; however they sent the notifications in what appeared to be junk mail envelopes and many customers probably threw them away. Countrywide also failed to notify its customers that it actually has an ownership interest in the security monitoring company. The data breach led to multiple lawsuits against Countrywide and related entities in several different states and federal jurisdictions. Eventually, all of the lawsuits were consolidated into an MDL which was assigned by the head of the MDL litigation panel, Judge John Heyburn, to the Western District of Kentucky, Judge Thomas Russell. The Poppe Law Firm, along with several national law firms has moved to be appointed lead counsel in the litigation.

Learning about the extent of identity theft led us to investigate what our readers can do to protect themselves.

- * Keep your confidential information private. Your bank or credit card company won't call or e-mail to ask for your account information. They already have it.
- * Keep an inventory of everything in your wallet and your PDA, including account numbers. Don't keep your Social Security card or any card with your Social Security number, such as an insurance card, in your wallet.

- * Stop getting banking and credit card information in the mail.
- * Monitor your bank and credit card transactions for unauthorized use. Crooks with your account numbers usually start small to see if you'll notice.
- * Keep your vehicle registration and insurance forms in a sealed envelope in



your glove box and lock it and your car when at home or away.

- * If you conduct business online, use your own computer. A public computer is less secure, as is wireless Internet.
- * Look for suspicious devices and don't let anyone stand nearby when you use an ATM. Take your card and receipt with you. Keep your PIN in your head, not in your wallet.
- * Don't store credit card numbers and other financial information on your cell phone.
- * If you're job hunting using resume Web sites, don't apply unless the employer has a verifiable address.

Protect your computer from vulnerability:

- * Keep system and browser software up to date and set to the highest security level you can tolerate. Install anti-virus, anti-spyware and firewall protection, and keep them up to date as well. When possible use hardware firewalls, often available through your broadband connection router.

* If you use wireless Internet access, make sure that you get help from someone who understands wireless security when you set up your access point or router.

* Back up your data and store it way from your computer.

* Don't open e-mails from strangers. Malware can be hidden in embedded attachments and graphics files.

* Don't open attachments unless you know who sent them and what they contain. Never open executable attachments. Configure Windows so that the

file extensions of known file types are not hidden.

* Don't click on pop-ups. Configure Windows or your Web browser to block them.

* Don't provide your credit card number online unless you are making a purchase from a Web site you trust. Reputable sites will always direct you to a secure page with an URL starting with <https://> whenever you actually make purchases or are asked to provide confidential information. The "s" at the end of http stands for "secure."

* Use strong passwords: at least six characters, including at least one symbol and number, and no reference to your name or other personal information. Use a different password

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Identity Theft - 20 Ways to Protect Yourself (cont. from pg. 2)

for every site that requires one, and change passwords regularly.

- * Never send a user name, password or other confidential information via e-mail.
- * Consider turning off your computer when you're not using it or at least putting it in standby mode.
- * Don't keep passwords, tax returns or other financial information on your hard drive.

7 steps to clean up the mess

If you suspect your identity may be compromised, place a fraud alert with the three credit bureaus. When you place an alert, you are entitled to a free copy of your credit report. After that, take advantage of the free annual reports the bureaus are required to give all consumers. Stagger your requests so that you get a report every four months.

- * If you've been phished, contact the bank or company named in the fraudulent e-mail. You also may want to notify the Internet Crime Complaint Center and forward the e-mail to spam@uce.gov.

If you are the victim of identity theft, take the following steps:

- * Make an identity-theft report to the police and get a copy. File a complaint with the Federal Trade Commission. Also, contact the office of your state's attorney general; you may be able to file a report there.
- * Close accounts that have been tampered with. Contact each company by phone and again by certified letter. Make sure the company notifies you in writing that the disputed charges have been erased. Document each conversation and keep all records.
- * Place a seven-year fraud alert or a "freeze" on your credit reports. This way, you will be alerted every time there is an application for credit using your information.
- * Begin the process of having the fraudulent information removed from your credit reports.
- * Consider purchasing identity theft insurance. It cannot protect you from becoming a victim of identity theft, but it can help you pay the cost of reclaiming your financial identity.
- * Find victim support at the Identity Theft Resource Center.

Lawyers Legally & Ethically Stealing from Their Clients

Well, its happened again. I was contacted by a potential client that hired a lawyer to handle a personal injury case, the lawyer malpracticed the case and, surprise surprise, the lawyer doesn't have any insurance. The client's personal injury case was a good one and the lawyer simply didn't know the time limitations on filing the suit. It's forever lost. So, in my opinion, the lawyer has stolen the value of that case from his client. And, to top it all off, the lawyer's failure to carry insurance adds insult to injury.

Why doesn't the Kentucky Bar Association, or any state's bar association for that matter, make legal malpractice insurance MANDATORY? At the very least, make lawyers disclose to clients that they don't have any insurance. At least that way the client can make an informed decision about whether this is the lawyer they want to hire.

Oregon is the only state that has made legal malpractice insurance mandatory. About 22 other states have made lawyers disclose whether they carry insurance or not--but

sometimes they only have to disclose to the Bar, not clients. Worthless.

So, what's the deal Kentucky? Are we going to let lawyers continue to represent people without being financially responsible when they malpractice, or are we going to continue to allow them to have a license to steal?



Donald Trump and Hans Poppe (cont. from pg. 1)

son sitting in the middle of the manure pile, throwing pieces all around the room. And he's singing!

"What are you doing?" the father asks.

The boy replies, "With all this horse manure, there's got to be a pony in here somewhere!"

That statement captures the mind-set of an experienced negotiator in a nutshell. You have to understand that a good negotiator learns how to go through a lot of crap to find the pony-a completed transaction. If you want to excel in negotiation, you must spend a lot of time exploring and learning what the other side really wants-in contrast to what they say they want. You have to ask a lot of questions to discover what they can live with and what they can't live with. You have to have a world of patience to continually probe for their strengths and weaknesses.



What is the Most Dangerous Month of the Year to Drive?

There are certain times of day you are more likely to be involved in a fatal car accident than others, but is there one month that is more dangerous than the others?

According to the National Highway Transportation and Safety Administration, August had the most total deaths on the road in 2008, a 1.1% decline from 2007, according to NHTSA data. A total of 3,612 people died that month. NHTSA reports that when counted as fatalities per 100 million vehicles, August has a fatality rate of 1.42 - an increase of 0.06 since 2007 and 0.10 points higher than September and June.



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www.PoppeLawFirm.com and
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 section where you can watch
 Hans explain Medical
 Malpractice, Legal Malpractice,
 Nursing Home Negligence &
 Semi-Truck Accidents.