

## SPECIAL *FREE* REPORT

### **“What the Insurance Insiders Don't Want You to Know about Semi-Truck Wrecks”**

Keep Reading to Learn

- What are the five unsafe things semi drivers do that cause most accidents?
- How many semi-wrecks happen on highways each and every year
- How many deaths happen on highways from semi-truck wrecks every year
- What special rules, regulations and laws apply to semi-truck wrecks and why they are different than a run of the mill car wreck case
- How will you get your medical bills paid
- Who will pay for your lost time from work
- What if you don't make a full recovery and can't return to work?
- What will the insurance company offer for you injuries?
- How will you ever know if the settlement the insurance company is offering you is fair for your injuries?
- How will you be able to know if you don't have a competent lawyer?

Who is Behind This Report

-and-

“Why Should I Listen to You?”



First, thank you for requesting this free special report “What the Insiders Don’t Want You to Know About Semi-Truck Wrecks.”

I decided to write this report so that people injured by careless semi-truck drivers could have easy to understand information about what to expect if they have been involved in a semi-truck wreck.

My name is Hans Poppe and I represent every-day people, like you, who has been, or has a loved one who has been, involved in a semi-wreck. I hate it when I meet people who have been injured through no fault of their own and then learn that the semi-truck company, or its big insurance company, has tried to take advantage of them again.

Semi-truck wrecks can be devastating and the injuries can last a life time. Not to mention the potentially enormous medical bills. You need this information before making any decisions about what to do next.

Our firm only does a few things, so if you want a divorce, will, or help with a traffic ticket, we can’t help you (but if you call us, when can probably tell you someone who can). But, if you want to learn more about what to expect after a semi-

wreck, you'll find it in this report. You can also find out more about me and my law firm by going to [www.PoppeLawFirm.com](http://www.PoppeLawFirm.com).

## **HOW MANY PEOPLE ARE HURT OR INJURED IN SEMI ACCIDENTS EACH YEAR?**

Let's look at some statistics. According to the American Automobile Association (AAA), in 2000 alone, there were **140,000 people injured** in crashes involving semis. Additionally, there were **5,211 people killed** in crashes involving semis. Of the more than 5,000 people killed, *98% of them were the people in the cars*. Think those statistics are frightening? Well, here is an even more frightening one. **Over the last ten years, there has been a 25% increase in semis on the road, resulting in a 40% increase in semi traffic.**

Semi crashes have become so prevalent that the United States Congress passed The Motor Carrier Safety Improvement Act of 1999 (MCSIA), P.L. 106-159, which mandated a study to determine the causes of, and contributing factors to, crashes involving semis. MCSIA also directed the Secretary to transmit to Congress the results of the study. The U.S. Department of Transportation's (DOT) Federal Motor Carrier Safety Administration (FMCSA) and National Highway Traffic Safety Administration (NHTSA) conducted a multiyear, nationwide study of factors that contribute to truck crashes.

The NHTSA's Large Truck Crash Causation Study (LTCCS) identifies areas that need to be addressed by effective crash countermeasures. The results were presented to Congress in early 2006. The types of crashes are summarized in the following table.

<b>Estimated Number of Trucks in Crashes by Crash Type</b>		
<b>Type</b>	<b>Number*</b>	<b>Percent**</b>
Rear End	33,000	23.1%
Ran off Road/Out of Lane	25,000	17.8%
Side Swipe, Same Direction	15,000	10.3%
Rollover	13,000	8.9%

Turning across Path/into Path	11,000	8.0%
Intersecting Vehicles, Straight Paths	8,000	5.8%
Side Swipe, Opposite Direction	6,000	4.6%
Head-on	4,000	3.0%
Hit Object in Road	3,000	1.8%
No Impact (fire, jackknife, other,)	1,000	0.9%
Backing into Other Vehicle	***	0.3%
Other Crash Type	22,000	15.5%
Total Trucks	141,000	100.0%
Notes: * Numbers rounded to closest 1,000. ** Percent calculated on unrounded estimates. *** Weighted numbers lower than 500 are rounded to zero.		

Source: LTCCS Database, July 2005<sup>1</sup>

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<sup>1</sup> The LTCCS collected data on crashes at 24 sites in 17 States in 2001 through 2003. An attempt was made to ensure that each crash involved at least one large truck with a gross vehicle weight rating of more than 10,000 pounds, and resulted in at least one fatality or at least one incapacitating or non-incapacitating but evident injury. Source: Report to Congress on the Large Truck Causation Study, November 2005.

## **WHAT DO WE KNOW ABOUT MOST SEMI CRASHES?**

We know that there are five unsafe driving habits that cause more than 51% of all semi crashes.

1. Failing to keep in lane (21%)
2. Failing to yield right of way (16%)
3. Excessive speed (12%)
4. Failing to obey traffic control devices and laws (9%)
5. Inattention (8%)

These factors, when combined with unrealistic delivery schedules, illegally long work shifts, and driver fatigue make for a deadly cocktail. And it's usually only deadly for the people who are not in the semi.

## **WHAT SPECIAL RULES APPLY TO SEMI DRIVERS?**

All semi drivers are required to follow the same "rules of the road" that the rest of us do, such as obeying traffic signals and using turning signals when changing lanes.

Not only do semi drivers have to follow those rules, but there is also a whole body of federal rules and regulations that apply to semi drivers. These rules and regulations are very specific and cover things like how many hours a driver can be on the road in a single day, how many hours he or she can be on the road in a week, how long they must keep their travel logs, and much, much more.

## **WHAT TO DO IF YOU OR A LOVED ONE HAS BEEN INVOLVED IN A SERIOUS SEMI CRASH.**

If you, or a loved one, were involved in a serious semi accident in Kentucky or Indiana, you probably have at least two years to bring your claim against the negligent semi driver; however, **YOU SHOULD IMMEDIATELY HIRE AN ATTORNEY EXPERIENCED IN SEMI TRUCK WRECKS IN ORDER TO PRESERVE VALUABLE EVIDENCE.** I cannot emphasize how important it is to retain a qualified attorney as soon as possible, before evidence is forever lost.

Just as an example, one of the most important pieces of evidence is the semi driver's log book. This book documents exactly where the driver has been, how long it took him to get there, and how many hours he has been on the road. Federal law requires these logs be kept for a certain period of time. **Guess how long the federal rules require the driver, or his employer, to keep these logs. Federal law only requires this important evidence be kept for only six months.**

**If you are reading this, and you or a loved one has been involved in a serious semi wreck, time is of the essence.** Trust me, the semi company isn't waiting for you to file a claim before they start investigating the wreck and looking for a way to minimize their exposure. **Most semi companies have a "risk management" or "safety" department that shows up at the accident scene to start this process.**

### **How will I get my medical bills paid and lost wages paid?**

If you, or a loved one, have been involved in a serious semi wreck, then there are probably SIGNIFICANT MEDICAL BILLS and LOTS OF MISSED WORK. The semi driver's company is NOT responsible for immediately paying all of your medical bills. Whenever you are involved in an accident in Kentucky (even if it wasn't a semi), the first

\$10,000 of your medical bills, lost wages and replacement services will be paid by your own automobile insurance company, regardless of who caused the wreck. This is what is known as “No-fault Benefits.” These benefits are also known as Basic Reparations Benefits (BRB) and are automatically included in your insurance policy. In Indiana, you may have \$5,000 in what is known as MED PAY coverage, or as little as \$0.

**Is \$5,000 or \$10,000 enough to pay for your medical bills? Probably not, especially if you were involved in an accident with a semi.** However, if you live in Kentucky, you may have purchased Additional Reparations Benefits (ARB) that will provide you additional coverage, usually in \$10,000 increments.

For various reasons too difficult to explain here, it is usually preferable to have your medical bills paid using MED PAY, BRB and ARB rather than using your health insurance. **In fact, most health insurance companies will not pay your medical bills from an auto accident until you prove to them you have “exhausted” your these benefits.**

Unfortunately, this coverage is likely not going to be enough to pay your medical bills and lost wages. The only way you can be “made-whole” is if you bring a claim against the negligent semi driver and, possibly, his employer. An attorney experienced in semi truck litigation will be able to tell you whether you have a case against the driver, his employer, or both; however, if you hire an attorney not familiar with the federal rules and regulations, or wait too long to hire an attorney....well, you get the picture.

**What if I don’t make a full recovery and can’t return to work?**



Sometimes, wrecks involving semi's are so severe that the injured person never fully recovers to the point they can work again. **If this is the case, the only way to get compensation for your "loss of power to labor and earn," is to hire an attorney experienced in semi-wreck litigation who is able to bring a claim on your behalf.** This attorney will have to be familiar with how to "prove" that your injuries are permanent and will keep you from ever returning to work.

When The Poppe Law Firm handles cases involving serious, permanent injuries, we often hire vocational economists and vocational rehabilitation experts who are experienced in testifying about the severity and permanency of the injuries. We also use our client's own treating physicians to give opinions about their patient's ability to work in the future. These experts are very expensive, and some lawyers would prefer not to spend the money and instead try to get a quick settlement. This is a mistake. When your work-life is significantly shortened, you need an attorney who is ready to do, and spend, whatever it takes to maximize the value of your case.

### **What will the insurance company offer me for my injuries?**

It is impossible to say what an insurance company will offer you for your injuries without knowing exactly what your injuries are; however, each semi on the road is required by law to carry at least \$1,000,000 to compensate injured people. Your injuries may not be severe enough to reach this amount; however, if they are, it is unlikely any semi truck company, or its insurer, will ever offer this much money without substantial and involved litigation. Why would they?

And if your injuries exceed the amount of insurance they have available, and it becomes necessary to get the trucking company to pay money out of its own bank

account, then you can be sure that will never happen unless you have an experienced, aggressive attorney who is ready, willing, and able to hold them fully accountable for ALL OF YOUR DAMAGES—all the way through a jury trial and appeals process if necessary.

### **How will I ever know if the settlement the Insurance Company is offering fair?**

The short and simple answer is, “you won’t.” The only way to know if the insurance company’s offer is fair is to know a) the complete picture of how bad your injuries are, b) the likelihood of any future complications, c) the likelihood of any future surgeries or medical care, d) how long you will be off work, or if you will ever be able to return to work, e) what other juries have done with cases similar to yours in the past. Even if you know the answers to the questions, which you likely will not know unless you have hired experts, you will still not get the insurance company’s top dollar unless they know there is a potential that the case will get in front of a jury.

In short, the best way to ensure you get fair and reasonable compensation for your injuries is to hire an attorney experienced in helping victim’s of semi-truck wrecks.

### **How will I be able to know if I have a competent lawyer?**

Many people think that all lawyers are the same, after all, we all went to law school, right? Well, nothing could be further from the truth. Just because a lawyer handled your speeding ticket last year doesn’t mean they have the knowledge, skill and expertise to handle a serious semi-truck wreck. Lot’s of lawyers advertise for these kinds of cases, only to farm them out to some other law firm and collect a referral fee. Semi-truck wreck cases can be extremely complicated and VERY EXPENSIVE. You might

need multiple experts like accident reconstructionists (to explain how the accident happened), bio-mechanical engineers (to explain how the forces of the wreck caused your injury), orthopedic doctors (to explain what your injuries were and what they did to try to fix you), vocational economists (to explain how much money you would have likely made, but for the wreck), and on and on and on. Choosing the wrong lawyer only adds insult to injury and could ruin your case.

If you want to know whether you are talking to a lawyer experienced enough to handle your case, ask them a question you already know the answer to. “How long does federal law require the driver keep his log book?” If they can’t answer this question correctly, look elsewhere.

## Fewer Cases Means More Time for You

We are not one of those law firms you see advertising on television. We don't rely on a high volume of cases and we don't claim to handle every type of case. We don't want to and we don't need to.

Each year we accept only a few select cases. And, if we accept your case, you will receive my personal attention.

Our Goal as a Firm is to maximize verdict potential for every client we represent.

We believe a small group of hard-working professionals, working on a select number of cases, provides the dedication, focus, and skill necessary to accomplish this goal.



At The Poppe Law Firm, we recognize that each case starts with a personal story. We take time to build relationships with our clients and we are passionate about finding fair resolutions to their cases.

We welcome tough, complex cases and have won the respect of colleagues, judges, and industry experts for our thorough research, preparation, and exceptional results.

Some clients want us to carry their burdens for a time so that they can concentrate on getting well. Others want to be closely involved. Either way we are honored by their trust.

We welcome the chance to help you find justice.

*Hans*

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## **An Open Letter from One of Our Clients.**

October 5, 2006

I address this letter to Hans Poppe and to all others who may wish to hear of my experience with him. As I could fill novels with tales of his service as my attorney and champion of my cause, I will keep it brief and strictly to the point of what he has done for me, and how he has become so much more than an attorney to me.

It is very ironic that I am writing this on my actual birthday, because I wouldn't have made it to this day, physically or emotionally, without Hans. Most who will read this, like me, had something bad happen to them, and have sought assistance in claiming some type of compensation or retribution for injuries obtained. I wish you good luck, and can tell you that if you choose Hans, you are in the most capable and caring hands possible, and he will advise you not only on legal issues, but also ensure that he truly knows your situation, and what is best to help you with that.

I feel that Hans chose to represent me in my case, when others wouldn't, for one reason, because he truly felt I had been wronged and someone should fight for me, and my cause. It had nothing to do with knowing it would end in a fairly large settlement or judgment. This was a case that other lawyers would not proceed with, because of the difficulty of proving my claim, the time involved, and the travel it would require. Hans requested to represent me when he opened his own firm, and I agreed knowing that he was familiar with my case. The fact that he took on such a difficult case, immediately upon opening his own firm, should speak volumes of his willingness to help those who have been wronged, and not just for the money. I'd feared all along that if we were not successful with my case, he would be ruined, although he assured me I was not his only client. I never would have known that, because I sure felt like I was.

Hans is so different from all other attorneys I have met, or been exposed to. He truly cares about his clients and their families, to the point of even after his job has been very well accomplished, he's still there, guiding me, and advising me on totally unrelated issues.

I can also speak as highly of the members of his team in his firm. Barbara has become one of my best friends and confidants, and Megan and Alene were always right there when I needed them. They each love their jobs and have told me so, and this also speaks to the quality of Hans as an employer and coworker.

To end, I would just like to say that if you need someone to represent you with an issue that you believe has caused you injury, Hans will champion you as he did me, if he believes the case has merit, and no matter what the out-of-pocket expense to him. As far as what he really did for me.....he gave me my life back, and ensured my children's future, and now on my birthday I can only praise the Lord for bringing Hans to me, and thank Hans for getting me here.

Mrs. D.K. Daniels

## **“If I hire The Poppe Law Firm, what can I expect?”**

1. We will meet with you at our office, at your home, or anywhere it is convenient for you.
2. We will explain the strengths and weaknesses of your case.
3. We will discuss similar cases our office has handled.
4. We will explain our “no fee if no recovery” policy.
5. We will take the time to understand how your injuries have impacted your life and your family’s lives.
6. We will take an inventory of every place you have received medical treatment and we will have you sign authorizations so we can collect all of your medical records.
7. We will get medical records from all of your healthcare providers and organize them in preparing for depositions and trial.
8. We will review the at-fault driver’s insurance limits, as well as your own automobile insurance policy, to determine how much coverage is available to you for your injuries.
9. We will contact your own automobile carrier and notify them of your claim for no-fault benefits and we will complete your application for benefits and ensure that all of you medical bills and lost wages are promptly paid until your benefits are exhausted.
10. We will notify the at-fault semi-driver’s employer and insurance company of your claim. We will also notify your own carrier of any potential claim for uninsured or underinsured benefits when applicable.
11. We will obtain the accident report.
12. We will interview any witnesses, and the investigating officer if necessary.

13. We will collect evidence such as photographs of the accident scene and involved vehicles. If necessary, we will get aerial or satellite images of the accident site.
14. We will, if necessary, hire accident reconstructionists to assist us in proving who was responsible for the wreck.
15. We will, if necessary, hire bio-mechanical engineers to review accident reports and any reconstruction reports to explain to a jury how the accident caused your injuries.
16. We will meet have meetings with your healthcare providers to ensure they are able to discuss their care and treatment of you for purposes of trial.
17. We will analyze your health care insurance policy to determine if you will have to re-pay them out of any recovery from the at-fault semi-driver.
18. We will discuss with you the likelihood of settlement without a lawsuit.
19. If suit is filed, we will prepare written questions for the at-fault driver to answer. We will also assist you in answering any written questions they prepare for you.
20. We will prepare you for your deposition.
21. We will take all necessary depositions, including but not limited to, the at-fault semi-driver, your treating healthcare providers, any of the defendant's experts, and any of our experts unable to attend trial live.
22. We will utilize the latest technology in preparing your case for mediation and trial.
23. We will go to court and get a trial date.
24. We will prepare for trial and/or settlement before trial.
25. We will file motions and briefs with the court.

26. We will prepare and organize all evidence and exhibits such as medical documents and illustrations.
27. We will take the case to trial with a jury or a judge.
28. We will determine whether either side has grounds to appeal a verdict.
29. We will pay all expenses necessary to pursue your case and you will not be required to reimburse those expenses unless we are successful