



Seufert Law Offices, PA

We'll Get You Through It



So, if you have time to kill, and nothing better to do, drive to Kokadjo Maine. We had a weekend to spare this summer, so up we head. You drive about 7 hours due northeast from the Lakes Region, thru northern towns like China and Paris (not France) and when you get there – well? The “locals” will probably hunt me down for this, but there is nothing to do in Kokadjo Maine (unless you are a moose). There is a nice little pond, and upstream about 2 hours on bad gravel roads there is a pretty big hydro-electric dam, but beyond that – well nothing.

An hour south is the Moosehead Lake Region, a bit more civilized but hasn't changed since the 30 years ago that I last visited. There are trinket shops, ice cream stands, fudge places, and ATV's. Yes, they allow ATV's on the city streets so EVERYONE has to have one, and be seen in one, in fact I think some of them cross the scales at the price point of a real nice pickup. There is also a well-kept campground just south of town, Moosehead Family Campground, and the widow who runs it is very accommodating so worth the stay. But then it is a 7-hour drive home.

Give me our Lakes Region, or seacoast, our White Mountains any day of the week. Really, with a welcome sign like Kokadjo, you really gotta love isolation. ●



October 2017 News



Insurance Company Tricks & Tactics



When you are injured in an accident or experience property damage, it can be stressful and sometimes downright traumatic. You don't need insurance companies piling on by employing "adjusting tactics", particularly if they cross into bad faith.

Bad faith is broadly defined as dishonest or unfair practices. Insurance companies are required to thoroughly investigate, negotiate, and settle claims in good faith. When that doesn't happen, they can be held liable. They are regulated by the NH Insurance Department.

Let's face it, insurance companies are in it to make money for their stock holders, and pay their staff and CEO's. They are motivated for profits, but if they cross the line, that is bad-faith tactics:

Unreasonable delays. Sometimes insurance companies may drag out the process, hoping that a claimant eventually gives up. Most states have established deadlines of 15–60 days for denying or accepting a claim. NH generally has a 30-day time frame.

Deceptive practices. You might be unaware of a facet of your coverage. The insurance company is completely aware, but they may not alert you. It may be bad faith if they choose not to notify you of important deadlines or provide the necessary paperwork to complete your claim on time. NH has insurance regulations on this.

Incomplete investigation. If the insurance company doesn't look at all the evidence or fails to conduct a personal inspection, they haven't been thorough.

Lowballing. Offering less money than a claim is worth is an example of bad faith, but determining what a claim is "worth" can always be subject to debate.

Refusal to pay a valid claim. When insurers deny claims that are clearly covered by their policies, it's evident that policyholders' interests come in a distant second to profits.

Twisting language. An insurance company is not supposed to purposely misrepresent the language of the insurance policy, if they do it is bad faith.

Threats. Some insurance companies threaten harsh legal action against a potential claimant, or imply it.

If you believe that an insurance company has not played fair, contact an experienced attorney to protect your rights. ●



Don't Go It Alone When Fighting a Speeding Ticket

If you want to fight a speeding ticket on your own, you have that right. Be forewarned, however, that there is more to it than meets the untrained eye. New Hampshire has two types of speed limits: prima facie and basic. Each requires a unique defense strategy, and success rates vary widely.

A "prima facie" speed limit means the posted speed limit is presumed to be the safest top speed. You may be able to prove otherwise. You can fight this charge by claiming that even if you were traveling slightly over the speed limit, you were still driving safely given the specific road, traffic, and weather conditions. You bear the burden of proof to show that conditions were safe to be traveling at your clocked speed.

You can be charged with speeding even if you were traveling under the posted speed limit. That's where "basic" speed limits enter the scene, or "driving too fast for conditions" (e.g., heavy traffic, extreme weather conditions). In this scenario, the burden of proof is on the prosecution to show that your under-the-limit speed was still unsafe.

An attorney who deals with traffic offenses has the knowledge to deal with the court process and consequences at DMV for either one of these charges. ●

Special Passenger on Board

(Photo: U.S. Air Force)



Technically, “Air Force One” is any Air Force aircraft on which the President of the United States is a passenger. However, these days it generally refers to two identical, highly customized Boeing 747-200 B series aircraft with all the trappings of security, communication, comfort, and prestige.

The President and his travel companions have over 4,000 square feet of floor space on three levels. The President has a large suite and high-tech conference room to conduct presidential business, and living quarters that include a bedroom, bathroom, and personal gym. There is a medical suite that also functions as an operating room, with medical personnel always on board. Two food-preparation galleys can feed up to 100 people at a time.

The aircraft can travel at a top speed of 700 mph at altitudes up to 45,000 feet (commercial jetliners top off at 30,000 feet). Its range is pretty much unlimited, as it can be refueled in midair (Harrison Ford fans already knew that). Onboard electronics are designed to withstand an electromagnetic pulse—think nuclear explosion—and enable the President to securely communicate with anyone, anywhere in the world. Flares can be shot from the aircraft to steer enemy missiles off the trail.

Air Force One is maintained and operated by the Presidential Airlift Group, founded in 1944 at the direction of Franklin D. Roosevelt. Propeller-driven aircraft whisked the President away for the next 15 years, until Dwight D. Eisenhower flew to Europe aboard a Boeing 707 Stratoliner in 1959. John F. Kennedy was the first President to fly in a jet specifically tailored for presidential use—and the rest, as they say, is history. •

Assigning Fault in a Pedestrian-Auto Collision

There are generally three parties who may be responsible for a pedestrian-auto collision: the driver of the automobile, the pedestrian, or the municipality.

In most states, it is incumbent upon drivers to be alert to their surroundings and pay attention to roadway hazards. Pedestrians qualify as hazards. If a pedestrian is struck in a crosswalk, it's almost a slam dunk: The driver is usually responsible. Drivers may also be held responsible if they were speeding, ran a red light, and so forth.

If a pedestrian attempts to cross a street outside of a crosswalk and gets hit, the situation can be murky. On one hand, jaywalking is still illegal in most states; a pedestrian does not have the legal right to enter the street and expect cars to stop for them. On the other hand, if a pedestrian is not in a crosswalk but is paying attention to the road and does not dart into traffic, they might still have a claim, but it could be a 50/50 case.

Some pedestrian-auto collisions might be the fault of a municipality. Malfunctioning traffic lights, a stop sign concealed by tree branches, or a poorly conceived crosswalk (e.g., a crosswalk placed just beyond a curve), among other possibilities, can create safety hazards. There are immunity laws that protect municipalities so these are rarely slam dunks.

A pedestrian may also have a claim under their own automobile insurance, even if a pedestrian is at fault so a good reading of that policy may be in order.

If you've been the victim of a negligent driver or municipality, contact an experienced injury attorney to protect your rights. •



October 2017 Important Dates

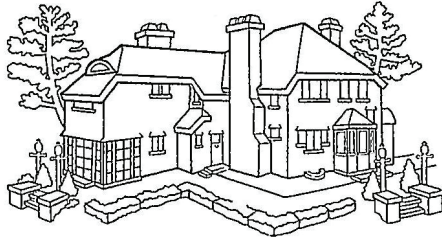
October 4-11
Sukkot

October 9
Columbus Day

October 16
Bosses Day

October 31
Halloween

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Protect Your Family, Protect Your Rights



You Cannot
See Russia From
Here—Or Maybe
You Can

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Cathy's Corner

End of an Era

My son started his final year of law school last month. This is the last time that I will have one of my children telling me about the first day of school. I didn't think of it that way until after his first day. It's a bittersweet event of course. I can't say I'll miss the moving that came with starting each year in college, and now law school. My daughter's, who is my oldest, freshman year in college was the fall of 2008. We've been moving either one or both of our children in and out of dorms and apartments every fall and spring ever since.

There were some interesting first days. The year that my son was a freshman and my daughter was a junior in college they had the same move in day. My daughter went to a small college in New York, we had already moved her in and out of school several times and knew people who could help, so I moved her. My son was going to school in Boston, it was his freshman year so we weren't familiar with the process and didn't know anyone who could help with the heavy lifting. It made sense for my husband, Mark, to move him. Although it was the best way to deal with the problem, it was hard not to be a part of a seminal event in my son's life.

This year my son and his girlfriend were driving my minivan down to school filled with some of the furniture for the move to his new apartment. A half an hour or so after they left, my son called to tell us that while they were driving down the highway the van started slowing down and wouldn't go faster than 40 mph. (The van is a vehicle that is ten years old with 220,000 miles on it used to go to the dump and move kids these days). He pulled off the first exit he came to. Mark drove his car and I drove my son's down to where they were (by this time it was 9:00 on a Sunday night). We transferred as much as we could from the van to my son's car. He continued to school. I drove the van home on the back roads going 30-40 mph, never to be driven again.

I won't have any more start of school stories to share. They are all in the past. When the kids were growing up, I couldn't imagine the end of the first day of school. Now that it's here I'm a little sad. But there will be a lot less moving in my future. For that I am happy. ●

