

COMPLETE TRANSCRIPT FROM THE VIDEO
“10 INSURANCE COMPANY SECRETS FROM A FORMER INSIDER”
BY PERSONAL INJURY LAWYER ROBERT MANSOUR

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Hello everyone, this is Robert Mansour. I am a lawyer in the Los Angeles area, and today I am pleased to present to you ten insurance company secrets from a former insider. That former insider is me. I used to work as a defense attorney for the insurance companies. Now I represent victims of personal injury accidents. Now this is not an exhaustive list and I always recommend that you seek professional advice when it comes to your personal injury matter. So let's take a look at some of these secrets.

No. 1: The insurance companies do not want you to call the police after an accident. There are many reasons for this. Number one, it creates a record of the event so the insurance company cannot deny later on that the accident actually happened. Yes, they do that. Believe it or not, they will sometimes deny that an accident actually occurred, or their client will say, hey, I wasn't there. I have no idea what you're talking about. They'll deny the accident even occurred. If you have a police report, that goes a long way to establishing that the accident actually happened and who was actually there at the scene. Also, if you complain of pain at the accident scene, the police report will often have that complaint of pain which is very good because the insurance company can no longer later on say, hey, you never complained of this pain before, or you didn't complain of pain from the accident. Well, it's right there in the police report: Day One, complaints of pain from the accident. In fact, sometimes it's frustrating for me because my clients don't complain of pain at the accident scene. They complain about the pain later on and the insurance company will use the absence of complaints at the accident against you as well. So it's always in your best interest to tell the officer if you have any pain, even if it's minor. Also, the police report will have important witness information and other valuable info and it's almost always a great idea to get a police report. The insurance companies don't really like it though.

No. 2: The insurance companies don't want you to call for an ambulance or go to the hospital after an accident. The reason they don't want you to call an ambulance is because it affects their ability to argue that you were not hurt. It's hard for them to argue that you were not hurt if you were taken away by ambulance from the scene. Generally speaking, the ambulance folks are not wasting their time. They're going to take you by ambulance if it was warranted, if there are serious complaints of pain, if there are serious concerns at the scene – that's when they take you by ambulance. Also, if you go to the hospital immediately after an accident, it's further evidence that you were injured, so the insurance companies don't like to see this because they can't use it against you in the future.

No. 3: The insurance companies don't want you to go to the doctor or seek treatment for your injuries. They will sometimes even discourage you. The insurance adjuster will talk to you at the very beginning and say, oh, you know, you'll probably be fine, you know, usually these

pains go away after four to six weeks. You'll be okay. Don't go to the doctor or anything. You don't want to run up your bills, etc. etc. And, of course, the reason they don't want you to go is because they are going to use the gap against you. What does that mean? Read along with me right here in the middle of the page: They will use gaps in commencement of treatment and during treatment against you. So basically, if you wait a long time before you start treating with a doctor, they're going to point to that gap and say, wait a minute, how bad could it be? You waited two or three weeks before you started your therapy, or before you went to a doctor. Or they might say, hey, there was too many gaps between treatment, and you didn't go to the doctor sometimes, and you canceled your appointments. Never mind how hard it is for you to go the doctor, how much time it takes to go to the doctor. If you have significant gaps of say ten days to two weeks between treatment sessions, they will use that against you. And the last sentence here: If you fail to mention something to the doctor, they will use it against you as well. So let's say you go to the doctor and your back is kind of bothering you, but it's not a very big deal, and you just talked to the doctor about your neck pain. Well, your medical records will not have any mention of the back pain because you didn't talk about it, and you didn't bring it up, or you didn't fill it out in the initial paperwork at the doctor's office. Guess what? They're going to use that against you as well. They generally don't want you to even bother going to the doctor because they figure they can use it against you in the future.

No. 4: The insurance companies use software to evaluate your case. A lot of people don't know this. Many of the insurance companies are using software that they license. Generally, there's a handful of companies that do this, but there's a couple of big ones – their names are not really important. What's important to know is that the insurance companies are using this software, and what they are doing is they are plugging in information about your case: your age, your weight, your height, what kind of injuries you're presenting, what kind of treatment the doctor presented, the name of the doctor, the zip code where the accident happened, your job duties, etc. There is so many different factors that they enter but they use all of that information, and the insurance companies' software has a tremendous amount of data that it calls upon, and basically it spits out a range of settlement. So the adjuster will get some kind of report that says, hey, this particular case should settle between \$5,000.00 and \$10,000.00, for example. And, unfortunately, what you don't realize is that the adjuster is using this software, and if you don't provide the adjuster with all the information, and they won't enter that into the software, and so, if there is junk going into the software, junk is going to come out. If there isn't enough information to go in, then the software will not be able to provide an accurate measure, and many people even argue that this software is rigged in favor of the insurance companies. After all, the software companies want to sell their products to the insurance companies. And why would the insurance companies use a product that offers liberal evaluations of personal injury cases? In most cases, the software spits out a very conservative number. So just keep that in mind. Now, of course, there is a human element to the evaluation, but the software is being used.

No. 5: The insurance companies will use a recorded statement against you. This is a secret that they don't want you to know. They'll call you after the accident and they'll say, hey, we want to take your recorded statement. Would you be willing to give us ten minutes? Can we record? Do we have your permission, blah, blah, blah. We just want to get your version of the accident, they will say. We want to learn more about your injuries. Guess what? They don't.

They want to use this statement against you. That is the sole reason for the recorded statement. I don't think in my over, well, it's currently 20 years of practice as I record this particular video, but I don't think I can ever remember a recorded statement being helpful to an injured party in an accident case. Maybe once in 20 years have I found it to be helpful to the plaintiff, to the injured party. They will also use very benign terms during the conversation. They'll say something like, before you felt contact to your vehicle, did you see the other vehicle before the contact? It was no contact. This was an explosion. It was an impact. It was a collision. It was a crash. But they will use terms like contact and, trust me, this is very well scripted information. The insurance companies have been perfecting this examination or this interview for years. The questions that they are asking you are not haphazard. They are designed to discredit your claim and that's all they are designed to do. And so, especially if you give a recorded statement, and you give it like day one or two or three days after the accident, you don't fully appreciate the extent of your injuries. You may not even know whether or not you're injured or completely healed or whatever the case may be. You may not know some of the things that you're testifying to. You might be guessing about things. Like I said, offering a recorded statement to the insurance company is not a very good use of your time.

No. 6: The insurance adjuster will offer to meet with you over coffee to learn more about your case. Really? This is happening more and more. The insurance companies' adjusters are calling the victims of accidents and saying, hey, we would just like to meet over coffee and discuss your case. Can we have 10-15 minutes of your time. We really want to learn more about your injuries, and learn more about your version of the accident. Guess what? They don't want to learn anything. What they want to do is they want to meet with you so they can put a quick settlement to this matter. They want to offer you a few bucks, get you to sign some paperwork so that you never bother them again. And what you don't realize is even if you have pain later on, you can't come after them anymore because you already accepted the paltry offer that they offered you over coffee, or during a visit to your home, or whatever the case may be, and you already signed a release against their client and against them so that you can never come back against them in the future. So this is a dirty secret that the insurance companies are using – this friendly neighborhood adjuster approach where they are trying to meet with you over coffee to “discuss your case and learn more about it. Don't fall for it.

No. 7: The insurance companies will use release forms to go fishing through your medical records. They are looking for reasons to deny your claim. They want to close their file. So here's what this is all about. Shortly after your accident, you might get in the mail a whole bunch of forms to fill out from the insurance company, and what they want you to do is they basically want you to give them carte blanche access to all of your medical history. They are going to use the authorizations - most of the time these authorizations are very broad in scope and unlimited in time - and they can basically go fishing through all of your medical history trying to find any reason to deny your claim. What does that mean? They'll look for any evidence of prior back pain. You may have mentioned that your leg hurt in the past, or you had some kind of neck pain. Any little mention of anything in your history, they will deny your claim. They'll say, oh, you had back pain before. Sorry buddy, we're not going to pay you any money. They are looking for reasons to deny your claim. They are not interested in learning more about your injuries. They are interested in finding a way to close their file. You see, if they deny your claim, they can close the file. And insurance adjusters have so many files on

their desk, they are not interested in keeping those files open. They want to resolve them. So if they can conscientiously, at least for them, resolve it by saying, well, this was a minor accident, prior history, we found prior medical records. We're going to go ahead and close our file. They want to close their file because many insurance company adjusters get points for closing their files quickly, and they get dinged if their files stay open for too long. So, once again, don't sign any release forms. Give them the medical records you want to give them. Now, later on in the case, it might become important for them to go fishing, but don't offer this to them at the outset of the case.

No. 8: The insurance companies don't want you to talk to a lawyer about your case. In fact, many of them might even discourage you during your initial conversation. They'll say, oh, you don't want to get a lawyer involved. That's a hassle. They're only going to take a portion of your settlement for their fee. It's really a waste of your time, blah, blah, blah. The reason they don't want you to talk to a lawyer is because they don't want you to know all of your rights and all of the proper expectations you should have. A lawyer is going to know those things, and they don't want to level the playing field. They want an unlevel playing field. So here's the thing, you don't even have to hire a lawyer, but go talk to somebody who is reputable in your community and say, hey listen, this is what's going on, what do you think? Get some advice. Don't just take the insurance adjuster's point of view. Don't just accept what they tell you as the gospel truth. Remember, insurance companies don't make money by handing it out. They make money by holding on to it. So, once again, they don't want you to talk to a lawyer. There is no harm in talking with a lawyer. You don't even have to hire one; just go get some advice.

No. 9: The adjuster will pretend to be your friend. I have a newsflash for you. The adjuster is not your friend. They will call. They'll be jovial with you on the phone. They'll make jokes. They'll talk, and they'll seem very interested in your life and what's going on, and what you do for a living. Don't fall for it. They are not here to be your friend. They are here to manage the claim which means that they want to put a quick end to it, and they generally want to pay less than they should pay. And, again, I am drawing some broad strokes here. There is always very good insurance adjusters out there, very conscientious people in the insurance industry. Heck, I used to work for the insurance company and I considered myself very conscientious, and I knew many insurance adjusters that were very conscientious and very good about their job. However, a majority of the insurance adjusters, unfortunately, are not really trying to be your friends. In fact, they are trying to ingratiate themselves with you so that you will volunteer information that can later be used against you.

And finally, No. 10: Insurance company secret from a former insider: Some insurance adjusters – and I hate to break this to you – they will give you patently false information. For example, they will say something like, oh, we'll take care of your medical bills. Well, guess what? They're not going to take care of your medical bills. In fact, in all my years, I have rarely ever seen insurance companies agree to pay all the medical bills. Even if you present them with the medical bills, they are going to probably shave a lot of your bills and say, well, this was unreasonable, this was too expensive, this is this, you went on for too long, this doctor recommended the wrong test, we don't think an MRI was warranted, blah, blah, blah. They will find reasons to nickel and dime you. So this promise of taking care of your medical bills is, in most cases, false; at the very least, misleading. They'll say things like, you can't collect for your

back pain if you had back pain before. We don't pay for that. That's not true. If your accident aggravated a pre-existing condition, you can collect for that, to the extent that an aggravation occurred. The fact that you had a previous back problem might figure into the settlement, but for somebody to tell you that you cannot bring a case is self-serving and misleading. Sometimes they'll tell you, oh, there's no need to go to the doctor. You're going to be fine. Most clients that we talk to, sir or mam, they feel better after four to six weeks. Don't you worry about it. I'm sure you'll be fine. Well, guess what? They're going to use that gap against you. If you don't go to the doctor right away, if you don't care of yourself right away, they'll say, well, how bad could it possibly have been? And then the other trick that I see sometimes is they'll say, you need to provide us with this information or give us a statement, or else we're going to close our file. Oooh, very scary – close our file. Let them close their file. What do you care? You don't have to worry about them closing their file. All you need to worry about is the statute of limitations. How much time do you have to bring a claim against the other party? Let them close their file all day long. When you're ready, they can re-open it and re-examine it. So don't let them use this notion of closing their file as a scare tactic against you. It is absolutely meaningless. They're going to put it in storage. Big deal, it doesn't affect you.

So these have been ten insurance company secrets from somebody like me who used to work for the insurance companies. It's very important to get professional advice at the beginning even if you don't end up hiring a lawyer. I would say that 50 percent of the people that I talk to, I tell them that they're fine without a lawyer, or I'll discourage them from bringing a claim for one reason or another, and I'll let them know what the problems with their case are and what the good things about their case are; the pros and the cons. You cannot make a decision unless you are educated and then you can make an educated decision. If you have any questions about this or you want me to examine your personal injury case and give you a free consultation, please give me a call. My address information and everything is located on the screen. My phone number is (661) 414-7100. The website is: valencialawyer.com.

Again, I want to thank you, ladies and gentlemen, for joining me on this brief presentation of ten insurance company secrets from a former insider. Take care.