



PRSRT STD  
U.S. POSTAGE  
PAID  
McPherson, KS  
PERMIT # 6

## THANK YOU FOR YOUR REFERRALS!



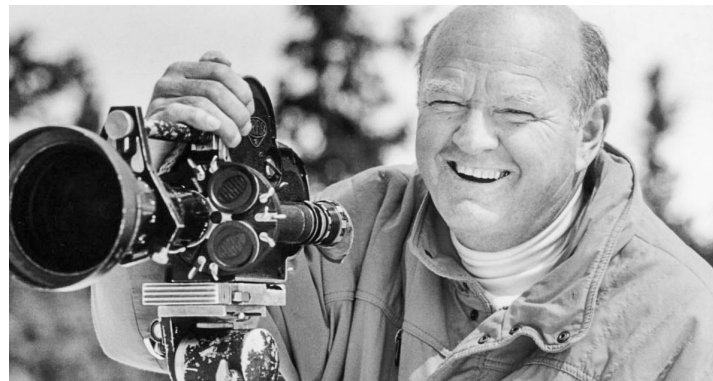
We appreciate referrals from our friends, clients, and colleagues – they are the lifeblood of our business. We limit our practice to helping people in accident cases, personal injury and employment matters, and you can be assured that we will treat your referrals exactly as we would want to be treated if we had a problem: with respect, empathy, sound guidance and strong advocacy. While we cannot help everyone, we do our best to dole out sound advice to those who take the step to contact a lawyer.

## What We're Watching

We both really enjoyed *I, Tonya*, which tells the story behind the rise and fall of the very talented figure skater Tonya Harding. I remember the winter Olympics when Harding competed against Nancy Kerrigan, following the assault on Kerrigan by, allegedly, a goon hired by Harding's ex-husband Jeff Gillooly. The film does a great job telling this crazy story while highlighting society's issues with class, celebrity and media-centered culture. Well worth the watch.

If you have questions, or would like to be removed from this list, just send an email to [newsletter@doraziopeterson.com](mailto:newsletter@doraziopeterson.com), or call the office.

*"Don't take life too seriously,  
because you won't come out of it alive."  
- Warren Miller*



## OUR TAKE

### Ignore the Phone

By Scott

We often discuss the devastating impact of distracted driving. Both from personal and professional experience we know the dangers associated with operating a vehicle while texting, reading email or playing on social media.

This hit home for me last summer, when our family was in the car driving back from vacation in Cape Cod. After almost being rear ended at 75mph, I looked in my rearview mirror to see a young woman (probably in her late 20's) driving extremely erratically while holding her phone in her right hand, above the wheel. In other words, she was not "looking down" at the phone, but instead was attempting to look at the phone while driving at the same time. The problem was that we were in heavy traffic, and for the next several minutes I periodically watched as she slowed down, sped up, veered into the other lanes, and did not put her phone down once.

As a parent, I found this unbelievably frustrating and concerning. And as a lawyer who helps people who've been hurt by this sort of conduct, I found it equally upsetting,

because the inevitable accident that this driver was going to cause was entirely avoidable.

This month Giovanna and I are pleased to announce the start of D'Orazio Peterson's campaign against distracted driving, "Ignore the Phone." We know that this is a societal problem, but we want to do our part to bring awareness to this issue. To that end, we're pleased to offer our readers a free bumper sticker, pictured below, which encourages drivers to ignore the phone while operating a motor vehicle. In conjunction with this, we will be increasing our role in speaking out to our community about the risks of distracted driving.

If you'd like us to send you a free sticker just send a note to [newsletter@doraziopeterson.com](mailto:newsletter@doraziopeterson.com), or visit [www.ignorethephone.com](http://www.ignorethephone.com). Our hope is that, together, we can continue to raise awareness about this important issue.



JANUARY 2018  
NEWSLETTER



D'O RAZIO  
PETERSON  
ATTORNEYS

### IN THIS ARTICLE:

Page 1:  
**Our Take**

Page 2:  
**What is a Lawsuit  
"Advance"?**

Page 3:  
**Passing the Torch  
(or, in this case,  
the ski)**



## WHAT IS A LAWSUIT “ADVANCE”?

In the wake of the string of high profile sexual harassment cases, law suit advance companies have been targeting individuals with potential cases, seeking to “advance” them funds against the eventual recovery in their case.

A lawsuit advance “loan” - and we use that term in quotes because the companies who make them avoid regulation by calling them “advances” - often come at a steep price. In many cases the “rates” at which the money is advanced, are upwards of 100%. That means that to receive an “advance” of \$2,000 against an eventual settlement, the injured party must be willing to pay back \$4,000 or more.

So, what is a lawsuit “advance”, and should you consider getting one?

When you file a lawsuit, whether because of a catastrophic personal injury, sexual harassment, or discrimination, you are seeking damages. Depending upon the severity of your injury, the damages that you are seeking might be significant. Unfortunately, many people who bring lawsuits find themselves in a position of not being able to work, and quite often have a difficult time supporting themselves or their families. Personal injury and employment discrimination lawsuits can take months or even years to resolve, and even if you have a strong case you may have to wait some time to get what you deserve. So, what do you do to support your family?

This is where legal advance companies come in. These companies offer cash to injured parties in exchange for an agreement that they

will be paid back when the lawsuit is resolved. The upside is that, generally, if the case is not resolved favorably, and the injured party gets nothing, the company will not be paid back. The downside, however, is steep.

It's understandable that you would want to take an “advance” against a lawsuit - but before doing so you should consider your other options.

Before taking a lawsuit advance consider whether you can borrow from family, against a retirement or life insurance policy, or even whether you can call the bank and defer payments because of your situation. These options typically offer much lower effective rates of interest.

If you truly believe that you have no choice, and need to borrow against your injury case, be sure you reach out to your lawyer to discuss your options. As with most things, lawsuit advance companies are not created equally, and there are some with much better reputations within the legal community than others. The decision of which lender to use can cost or save you a significant amount of money.

Finally, remember that your lawyer's job is to get you the best result, for you. Sometimes this means pushing a case through to trial. Other times this means pushing the case towards settlement given all of the available factors (including your needs). Your lawyer should not discount your own concerns, and should speak with you about options.



## PASSING THE TORCH (OR, IN THIS CASE, THE SKI)

By Scott

continued from page 2

Anyone who reads our newsletters knows that I love to ski. I've always enjoyed it, but being able to share it with my kids has reignited my passion for the sport.

For several years my ski friends and I have attended the late fall screening of the annual release of the Warren Miller ski film. For those who don't know, Miller was an adventure filmmaker whose film company made more than 50 ski and adventure films over the last 50 years. Each year the company releases its annual ski/snowboard film, which is screened to thousands of winter enthusiasts across the country. In Saratoga, the film is put on by our local ski shop, Alpine, which promotes the film and gives away lots of ski gear during intermission. The film marks the unofficial beginning of winter, and of ski season. This year I took my son Miles and his friend, and it was exciting to be able to feel the tradition being passed down to a younger generation of enthusiasts. The films aren't always the best or most original, but being surrounded by so many like-minded people is a wonderful thing.

I was skiing in Vermont with some friends recently when we heard that Warren Miller had died, at the ripe old age of 93. Vermont being a ski

mecca, the mountain was plastered with quotes from Miller, who personified a life lived doing what you love.

In our world, we see and help far too many people who have had their freedoms taken away from them; whether because of a severe accident, sexual harassment that has left them out of work, or some other life event that has thrown them for a loop. This always reminds us of the importance of appreciating what we have, when we have it, because we never know when it's going to change.

I'll leave you with my two favorite quotes from Warren Miller, which speak for themselves:

*“If you don't do it this year,  
you'll be one year older when you do.”*

*“Freedom is located  
somewhere outside the box.”*

