

**IF YOUR CAR INSURANCE COMPANY TELLS YOU TO GET YOUR OWN
ATTORNEY, CALL US FOR A FREE CONSULTATION**

By Lawrence E. Mittin, Esq.

You receive a letter in the mail from your insurance company about a minor fender bender you caused a year before. Your insurance rates already went up and you are irritated that someone is making an injury claim for such a minor accident. The letter tells you that your insurance policy may not be enough to cover the person's damages and you should consult a lawyer at your own expense regarding any personal exposure. The letter may even include a copy of the demand lawyer from the person making the claim, showing what looks to be in your mind outrageous medical expenses. You are now even more angry about the accident than when your rates went up, thinking I will never give this person a penny. In disgust, you tear up the letter.

It is now three years later and a jury has just awarded the person you hit a Megabucks jackpot verdict in the millions. You sit with your insurance company lawyer in stunned silence. The lawyer then lets you know you are on the hook for any money owed above the insurance policy, as the insurance company is only obligated to pay the policy limits. You are now even more stunned than when you heard the jury verdict. How did you get into this nightmare? More importantly, how can you get out of it? The insurance company lawyer cannot help, he works for the insurance company. Time to get a lawyer, but how can you pay for the attorney when you have a multi-million dollar judgment hanging over your head?

This scenario actually plays out in Clark County more often than people may think. The advertising attorneys cannot help you in this situation, as they represent accident victims, not people who owe a verdict they cannot pay. Your insurance company is no help, as the company told you that this situation might happen and you ignored/tore up the letter it sent. Your thoughts turn to bankruptcy and the nightmare just seems to continue. What can you do?

Call us immediately for a free consultation, as we can help where there does not have to be a bankruptcy. **Actually, it is best to call us when you get that first letter from the insurance company telling you that you may personally owe money and to hire your own lawyer**. Legally, that letter serves as a get-out-of jail-free card for your insurance company to avoid having to pay money beyond the insurance policy when a verdict comes back for more than your policy limits. The insurance company is not going to tell you this in the letter, but that is the actual purpose of the letter. While ignoring the letter, tearing it up, or cursing the person you hit are all natural reactions when you feel someone is making a bogus claim against you, the reality is that once the insurance company sends you that personal exposure letter, the company is protecting itself and you will be on the hook for any verdict above your limits. When you get that letter, the enemy is no longer the person making the claim against you, but your own insurance company.

The insurance company has absolute control over payments from your insurance policy to a claimant. So if the company wants to pay and you say do not pay this bogus claim, the

insurance company can pay the claim and you have no legal power to stop it from doing so. Likewise, if the insurance company does not want to pay the claimant and you are begging the company to pay so that you are not sued for more than your policy, the insurance company can refuse to pay the limits. **The difference between these two situations is that if you tell the company to pay the policy and the company refuses to pay the policy, the insurance company will be on the hook if a jury verdict is more than your policy limits.**

So when the insurance company sends you a letter informing you that you may owe money out of your own pocket, when you ignore the letter or worse, tell the insurance company you do not care if the person sues you for all you are worth, you are unwittingly hurting yourself and helping the insurance company. The insurance company will not tell you that this personal exposure letter is being sent to protect the interests of the insurance company at your expense. Do not wait until a jury verdict has been entered against you to realize that your insurance company exposed you. **When you receive a letter from your insurance company telling you that you may owe money and to consult an attorney, that is when you need to call us. The consultation is free and if you retain us, we will bill your insurance company, as the company put you into this situation of having to get your own attorney.** In short, when you get this personal exposure letter from your insurance company, get on the phone immediately with our law office, as we can help.

