

~Adjuster Henry Hard–Nose ~ And Your "Pain And Suffering"

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By Dan Baldyga

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WHEN IT COMES TO A MOTOR VEHICLE ACCIDENT YOUR "PAIN AND SUFFERING" IS WHAT YOU GET PAID BIG BUCKS FOR: It's an absolute necessity that you ask a doctor or chiropractor to provide you with medial attention as soon as possible after you've been smashed into. This decision can make the difference between ending up with a fistful of thousand dollar bills, or a "nuisance value" settlement – – a small payment made to close the case.

Your claim of bodily injury has no credibility with Adjuster Henry Hard–Nose unless it's been verified by the Medical Report executed by Dr. I. M. Comfort, your attending physician. If you don't see a doctor or chiropractor, but still attempt to justify an injury that produced "Pain and Suffering" (and also contend you've lost time from work) Hard–Nose is not going to buy it. At the end of the day you won't be paid much, if anything, for your loss.

IF YOUR INJURY IS RELATIVELY MILD: Under normal, routine circumstances Ole' "Doc" Comfort will probably see you five to eight times without providing any complicated treatment. You can expect to be x–rayed, prescribed some pills, told to rest a few days (or weeks) and possibly be advised to avail yourself of heat therapy, to be administered, by your honey, at home.

IF YOUR INJURY IS MORE SERIOUS: You may have to wear a cervical collar (a neck brace) for a few weeks. This can be uncomfortable but it will assist in your physical recovery and produce a higher settlement value of your claim. "Doc" Comfort will probably refer you to a specialist, such as an orthopedist (a bone doctor) or a neurologist (a specialist in nerve damage).

MINOR BODILY INJURIES: The vast majority of motor vehicle accidents cause minor injuries. Bodily injury pain cannot be specifically measured (temperament and psychological factors are involved) nor can the limits of human endurance. Each one of us has a different "pain threshold. That is, the point at which we begin to feel physical discomfort.

The amount and quality of pain you feel is not strictly dependent on the bodily injury inflicted. It has much to do with your previous experiences, how well you remember them, and your ability to understand the cause of the pain and its consequences. For example, the ex-athlete will probably experience a blow much differently than the individual who was never able to play contact sports because to help with the family income he had to go out and work at an early age.

HOW MUCH PAIN CAN A PERSON STAND? There's no specific answer to that question. Sudden pain, even of less intensity than, for example, a serious burn, can overwhelm the higher nerve centers; so much so that a man could faint! Is Hard-Nose aware of and understand all of the above? You can bet your last dollar he does!

NEGOTIATING A PERSONAL INJURY SETTLEMENT

HARD-NOSE AND YOUR PHYSICAL ANGUISH: Don't kid yourself that Hard-Nose can't get a handle

on, nor understand, the pain and discomfort you've experienced. He can but even so he'll try to act as though what you've been experiencing is no big deal. Why? Because he knows your claim will cost a lot more money if you get the idea he understands what you've been through, regarding the impact your body was subjected to. Hard-Nose is well aware of where you've been, and where you're coming from, because he negotiates with injured people, day in and day out (all of them struggling with identical problems) as he goes about the business of settling cases that involve "Pain and Suffering". He handles identical issues every hour of his work life. He knows what you're going through but (never forget) his job is to make you believe your over exaggerating your complaints.

He's fully aware of all there is to know about Hard Injuries vs. Soft Injuries. He's constantly in contact with the twisted, bruised, battered, pulled and snapped problems of pain that people must endure because of injured Tendons and Ligaments, Muscle Strain and/or Spinal Cord injuries. Each and every day he's exposed to the wide range of problems that injured people must endure. These also include Stress, Anxiety and/or Emotional Reactions. Hard-Nose may be heartless but he's no dummy when it comes to comprehending the legal concept of "Pain and Suffering". His paycheck depends upon how well he understands these factors. Why? Because they're so dramatically involved in the amount of money that's paid out (when it comes to such matters) by the corporation he makes his living stonewalling for. So, you may ask, exactly how does Henry Hard-Nose make his living? The answer to that one is very simple, he's paid to manipulate injured people into ridiculously low settlement's.

HARD-NOSE AND YOUR MEDICAL BILLS: Adjuster Hard-Nose may try to con you by telling you that many of your medical expenses don't qualify as "medical" in character. He'll attempt to divide your medical costs into two areas -- one part "diagnostic" and the other "treatment". In "diagnostic" he'll include ambulance and emergency room costs, the cost of X-rays, plus visits to specialists. The rest of your bills, usually the money paid out to the hospital emergency room and regular office visits to your doctor, physical therapy and medication, he'll term "treatment". Those items he incorrectly identifies as "diagnostic" are bills that Hard-Nose will try to disallow -- telling you that they're not "medical" in nature.

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He knows, if he can get away with doing this, the value of your claim will be drastically reduced, because the bottom–line amount of your "Special Damages" has been dramatically downgraded. Hard–Nose will contend that only the "treatment" portion of your bills are "directly related" to the severity of your injury, therefore that's what truly reflects the value of your "Pain and Suffering".

Don't let him get away with that ! Demand full inclusion of ALL medical bills, otherwise your personal injury claim will be drastically reduced in value.

Tell Adjuster Henry Hard–Nose, conjuring up all the authority you can muster, "Legally speaking you can't separate medical expenses into two categories. Each bill I have goes hand–in–hand with all the others. It would be impossible for me to get properly treated without being thoroughly diagnosed and, even more important than that, I can't place a value on my personal injury claim until all my Special Damages have been correctly assessed".

When he hears that Hard–Nose will blanch and then gulp! Why? Because he knows what you're telling him is true. He'll suddenly become aware that you know what it takes to place a value on your "Pain and Suffering". And that, will put an end to his nonsense.

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Suffering, is to help people understand the motor vehicle accident claim process. Neither Dan Baldyga nor Article City.Com make any guarantee of any kind whatsoever; NOR do they purport to engage in rendering any professional or legal service; NOR to substitute for a lawyer, an insurance adjuster, or claims consultant, or the like. Where such professional help is desired it is the INDIVIDUAL'S responsibility to obtain said services.

Dan Baldyga's third insurance claim book AUTO ACCIDENT PERSONAL INJURY INSURANCE CLAIM (How To Evaluate And Settle Your Loss) can be found on the internet at <http://www.autoaccidentclaims.com>. This book reveals "How To" successfully handle your motor vehicle accident claim so you won't be taken advantage of. It also goes into detail regarding the revolutionary BASE (The Baldyga Auto Accident Settlement Evaluation Formula). THE BASE FORMULA explains how to determine the value of the "Pain and Suffering" you endured – – because of your personal injury.

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For over 30 years Dan Baldyga was a Claims Adjuster, Supervisor, Manager and also a Trial Assistant. He is now retired and spends his time attempting to assist those involved in motor vehicle accident claims so they will not be taken advantage of:

Dan Baldyga – Author
19 Winona Drive, West Springfield, MA 01089
Phone: (413) 733–0127 FAX: (413) 731–8358
Mail To:

AUTO ACCIDENT PERSONAL INJURY INSURANCE CLAIM

(How To Evaluate And Settle Your Loss)

Found On The Internet At:

Dealing With Henry Hard–Nose ~ The Tyypical Insurance Adjuster

By Dan Baldyga

Most adjusters function like Henry Hard–Nose of Rock Solid Insurance Corporation. They're thick skinned and difficult to deal with. Below is a typical verbal exchange a month or so after you and Hard–Nose had last met in an attempt to settle. At that time he had taken the position that the injury to your shoulder was not as serious as your attending physicians Medical Report stated it was. (Question: Do they fight what your attending physician wrote in their report? Answer: Yes, absolutely! Take it from Dan, who was on that firing line for over 30 years).

The following is a typical verbal settlement exchange after your last meeting had ended "up in the air" – – slowing floating around out there in outer space.

You first – – and here's the counter argument you should make: "Look, with all due respect, you are not a doctor. You're no medical expert who has the know–how to second–guess my doctor. When we last met you said my shoulder was `only a bruise' as opposed to a dislocation. I have again talked to my doctor and he remains firm about the accuracy of his original diagnosis. He states that I absolutely suffered a dislocation of my shoulder. But, even apart from his analysis, I'm the best judge of my own injury – – that is, how painful my life has been, and the suffering I've had to endure".

At that point Hard–Nose will always attempt his usual tactic of interrupting your logic but stiffen up, wave him off and say, "Look, let me finish. You owe me that because it was your insured who flew through a Stop Sign and bashed into me. You and I both know he's one hundred percent at fault and if this talk about settling for my "pain and discomfort" gets any more one–sided I'm gonna be left with no choice but to hire myself a lawyer."

Hard–Nose will stiffen up! Now, you proceed, "How is it sir, that its been over three months since this accident and there are times when I still suffer excruciating pains? How is it that I can't lift things like I used to? The truth is it hurts, it bothers me and it has disabled me. I've been enduring it but it's been awful and it has disrupted my life terribly. My shoulder is not a `mere bruise' to me sir. Neither does my doctor say it is. He states that my shoulder was definitely dislocated and it will take several more months to clear up"!

All of the above is an example of your central approach to the predictably belligerent, difficult–to–deal–with adjuster. You should be firm and aggressive but not hostile. Yours should be a thoughtful presentation that relies on the power and persuasiveness of a sound demand adequately documented and properly communicated.

The three crucial questions you must ask Hard–Nose are:(#1) How much will you pay me for the damage to my motor vehicle and all other provable property damage? (#2) How much will you pay me

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as a fair settlement for my provable lost wages and medical expenses? (#3) How much will you pay me for my disability and my "Pain and Suffering"?

In most instances Hard–Nose will head for the hills – – unwilling to give you a straight answer. He'll

sidestep and do a slow waltz by asking you a loaded question like, "Okay, what do you think your claim is worth?"

Such a question is predictable because Hard–Nose prefers that you're the one who makes the settlement demand first. Why? Because you may ask for less than what he was preparing to offer! And also because, if you make an excessive demand, he won't have committed himself to an offer which will have left no room for further negotiations. In other words, Hard–Nose is in his best position to exercise "command and control" over the manipulation (and setting) of the dollar amount to be paid when it's you that makes the settlement demand first, rather than he making the settlement offer. Don't provide him with this advantage!

To win this crucial "game" he must suspect you're close to obtaining a lawyer to handle your case so you should insist on the offer (one that's realistic and made in good faith) to come from him before you make your demand. Why? Because at that point it's all about who gets to control the value of your claim – – you or Hard–Nose?

It's not sufficient for Hard–Nose to merely come up with a phony offer. You must insist upon, and hold out, until he makes the first offer and that it's a realistic one. Then, and only then, is when you should respond with your own first counter–demand. Up until that point never let him know what you'd be willing to settle for. If you do you'll lose control and that could cost you big bucks!

To learn more about how to handle and evaluate your motor vehicle accident claim, read Dan Baldyga's latest book **AUTO ACCIDENT PERSONAL INJURY INSURANCE CLAIM (How To Evaluate And Settle Your Loss)**. It can be found on the internet at

or your

favorite bookstore.

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Dan Baldyga – Author
19 Winona Drive, West Springfield, MA 01089

Phone: (413) 733 0127 FAX: (413) 731 8358

Mail to: dbpaw@attbi.com

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