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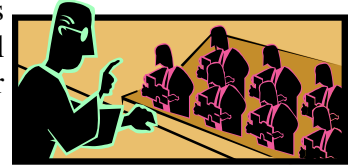
New Knucklehead Website of the Month

I can't believe how much publicity a couple of idiots have gotten for a stupid new website called **WhoCanISue.com**. Here's the premise: Lawyers pay up to \$1,000 a month for the "privilege" of being listed here. Consumers who believe they have been aggrieved supposedly will go to this site (which has a picture of a guy slipping and falling on a banana) to get connected to find a lawyer to sue for some perceived harm.

Here's what I wrote at my blog (BenGlassBlog.com) on August 8:

WhoCanISue.com Won't Attract Real Trial Lawyers

Time Magazine has an article about a new attorney referral marketing website and *Time* is using it to take another shot at lawyers—and rightfully so this time—except that I don't believe the website was built for real trial lawyers. I don't think that any legitimate personal injury lawyer would sign up for **WhoCanISue.com**.



The **WhoCanISue** site looks like it was invented by tort reformers to have something else to shoot at (oh, I almost forgot, it's election season...time to go lawyer hunting by some). I mean, what legitimate lawyer would pay \$1,000 a month or more to be listed on a site that actually makes fun of lawsuits?

The tagline, "The Legal Process Made Easy," is not one that any responsible personal injury lawyer would use, because those legitimate injury attorneys who actually take cases to trial (as opposed to spending millions on advertising to settle everything for 2 cents on the dollar) KNOW that litigation is not easy. They know that insurance companies have a huge advantage (more money, more time to wait for the results) in lawsuits and that litigation is just plain tough. Moreover, the graphic on the **WhoCanISue** web page, a guy falling on a banana peel, is a ridiculous caricature of jokes made about lawsuits. No legitimate trial lawyer would head down that path.

What I find most interesting about the whole *Time* article is that *Time* is not allowing comments at its site about the article. Therefore, *Time* is not allowing you to participate in the conversation. Wonder why that is? Could it be that *Time* has a vested interest in helping to promote a straw man and then taking shots at it?

Stay tuned.

Ben Glass Interview Now Available on DVD

As mentioned in last month's newsletter, Ben's 30-minute interview on *Leading Experts* is now available on DVD. It's free for readers of this newsletter. Send an email to GLMStaff@gmail.com with the subject: "Ben on TV." Make sure to tell us how many you want and where you want us to send them.

Congratulations to Attorney David Marks

In a case tried last month, Allstate Insurance Company dared David to “take us to trial.” The case involved a woman who had been rear-ended in an accident and now suffered from constant pain from a back injury.



Allstate’s conduct in the case was what we have come to expect (and is the reason why Allstate was named the worst insurance company by the American Association for Justice).

First, there was no real dispute that Allstate’s client had caused the accident. Then, the doctor Allstate hired to examine the accident victim agreed that she had a permanent injury (herniated disk in her back) and that the injury was caused by the accident.

David made a reasonable demand of \$50,000 in an effort to help his client avoid the stress of trial. Allstate offered a measly \$6,000, despite the efforts of a court-appointed mediator who told them they were nuts.

Nuts they were—the jury awarded \$400,000, believing that the client was in pain daily and would live her full life expectancy of over 20 years.

Now, here’s the really interesting part: Allstate’s client had only \$250,000 of insurance. Allstate had put his house at risk by their unwillingness to bargain in good faith.

Several weeks after the jury verdict, Allstate agreed to pay \$325,000 and the case settled.

Congratulations to David, who is of-counsel to BenGlassLaw, for not backing down and then having the skill to get the job done.

Winners KNOW They are Going to Win

Did you see Olympic swimming champion Michael Phelps interviewed after winning his eighth gold medal last month? The TV interviewer asked him: “Did you ever in your wildest imagination dream that you could actually win eight gold medals?”



Before he could answer, I turned to my wife Sandi and said, “Of course, he did; he not only dreamed about it, but he knew he was going to win. He pictured the whole thing in his mind, even before the Olympics started; he had to have or he could have never won.”

Phelps is a bit of a shy, self-assuming guy. He sort of hemmed and hawed and you could see that he was a little uncomfortable telling the reporter that, yes, before the Olympics even began, he knew he was going to win eight gold medals. Eventually, however, that’s exactly what he told her.

Phelps didn’t just dream about winning all that gold, nor did he merely hope to win eight gold medals. He allowed himself to actually believe that he would win—and then he went out to do all the work necessary to make what he believed to actually be true come true.

What does Phelps’ example mean for us?

Last month, hundreds of thousands of young folks entered (or went back to) college. I know a small bunch of them through various relationships in my life. In talking to the kids and their parents over the summer, I wonder how many of the kids really expect to be winners during their college experience. How many are just “riding along” for four years expecting to be “average?” How many go with the belief that they can become champions in their appointed course of study?

But.....I don’t blame the kids (much) for this. Have they ever had anyone ever really give them permission to be champions? Do we tell our kids that America is the land of abundant opportunity and limitless growth and that there is nothing that can hold them back? Or do we “model” the negative language of the mass media with a message that the sky is falling? Do we take the time to show them and teach them what it takes to be a champion? Do we know? Do we believe? (Hint: it’s not what the book The Secret says: sit in a corner and dream about money and it will come.) I write a lot about exactly what it takes to succeed in a book I co-authored with an internationally recognized marketing and business coach, Dan Kennedy. If you haven’t asked me for your own free copy of *The Ultimate Success Secret* and then passed it to your teenage kids, then what are you waiting for? Send an email requesting the book to glmstaff@gmail.com.



(Here’s Caitlin, Emma, Kevin and Matthew the day we dropped off Caitlin at seminary. Caitlin believes, because her daddy taught her how, that she will be a champion at seminary.)

Answers to Last Month's Trivia Questions

According to the June 27, 2008, edition of the Washington Post, the parents of a youth soccer team from Arlington, Virginia, paid \$5,500 to have their young players walk out onto the field at RFK stadium with soccer star David Beckham.

The most requested song of all time? According to the July issue of Conde Nast, **Portfolio**, that title belongs to **Stairway to Heaven** by Led Zeppelin.

Congratulations to Erich Minyard, Robert Coupland, Julie Parks and Kelsey Marshall. They have each been sent Ron Rosenberg's *Double Your Memory in 90 Minutes* memory-building system.

What Does it Mean to Say You Take Cases on "Contingency?"

What does it mean when you hear a lawyer advertise that he "takes cases on contingency" or offers "no fee, if no recovery?"

One question that runs through people's minds when they are thinking about hiring a lawyer is "how will I pay for it all?" The answer for most personal injury and medical malpractice cases is the "contingent fee" system.

This means that rather than pay a flat or hourly rate to the attorney, the client agrees to pay the attorney a percentage of any recovery in the case. Usually that fee ranges from 25 to 45% of the recovery in the case.

That doesn't mean, however, that you won't have to pay anything to the lawyer as the case moves along. In every case, there are costs. Someone must pay for the medical records, trial exhibits and meetings with doctors. These are the costs of the case. In most cases, the client pays for the costs as they are incurred by the attorney. In our office, we handle costs on a case-by-case basis. Some of our catastrophically injured clients are in no position to advance costs and we understand this.

What does the contingent fee system mean for the client?

First, it means that most lawyers are going to assess the risks of accepting the case carefully. Contrary to what you may hear in the media, that the fact that a lawyer is going to be paid a percentage of any recovery encourages frivolous litigation, it actually does the opposite. No lawyer in his right mind is going to take on a frivolous case, work hundreds of hours on it, for ZERO payment. It means when you ask me to take on a silly case (like the father, in last month's issue of this newsletter, who wanted me to sue the hotel because his daughter broke into the mini-bar on a school field trip and got drunk, then expelled) I'm going to say, "no."

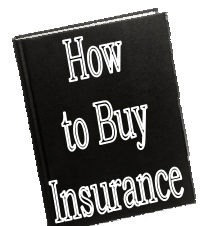
For the client, the contingent fee is often the key to the courthouse. Because there is risk sharing, you can have a very experienced attorney represent you and not have to worry about the bill for legal fees.



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Everything you need to make sure you are buying the right insurance for you.

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RETURN SERVICE REQUESTED

We have found the best source for all types of family safety information on the internet.

Check out
www.InjuryBoard.com

Inside— Secrets of Champions

Funny Sign of the Month



“At Dutch Wonderland, Lancaster, Pennsylvania, you can get your lemonade **with flavor** if you pay a little extra.”

New Videos at BenGlassLaw.com

If you haven't seen the new videos we have on the Home Page of BenGlassLaw.com, then please go and view them and let me know what you think. In one of them, I take the Northern Virginia Yellow Pages and toss it away. Go watch and find out why.



Reminder About Our Firm's Communication Policy

Our promise to you is that while we are working on your case, we don't take inbound phone calls, faxes or emails. Ben Glass takes no inbound unscheduled phone calls whatsoever. It makes him much more productive and helps get your case resolved faster. You can always call Ben's Assistant, Terry Patterson (703) 591-9829, and schedule an in-person or phone appointment, usually with 24-48 hours. This is a lot better than the endless game of "phone tag" played by most businesses today. Remember, too, that email is "quick," but is checked no more than twice a day. Replies are then scheduled into the calendar. So if it's really important, don't email – call Terry instead.