

Contact Us We Can Help

If you or a relative have been injured or worse, the first thing to do is seek medical attention. Injuries may not seem serious at first, but if left untreated, they may become severe, debilitating and long-lasting.

An attorney, knowledgeable in injuries and wrongful death, can help you learn about your legal options, answer your questions and assist you in pursuing your claim.

Call Benson, Bertoldo, Baker & Carter today.

(702) 800-0000
www.bbbclaw.com



Las Vegas Office - 7408 West Sahara Ave., Las Vegas, NV

Featured Practice

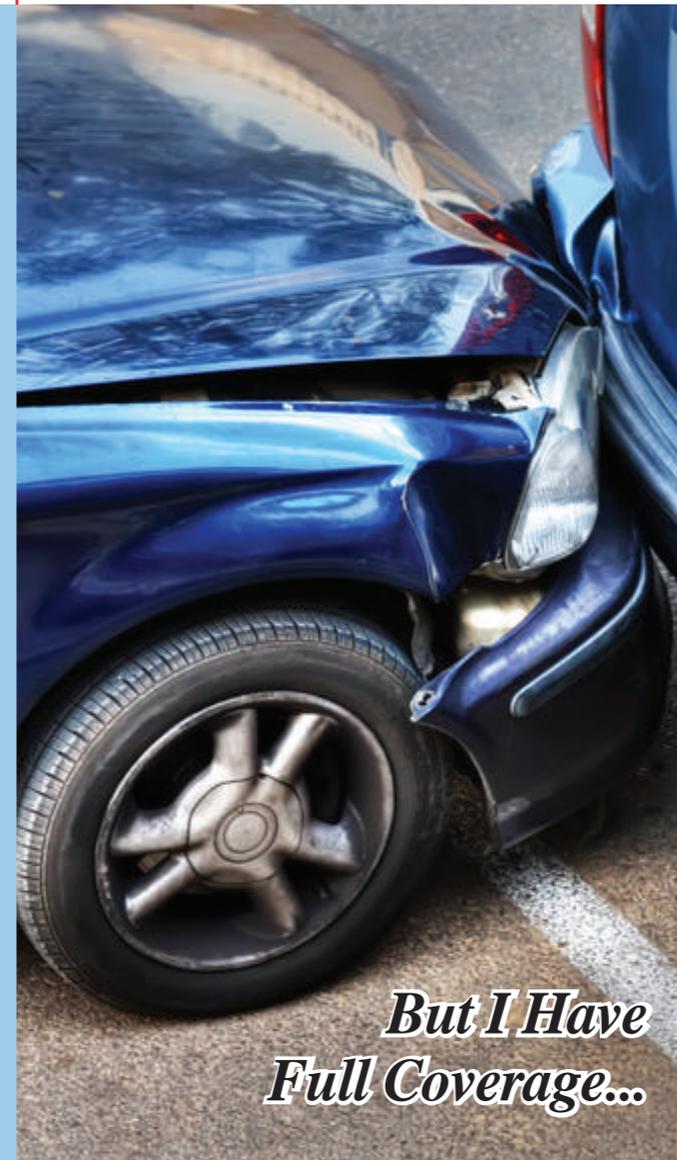
Motor Vehicle, Non-Motor Vehicle
& Aircraft Accidents

- Product Liability • Medical Malpractice
- Wrongful Death • Workers Compensation

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*But I Have
Full Coverage...*

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May 2015

In The News

Maggie DiFederico is the winner of our 3rd Annual Scholarship contest

Congratulations to Maggie DiFederico, the winner of the 3rd Annual Benson, Bertoldo, Baker & Carter essay contest. She will be receiving a \$2,500 scholarship.



Associate Lindsay Cullen has been named Top 40 Under 40 by The National Trial Lawyers

Our very own associate, Lindsay Cullen was named Top 40 Under 40 by The National Trial Lawyers. Lindsay has exemplified superior trial results and leadership as a young lawyer under the age of 40. Selection was based on peer nominations combined with third-party research. Lindsay strives to encompass the knowledge, skill, experience and success held by only the best lawyers in America.



“But I Have Full Coverage...”

Whenever we meet with a client who has been injured in an auto accident caused by another’s negligence, one of the first topics we discuss is auto insurance coverage. When we ask the client about his own auto insurance the typical response is “I have full coverage. But the accident wasn’t my fault, so why does that matter?” Said aloud full coverage conveys a sense of comfort, protection and security. But what does it really mean? Does it really exist? And what exactly does it cover?

Many motorists mistakenly think they are fully covered on their automobile when they have the basics: bodily injury liability, property damage and sometimes collision and comprehensive coverage. Nevada law requires every driver to carry auto insurance coverage of a minimum of \$15,000 per person/\$30,000 per accident for bodily injury and \$10,000 per accident for property damage. These amounts are commonly referred to as 15/30/10. If you were injured by a driver deemed at fault who carried a minimum policy then the policy would pay up to \$15,000.00 for your bodily injury claim and up to \$10,000.00 for the property damage to your vehicle. But what if your damages exceed the at-fault driver’s minimum policy limits? Or worse...what if the driver deemed at fault has no insurance coverage?

Enter your auto insurance policy. Nevada law does not require motorists to carry uninsured motorist coverage, underinsured motorist coverage or medical payments coverage (to name a few- contact your auto insurance company for a complete list of available optional coverages). Instead, the law simply requires insurance companies to offer these optional coverages for purchase. Often time motorists decline or reject these coverages because they are unsure of their purpose and/or are interested in keeping their premiums low. But perhaps it is time to rethink the necessity of those optional coverages.

So back to your auto accident. Your vehicle was rear ended by another driver and you suffered serious bodily injuries. The driver has a minimum auto policy and your medical expenses exceed the driver’s policy limits. If you have a policy of underinsured motorist coverage on your auto insurance policy then you could make a claim on your own auto insurance for those benefits. Underinsured

motorist coverage becomes effective if the at fault driver’s insurance limits are not high enough to cover your injuries or damages from the accident. You could potentially recover up to your limits of underinsured motorist coverage.

But what if the at fault driver had no insurance at the time of the accident? If you have a policy of uninsured motorist coverage on your auto insurance policy then you could make a claim on your own insurance for those benefits. Uninsured motorist coverage becomes effective if the at fault driver has no insurance to cover your injuries and damages. You could potentially recover up to your limits of uninsured motorist coverage.

Another very important coverage is medical payments coverage, or “med pay” as it is commonly referred. Medical payments coverage can be used to cover your medical expenses incurred as a result of a car accident, regardless of fault. It can also be used to cover medical expenses when you are in another person’s vehicle or if you are a pedestrian and struck by a vehicle. Additionally, medical payments coverage will cover any passengers in your vehicle or any family members who are driving your insured vehicle at the time of the accident. Motorists often believe that if they have health insurance they do not need medical payments coverage. However, medical payments coverage can be used in addition to your health insurance for medical expenses you incur as a result of an auto accident.

Unfortunately there is no such thing as “full coverage”- it is a fiction. What one person may think best suits his or her needs for auto protection may not be the same for another person. There are many coverage options available, and each should be explored. You need to pick the coverages that give you peace of mind and provide you the greatest protection, even if it means an increase in your premium.

All too often we see clients who have been involved in an accident caused by a driver with minimum limits, have sustained serious injuries that exceed those limits, and have no underinsured motorist coverage or medical payments coverage on their policies. And again we hear: “But we have full coverage”. Don’t let it be you. Be informed and protect yourself.

*Be informed and
protect yourself.*



Learning From the McDonald's “McLawsuit”

Over 20 years ago, on February 27 1992, 79 year old Stella Liebeck ordered and received a \$0.49 cup of coffee from a McDonald’s drive-thru – and it was an event that would change the landscape of product liability lawsuits forever.

While the case was touted by some (such as [ABC News](#)) as “the poster child of excessive lawsuits”, there are several pertinent lessons that each of us can learn from this case in which an inexpensive hot cup of coffee caused a woman to sustain third degree burns, and to receive compensation of well over half a million of dollars.



Know Your Rights

As much as the media referred to this case as “frivolous” or even downright “ridiculous”, the fact is that Mrs. Liebeck had every right to bring her injury to court, because of three important failings by the fast food company:

- Negligent design
- Negligent manufacturing
- Failure to warn

The poor design and manufacturing of the cup caused the hot coffee to spill and soak through Mrs Liebeck’s sweatpants, which then resulted

in severe burns. While some scoff at the fact that Mrs Liebeck wasn’t “warned” about how hot the coffee was, the truth is that a hot cup of McDonald’s coffee is significantly hotter than your standard cup o’ joe, ranging anywhere from 180-190 degrees (Liebeck’s attorney argued that coffee should never be hotter than 140 degrees.

Don’t Suffer in Silence



It is important to understand that you should not suffer a personal injury that has resulted from a faulty product. What may be a seemingly minor injury at the time could cause long term problems and incapacity – and you should be compensated for your pain, suffering, and lost income.

The attorneys at Benson, Bertoldo, Baker & Carter have decades of experience in handling personal liability claims, including those surrounding product liability issues – we understand what it means to suffer because of another organization’s negligence.

We fight for our clients to ensure they receive the compensation they deserve for the damages they’ve suffered. If you’re in Nevada and have sustained an injury because of an ineffective or harmful product, contact us today for a free initial consultation at 702-800-0000.