

From

January 2, 2019

Mr./Ms. (Claims Adjuster)
ABCD Company
P.O. Box _____

Re: My Client: ZZZZ
Your Insured: XXXX
Your Claim No: _____
Date of Accident: MM/DD/YYYY

Dear Mr./Ms. (Claims Adjuster),

As you are aware, this office represents ZZZZ in connection with the injuries sustained in the above-mentioned incident claim.

This letter is an attempt to negotiate an amicable resolution. Therefore, the following is a brief summary of the facts and damages involved.

LIABILITY

On or about March 18, 2015, at approximately 10:30 AM, ZZZZ was the restrained operator of a motor vehicle(year/make/model) (Vehicle No. _____) was traveling southbound on Haverhill Road, near Nash Trail, in Palm Beach, Florida. XXXX operating another motor vehicle(year/make/model) (Vehicle No. _____) in the same direction behind Our Client's vehicle failed to notice my client's slowing vehicle and rear-ended it. As a result, Your Insured driver rear-ended our client's vehicle and pushed it into another vehicle in the front causing damage to both front and back end of our client's vehicle. Our Client's vehicle sustained EXTENSIVE rear and front DAMAGE exorbitantly amounting to \$_____.

As a result of this incident, ZZZZ sustained injuries that have required ongoing medical treatment. Enclosed please find copies of medical records and itemized bills delineating the injuries he sustained as a direct result of this incident.

TREATMENT

On March 18, 2015, ZZZZ was transferred via ambulance with precautions to the emergency department at XYZ Medical Center for the injuries sustained in the incident. He complained of mild constant generalized throbbing headache along with bilateral neck pain and stiffness. He had a prior history of nasal septum surgery. Following complete physical examination, ZZZZ was diagnosed with concussion. He was given prescriptions for Tylenol and Ibuprofen. He was instructed to apply ice over the affected areas. He was given a work note to stay off from work from March 18, 2015 to March 19, 2015. ZZZZ was advised to follow up with his primary care physician, if his symptoms persisted.

On March 30, 2015, ZZZZ presented to ABC General Hospital for complaints of some ear ringing and neck pain. He had bilateral posterior neck pain along with stiffness. Upon examination, ZZZZ was assessed with head injury and neck spasm. He was given prescriptions for Naproxen and Flexeril. He was recommended application of heat over the affected areas, massage and stretches. ZZZZ was advised to return to the clinic, in case of worsening symptoms.

On April 11, 2015, ZZZZ presented to ABC General Hospital for complaints of left shoulder discomfort along with tingling/numbness going down his left arm. The pain symptoms occurred on looking to the left and with abduction of his left shoulder. Upon examination, ZZZZ was assessed with cervical strain. He was given prescriptions for increased BID dosing of Flexeril and Naproxen. He was recommended stretching, massage, Ben Gay and application of ice/heat over his left trapezius/shoulder. ZZZZ was advised to return to the clinic, if his symptoms persisted.

On June 17, 2015, ZZZZ returned to ABC General Hospital for complaints of left medial elbow discomfort along with tenderness. He also complained of some discomfort and stiffness in his neck on looking to the left/right. The X-rays of his cervical spine dated 2005 were reviewed. Upon examination, ZZZZ was assessed with neck pain and left elbow pain. He was given a prescription for Aleve. He was recommended X-rays of his neck and left elbow. He was instructed to apply ice over the affected areas. ZZZZ was advised to return to the clinic, on as needed basis.

On June 19, 2015, ZZZZ returned to ABC General Hospital for X-rays of his cervical spine and left elbow. The X-rays of his cervical spine revealed maximal degenerative changes at C6-C7. The X-ray of his left elbow revealed no significant finding.

On September 3, 2015, ZZZZ returned to ABC General Hospital for CT of his facial bones. The study was unremarkable for any significant finding.

On September 29, 2015, ZZZZ followed up at ABC General Hospital for complaints of fairly severe blur and tiredness up close when reading, aggravated by the aforementioned incident. He had a prior history of blur and tiredness on reading one to two years prior to the presentation. He also had a history of several instances of being hit in the eye many years ago that required

stitches. Upon examination, ZZZZ was diagnosed with low hyperopia oculus uterque with early presbyopia/Pingueculae oculus uterque/trace Meibomian Gland Dysfunction with mild lid hyperemia oculus uterque due to history of concussion and ocular trauma oculus uterque. Reading glasses were ordered. He was given Non-Visual Object treatment. ZZZZ was advised to return to the clinic, if his symptoms worsened.

On October 22, 2015, ZZZZ presented to ABC General Hospital for evaluation and to begin a course of physical therapy treatments. Following a series of tests and complete physical examination, ZZZZ was diagnosed with cervical strain and degenerative disc disease. He was recommended physical therapy treatments. A treatment plan consisting of manual therapy, neuromuscular reeducation, and home exercise program was devised to get ZZZZ back to her pre-accident status. ZZZZ received two sessions of physical therapy on October 22, 2015 and November 2, 2015.

On November 22, 2015, ZZZZ presented to the emergency department at ABC General Hospital. The X-ray of his chest was ordered and performed. He was given prescriptions for Ibuprofen and Acetaminophen.

FUTURE MEDICAL EXPENSES

ZZZZ was ___ years old at the time of the collision, and he has been suffering for over a year now. His life expectancy is ___ years, from the time of the collision. He had undergone treatment from March YYYY.

If he continues to suffer persistent pain in spite of physical therapy, he is likely to require analgesics, anti-inflammatories, muscle relaxants prescribed by his physician. He will also require ___ consultations and follow-up visits. Diagnostic studies will be required to assess his prognosis.

Total future medical expenses for the next ___months/ years will exceed \$_____.

At this time ZZZZ has medical specials in the amount of **\$4,719.21** and expects future medicals to be approximately \$_____.

DISABILITY AND LOST WORK

ZZZZ works at _____

As a result of this incident, ZZZZ **was totally disabled from March 18, 2015 to March 19, 2015 (a period of 2 days) and partially disabled from March 20, 2015 to November 22, 2015(a period of 35 weeks and 3 days).** Total disability includes a modification of work duties, daily activities, and any other activities that may aggravate or reproduce one's symptoms. As a result of this accident, ZZZZ **incurred medical bills in the amount of \$9,189.65** and continues to experience residual pain to date and continuing.

Please be advised that this incident has been extremely traumatic for ZZZZ. In addition to being unable to complete his daily activities without pain and discomfort for approximately 36 weeks, his work life and daily reading are affected. Also, ZZZZ is unable to restart a prior exercise regime/kickboxing, and continues to experience pain in his neck along with anxiety/hypertension, which he did not experience prior to the incident on March 18, YYYY.

As a result of the incident, ZZZZ missed 1 day's worth of time at work on MM/DD/YYYY in the amount of \$ 626.00.

DAMAGES - INJURY

ZZZZ's past general damages are determined by the nature, extent and duration of his injury. Considering the extent and duration of his injuries, the total injury damages equal \$____. ZZZZ's claim for past and general damages is based on similar insurance settlements and jury awards within his jurisdiction, and is very reasonable considering the loss of enjoyment of life that he has suffered and may continue to suffer for the rest of his life.

Damages – Pain, Suffering and Mental Anguish

As a result of the incident, ZZZZ has had to experience a daily routine of waking up and not knowing how he would feel or what he might be able to do physically. His injuries have forced him to forgo hobbies, and he has had to rely on the help of his family to handle a significant portion of his personal responsibilities. This not only caused him daily pain and suffering, but it also wreaked havoc to his personal and professional life.

If the collision had not happened, he could have saved his resources and time for better purposes, instead of vainly spending them on medical treatment.

Overall, the collision on March 18, YYYY has significantly impacted ZZZZ's life and will continue to hamper him for the rest of his life. His future loss of income is at a minimum of \$____ per year for __ years, equaling \$____.

ZZZZ damages for pain, suffering and mental anguish are \$_____.

CONCLUSION

ZZZZ claims total compensation in the amount of \$_____ to make him whole for the damages he has sustained as a result of the negligence on behalf of your insured. A summary of ZZZZ's damages are as follows:

ZZZZ's SUMMARY OF DAMAGES

Past MedicalExpenses : \$4,719.21

Future Medical Expenses : \$ _____
Past Loss of Income : \$626.00
Future Loss of Income : \$ _____
Past Pain & Suffering,
Loss of Activities and Life Impact : \$ _____
Future Pain & Suffering,
Loss of Activities, Life Impact : \$ _____
Loss of Consortium : \$ _____

Total Damages : \$ _____

Our firm has consulted with ZZZZ, reviewed his medical bills, records, and other evidence. In light of ZZZZ's pain and continuing suffering, disability period, medical expenses and other constraints this incident has had on his daily life, we hereby make a demand in the amount of \$ _____.

We look forward to speaking with you once you have had the opportunity to review the enclosed documents. Please respond on or before _____, YYYY.

Please feel free to contact me if you have any questions or concerns. Thank you for your attention in this matter.

Respectfully,