

### In This Issue

<b>What Does My Love of Baseball Have To Do With Disability Law?</b>	<b>1</b>
<b>Memorial Day Remembrance</b>	<b>1</b>
<b>Now That Is Advice! Auto Insurance—and Supplemental Uninsured/Underinsured Motorist (SUM) Coverage</b>	<b>2</b>
<b>Save the Date—Upcoming FREE Social Security Disability Seminar</b>	<b>2</b>
<b>Baseball Trivia</b>	<b>2</b>
<b>We've Renamed our Newsletter</b>	<b>3</b>
<b>Meet the Team</b>	<b>3</b>
<b>Spring Cleaning</b>	<b>3</b>
<b>Suffering from Spring Allergies</b>	<b>3</b>
<b>Stay Tuned—Blog Talk Radio Series</b>	<b>3</b>
<b>Ask the Attorney</b>	<b>4</b>



## What Does My Love of Baseball Have To Do With Disability Law?

Yup, its that time of year again, baseball season. For some reason I am particularly excited this year, more so than usual. This is perhaps because I became a baseball fan later in life (not as late as my Grandmother, who at 93 has been an avid Phillies fan since at least the age of 85!). I played Little League as a kid and vaguely recall the winning season on the Beck Barn Swallows (now that's a minor league name if I ever heard one!). However, as a father of four I've had the opportunity to do my fair share of coaching, watching and learning. When you try to teach someone something, good intentions only go so far, and then you either have to sit back and let someone else do it, or learn it yourself and help teach them. And then the results will amaze you. My youngest (at nine) is our house fanatic and has helped me as much as I have helped him. I may be able to explain and teach a two seam fast ball and the idea of a 6-4-3 double play (shortstop second base to first base!), but he keeps me up to date of statistics and

trends and guess what, I've been able to use those in business conversations – my very own "behind the scenes" sports staff. All of the above is just really the results of getting interested in something, starting to study or learn more about it, surrounding myself with those who certainly know more or have a different view on things and that leads to something pretty simple – really enjoying watching, playing and teaching baseball. And, you ask, what does this have to do with a "disability lawyer" – pretty simple – looking at the game of baseball, learning it from a different angle, trying to teach its lessons to others is nothing more than what I do, and any professional should do too – look at the "situation", explain and guide your client, listen and learn from your client and move forward to try to "win" the game. Baseball really does have it all. The strategy, the tactics, the details, the big picture – while I certainly am not that good of a player I think I could be a great manager – perhaps a "legal manager" in the world of disability claims! Play Ball!!!!



### On Memorial Day....

*Remembering Those That Served to  
Protect our Country and  
Honoring Those Serving Today*

**You asked for information— we got it!**

**Check out the disability specialists at**

**[www.markhofflaw.com](http://www.markhofflaw.com)**

## Now That is Advice!

# Auto Insurance—and Supplemental Uninsured/ Underinsured Motorist (SUM) Coverage

As the old saying goes “if I knew then what I know now...” and you can fill in the blanks.

Well, don't say that when dealing with your automobile insurance. There is a portion of every New York policy (and many other states) known as SUM for supplemental uninsured/underinsured motorist insurance. And from my experience (as a lawyer not driver) it is a crucial and too often overlooked part of the insurance policy.

Simply stated – this part of your policy supplements or pays you when the person who hit you and caused the wreck did not have insurance or had too little. Believe it or not, in New York the minimum required insurance is \$25,000.00.

Imagine, being struck by another car crossing the yellow line, ending up in the hospital, having a broken leg and

missing six months from work – and the most you can sue the other person for is \$25,000! Its not fair! And you are right. But the solution is to have enough SUM coverage (see – this is where it supplements or adds to the basic coverage).

Here is how it would normally work:

1. You collect against the minimum coverage from the tortfeasor (fancy word for the guy or gal who caused the accident).
2. You make a claim against your own policy (strict time rules here so ask your attorney!).
3. If your SUM coverage amount is greater than the underlying amount, you can potentially collect the difference above the basic amount and if the underlying amount is \$0 you can collect from dollar one.

Sample: Bad driver has a policy of \$25,000.00. You had a good insurance broker and bought \$100,000 in SUM coverage. Bad driver crosses a yellow line while on his cell phone and hits you, causing \$100,000.00 in damages and pain and suffering. You sue to recover and pay your bills. You could collect \$25,000 from bad driver, and then have your own insurance company pay you up to \$75,000 additional for a total of \$100,000.

Warning! If you get the minimum amount of SUM (25,000) and the bad driver has the minimum amount of liability (25,000) you can ONLY collect the first 25K from the bad driver. You need to have an amount of SUM that exceeds the underlying amount of insurance!

### Save the Date

**Learn How to Obtain  
Social Security  
Disability Benefits**

**May 25 7:00—9:00 pm**

Community Medical  
1963 Grand Concourse  
Bronx, NY

**Register  
Today!**

Call 718-  
509-9596



## Baseball Trivia

Which player has the highest lifetime batting average of .367?

*Ty Cobb*

Which player hit the first major league triple in 1876?

*Levi Meyerle*

Who was the first athlete to compete in The World Series and The Super Bowl?

*Deion Sanders*

Who was the 17 year old baseball star that struck out fifteen batters in the first show of the major leagues in 1936?

*Bob Feller*



Who pitched for the Rangers while studying medicine off-season and was able to save a fan's life when the man had a heart attack?

*Doc Medich*

Which player had the longest career in baseball history that lasted from 1966 to 1993 and carried him through four teams where he struck out the most batters by sneaking balls past 5714 players?

*Nolan Ryan*

# We've Renamed our Newsletter



It's Official.....

**M&M News is now Disability News**  
**Your One Stop for Injury and Disability News**  
 (and some fun stuff, too!).

We wanted the name to really reflect who we are and what we do. As always, please let us know if there is anything you'd like to see addressed in future issues. Email your suggestions to JFogelson@markhofflaw.com.



## Suffering from Spring Allergies?

**Try These Remedies Instead of—Or in Addition To—Taking an Antihistamine**

- Do a thorough spring cleaning
- Stay indoors as much as possible when pollen counts are high
- Vacuum and dust in your home, or work area, frequently
- Don't hang clothes outside to dry; clothes can collect pollen
- Use saline nasal spray regularly
- Drink lots of water
- Eat honey—this is a new one but certainly worth a try!
- Keep car windows closed; use air conditioning and point vents away from your face
- Wash bedding weekly in HOT water
- Enjoy a cup of chamomile or peppermint tea before going to sleep

## Meet the Team.....Maryann Garcia

I have been a receptionist at M&M for 4 years and it makes my day when I hear one of the clients tell me how happy I sound over the phone or that they love how I answer the phone.

I was born and raised in the Bronx and continue to reside there. I have two children. My son, David Jr., is 13 years old and is currently in the 8<sup>th</sup> grade. I am proud to say he is in the honor society, captain of his wrestling team and plays short stop for the local little league team. My daughter, Crystal, is 9 years old and is currently in the 4<sup>th</sup> grade. She plays softball and soccer and participates in the student organization and in the running club at school. My husband,

David, enjoys going fishing and being outdoors. When I am not at work, I enjoy spending quality time with my family at one of my kids sporting events, going to dinner, picnics or going on a nice vacation.

Overall, although pretty demanding at times my experience at M&M has been very good.



Maryann tells us about herself and her family. Thanks for sharing, Maryann!

## Spring Cleaning—

## A Great Opportunity to Find Old Pictures.....



## He REALLY Does Love Baseball.....

Managing Partner, Brian Mittman, with his wife, Stefanie Mittman — Neighborhood Halloween Celebration, October 2008

## Stay Tuned.....

### Blog Talk Radio Series

To listen to the series, visit our website at [www.markhofflaw.com](http://www.markhofflaw.com) and click on the BlogTalkRadio box on our home page.

**May 5th**.....8:00—8:15 pm

**3 Huge Factors in Every Case**

**May 12th**.....8:00—8:15 pm

**Social Security Disability vs. Social Security Retirement**



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## Ask the Attorney



**Brian M. Mittman,  
Attorney At Law**

### **Question: What Is A Schedule Loss of Use Award?**

**Answer:** In Workers Compensation, a schedule loss of use award is an award that determines the amount of money you will receive based on the loss of use (such as a restricted range of motion) you have to a specific injured body part (usually limbs/digits).

This percentage is determined by medical evidence such as treating doctors' report and the Independent Medical Examiners report, if any. The "schedule" is a determination made by the legislature as to what a specific body part is worth. Currently, for example, a 100% Schedule to your arm is worth 312 weeks of compensation. If your doctor says you have a 10% Schedule of your arm then it is worth only 31.2 weeks!

Your weekly earnings determine the "rate" of your benefit which is then multiplied by the percentage of loss schedule to give you a monetary figure. What is good about such awards are that you could potentially receive money for a permanent injury even if you had a short amount of time out of work!

**You asked for information— we got it!  
Check out the disability specialists at  
www.markhofflaw.com**