



SPRING 2007

Lewis & Tompkins, P.C.
Trial Attorneys

Harry C. Lewis
Sharon Lewis Tompkins
David Errol Tompkins

927 15th Street NW

9th Floor

Washington, D.C. 20005

202-296-0666

FAX: 202-371-9228

email:

info@lewisandtompkins.com

Web site:

www.lewisandtompkins.com

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- Personal injury practice
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LEWIS & TOMPKINS, P.C.

ATTORNEYS AT LAW



More accolades for Lewis & Tompkins, P.C., in 2006!

The attorneys at **Lewis & Tompkins, P.C.**, continue to be recognized for our outstanding legal ability by our clients, fellow attorneys, and judges. This year, the firm was again recognized by the Bar Register of Preeminent Lawyers for personal injury litigation and civil litigation. We are one of the top-six firms in the entire metro D.C. area—including the “big guy” TV lawyer firms. David Tompkins was rated by Martindale-Hubbell for his legal ability and ethical standards. These ratings come from our peers—other attorneys and judges who have seen us in practice!

Lewis & Tompkins, P.C., was also selected for the LawInfo™ Lead Counsel program. To earn a Lead Counsel designation, an attorney must receive multiple peer recommendations advocating his or her inclusion into the program. Each attorney must be experienced, committed to his or her area of practice, and have a spotless ethical record. Nearly all Internet searchers recommend a Lead Counsel-rated attorney. Check out our listing at www.lewisandtompkins.com and search for a personal injury attorney in Washington, D.C., Maryland, or Virginia.



LAWINFO.COM

WE HAVE MOVED

After almost 40 years in the same building, we have been forced to relocate due to the construction in our building. We have moved exactly one block! Our new address is **927 15th Street NW, 9th Floor, Washington, D.C. 20005**. Our phone numbers and e-mail address are still the same. We look forward to representing you, your family, and friends for another 40 years at our new location!

Referrals

We are proud of the fact that we continue to receive our cases by referrals.

We continue to provide a “thank you for the referral” gift of **\$200 for each person you refer to our office.**

It is our way of showing you our appreciation for remembering our firm.

Protecting your family's health and safety.

Lawsuit-damages BASICS

There are two kinds of lawsuit damages:

■ **Compensatory damages** pay the injured party for harm or loss. Compensatory damages come in two forms:

- *Economic damages* compensate for losses easy to calculate monetarily. These may include lost wages, car repairs, medical treatment, or hospital care, for example.

- *Noneconomic damages* recompense for actual injuries and losses harder to quantify in dollars. Included here are equally important “quality of life” damages, such as compensation for severely injured patients who are paralyzed and can’t use the bathroom without assistance, or a child who is brain damaged and will never have a chance to attend school, get married, or work.

■ **Punitive damages** are awarded by juries to victims specifically to punish defendants for willfully malicious, wrongful acts that go beyond mere negligence, and to deter bad behavior. Examples might include a business committing fraud or a corporation knowingly placing a defective product on the market. Juries award punitive damages very rarely, in only about three percent of cases.



Drunk-driver accident victims

U.S. transportation authorities claim that motor vehicle accidents involving alcohol kill one victim every 30 minutes. Alcohol-related accidents also seriously injure other victims every two minutes. Annually, more than a million Americans and their families suffer at the hands of drivers who are impaired by alcohol.

Anyone injured in an alcohol-related auto accident should seek the counsel of an experienced attorney to obtain compensation for medical treatment, lost income, emotional distress, and other damages.

Third-party responsibility

In addition to seeking recompense from negligent drivers and their insurance providers, personal injury attorneys may also uncover liability of third parties, such as restaurants and other establishments that serve or sell alcohol.

A drunk driver ran a stop sign, collided with another vehicle, and killed its driver. When the victim’s wife and estate sued for wrongful death and emotional distress, the plaintiff’s attorney also made a claim against a nightclub that served the drunk driver alcohol immediately before the accident. The parties settled before trial.

Damages limitations

Can lawsuit damages caps harm those injured? Damages-cap legislation restricts amounts a jury can award for injuries, no matter what case facts may be. Some state legislatures have enacted caps in civil cases, while others have not. Some caps apply to specific kinds of cases, such as medical malpractice. Other caps limit only noneconomic damages, and some limit punitive damages.

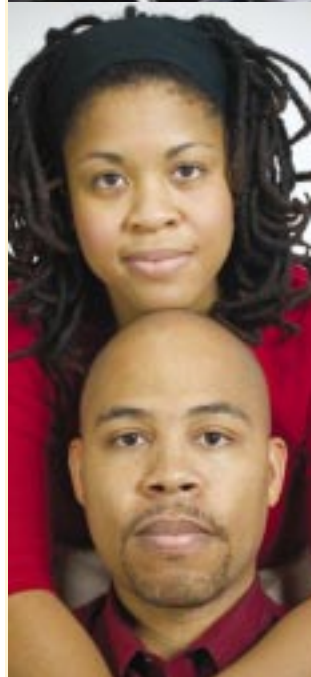
In states that cap damages, a jury’s or judge’s award is automatically reduced to the amount of the cap—even though the jury or judge may believe the plaintiff should be awarded more than the cap as compensation, or even if the circumstances of the case show that a negligent or malicious defendant should be punished with a significant punitive-damages award. There is generally no way to raise a damages award beyond the cap once it is written into law.

Here is an example of how a cap of \$250,000 on noneconomic damages may be incredibly unfair to some victims.

Who is harmed	The victim’s injuries or losses	The amount the jury originally believed should be awarded	The amount the victim is awarded based on the legislature’s cap
VICTIM A	After being hit by a drunk driver, the victim’s car caught fire. Her husband (a passenger) was killed, she was burned and left disfigured, and lost the use of her right arm. She was a homemaker and can no longer work.	\$1.2 million noneconomic damages	\$250,000 noneconomic damages
VICTIM B	After being hit by a drunk driver, this victim suffered two broken legs, had to have surgery to repair them, and was forced to wear a full body cast for two months.	\$250,000 noneconomic damages	\$250,000 noneconomic damages

VICTIM A, who suffered worse injuries than VICTIM B, nonetheless takes home the same compensation for her losses as VICTIM B. Even though the jury thought VICTIM A deserved far more compensation, the jury’s judgment was overruled by a cap put in place by the legislature long before VICTIM A’s case ever arose.

IF YOU ARE INJURED...



If you, a relative, friend, or associate is injured by another's negligence, you can use this form to obtain a free and quick preliminary review of your personal injury claim. Fill it in thoughtfully and thoroughly, and return it to our office.

It's important to act right away. The sooner a victim can bring their personal injury case to us, the better the chances are that our firm can help with it. Facts and fine points critical to a personal injury claim become less clear over time. Physical evidence of an injury may also be missed, change, or disappear. Witnesses may be lost.

Even though most personal injuries result from automobile accidents, anyone may be harmed through the negligence of physicians, defective products, or poorly maintained places of business.

If your injury resulted from another's negligence, please provide the following information:

Details and specifics

Name _____

Address _____

E-mail _____

Phone _____ Fax _____

Injury date _____ Injured person _____

If you use this form to report injury to another, what is your relationship to the injured person? _____

Place where injury occurred _____

Exactly what happened? _____

Doctors, hospitals, or other health-care providers involved _____

Insurance companies involved _____

If injured in an auto accident, was a ticket issued? _____

Return the form

For a prompt response, fax the form to **202-371-9228** or phone us at **202-296-0666**. You can also mail the form to **Lewis & Tompkins, P.C., 927 15th Street NW, 9th Floor, Washington, D.C. 20005**.

Information provided using this form will be kept highly confidential. However, submission does not establish an attorney-client relationship. That occurs only after you agree to hire us and we agree to accept your case.

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RETURN SERVICE REQUESTED

REFERRALS

We want you to think of **Lewis & Tompkins, P.C.**, as your family law firm.

If you have a legal matter that needs attention, please let us know. If we cannot handle a matter, we can refer you to a competent firm that can. Please do not rely on the phone book for a decision as important as who to hire as your attorney.

Please feel free to refer us to your family, friends, and neighbors for their legal needs. We welcome the opportunity to help. We will give you a referral fee of **\$200** for any referral we accept that you send.

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LEWIS & TOMPKINS, P.C. ATTORNEYS AT LAW



Former President Clinton rubs shoulders with our own David Errol Tompkins and Sharon Lewis Tompkins.



This suave creature is bug-eyed for Sharon.

Auto insurer tactics

Insurers are profitable because they increase premiums and deductibles, and then reduce liability coverages whenever they can. Many drivers report abusive and unfair behavior by insurance companies.

Pressure to settle

A woman sustained lifelong, debilitating injuries as a result of an auto accident. The at-fault driver's insurance company tried to pressure her into a speedy, unfair settlement. Incredibly, when she refused, insurance company representatives demanded money from her for the driver who caused the accident. If she disagreed, they threatened to ruin her credit!

Silence from adjusters

A driver didn't hear from an insurance adjuster until two months after a wreck in which she was seriously injured and not at fault. She tried to settle her claim for the amount of her expenses, but was refused. With bills piling up and creditors calling, she finally settled her claim after a year of battling the at-fault insurance company. She was still forced to pay \$2,500 out of her own pocket for damages.