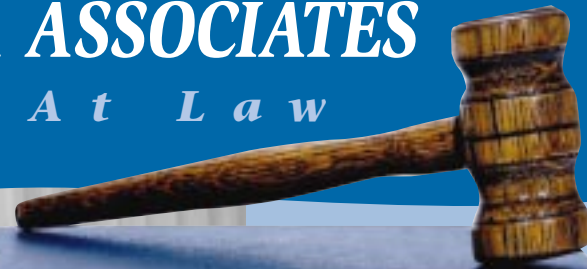


MARK GODBEY & ASSOCIATES

Attorneys At Law

SPRING
2010



If you need our services, please contact us at...

513-241-6650

www.GodbeyLaw.com

AREAS OF PRACTICE

- Personal Injury
- Family Law
- Bankruptcy
- Wills and Trusts
- Probate
- Criminal/Traffic
- Real Estate
- Small Business Representation

Auto accidents



Seven slip-ups

Time and experience have shown that drivers can make seven mistakes that forfeit rights and limit opportunities for fair restitution in auto accidents:

- 1. Failing to call the police.** Without an official police accident record, it is, unfortunately, one driver's word against the other's about what happened. All claims bear equal weight.
- 2. Consenting to working out auto-damage repairs and medical-injury care with a trust-ing handshake.** People change their minds and tell different stories.
- 3. Declining an immediate checkup and ongoing medical assistance.** A neck that starts hurting a week after the collision is harder to justify. Also, insurance companies often counter that delayed pain may come from an existing condition or an earlier or subsequent occurrence.
- 4. Failing to collect or exchange information with other drivers, passengers, or eyewitnesses.** The document trail of evidence and statements can make or break a claim.
- 5. Forgetting to notify your insurance company.** You paid the insurance premiums, but by forgetting to call, you may incur out-of-pocket costs that the insurer should cover.
- 6. Saying "It was my fault."** Be fair to yourself. This accident may really not have been your responsibility.
- 7. Not consulting an attorney.** It's often said, "He who defends himself is foolish." Omitting legal representation cedes your rights to the other driver's insurance company.

Attorney Mark Godbey named to Million Dollar Advocates Forum

The Million Dollar Advocates Forum is pleased to announce that attorney Mark Edward Godbey of Cincinnati, Ohio, has been certified as a member.

The Million Dollar Advocates Forum is recognized as one of the most prestigious groups of trial lawyers in the United States. Membership is limited to attorneys who have won million- and multimillion-dollar verdicts, awards, and settlements. The organization was founded in 1993, and there are approximately 3,000 members located throughout the country. Fewer than 1 percent of U.S. lawyers are members. Forum membership acknowledges excellence in advocacy and provides members with a national network of experienced colleagues for professional referral and information exchange in major cases. Members must have acted as principal counsel in at least one case in which their client has received a verdict, award, or settlement in the amount of one million dollars or more. Please see our Web site, www.MillionDollarAdvocates.com, for further details concerning membership qualifications.

Mr. Godbey is a graduate of the University of Akron School of Law. He has a general practice law firm with a focus on plaintiff personal injury representation and debtor bankruptcy work.

Lower your insurance costs

Here are nine more ways to reduce your auto insurance premiums:

1. Drive carefully.
2. Purchase a safe vehicle that costs less to insure.
3. Maintain the vehicle's safety.
4. Increase deductibles.
5. Reduce older car coverage.
6. Maintain a good credit rating.
7. Obtain low-mileage discounts.
8. Investigate group insurance plans.
9. Seek other discounts.

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To enable us to communicate more easily with you, please send your e-mail address to us at mark@GodbeyLaw.com

Medical D E B T

A growing concern

Medical debt can devastate an American family that suffers a serious illness.

Information from a 2009 *American Journal of Medicine* study shows that...

- four in five Americans in medical debt have health insurance;
- the average medical debt of health-insureds who suffer a major illness is \$18,000;
- those without health insurance had an average medical debt of nearly \$27,000;
- medical debt is tied to 6 of every 10 personal bankruptcies.



Here are six strategies for dealing with medical debt:

1. Develop a plan to pay or settle. Never ignore bills.
2. Search for billing errors and have bills adjusted.
3. Negotiate costs with doctors and hospitals.
4. Seek financial assistance from nonprofits, but be careful about for-fee services.
5. Work out a multiyear payment plan.
6. Obtain legal counsel for debt resolution or bankruptcy counsel if debt is overwhelming.

Watch out for fraudulent "FORECLOSURE RESCUERS"

By Mark E. Godbey

Recently, Robert E. Power Jr., a self-proclaimed foreclosure rescuer, pleaded guilty in federal court to bankruptcy fraud. His company, Yorkshire Financial Services, was targeting homeowners at risk for foreclosure. Yorkshire represented that they could negotiate new mortgages for the homeowners or arrange for refinancing. In exchange for their services, Yorkshire had the homeowners transfer their homes to Yorkshire.

Properties transferred to Yorkshire were then placed into bankruptcy without the homeowners' knowledge. Eventually, the homes were foreclosed upon by the bank anyway, or sold through straw buyers via fraudulent loans, whereby Powers would receive cash from the sales. The homeowners lost their homes while Powers gained a profit from the fraudulent activity.

WARNING: Beware of companies who say they can get you out of debt, refinance your mortgage, or stop a foreclosure. Despite what you hear and read, getting out of a foreclosure situation is not easy. If it sounds too good to be true, it probably is.

At **Mark Godbey & Associates**, we have been helping people in Greater Cincinnati, Dayton, and Northern Kentucky with home-foreclosure problems for over 20 years. Our bankruptcy attorneys will give you the correct legal advice about your rights when dealing with foreclosure. If you decide to file a Chapter 7 or Chapter 13 bankruptcy, protection from foreclosure is a guarantee, not just a possibility. Often, a bankruptcy is not necessary, but when it is, we can assure you that it is legitimate and will be done correctly, giving you the protection of the Federal Bankruptcy Court. For more information, visit our Web site at www.GodbeyLaw.com. To schedule a free consultation, call us at **513-241-6650**.





Bankruptcy

In today's economy, many Americans are facing financial challenges due to circumstances over which they have no control. More and more are losing employment because businesses have cut back operations or shut down due to credit issues or low sales. A sudden illness and unexpected medical bills can place a catastrophic strain on a family.

Whatever you do, don't let the guilt or shame of considering bankruptcy prevent you from solving your problems and moving ahead with your life.

Contact an experienced bankruptcy attorney for help with:

- Chapter 7 bankruptcy
- Chapter 11 bankruptcy
- Chapter 13 bankruptcy
- Credit problems
- Creditor harassment
- Credit repair and restoration
- Debt collection
- Debt consolidation
- Eviction
- Foreclosure
- Garnishment
- Mortgage problems
- Refinancing
- Repossessions
- Sheriff's sales
- Utilities cutoffs

MORTGAGE FORECLOSURE

Protect yourself

Our nation's housing-market woes include falling home prices, owners missing mortgage payments, and banks seizing and foreclosing on properties.

Anyone can lose a job or become ill and run short of funds for mortgage payments. However, failing to make timely payments may force a lender to repossess and sell a home, and even seek a deficiency judgment.

During our economic downturn, U.S. mortgage foreclosures were at record levels. Worse yet, some homeowners in financial difficulty fell for scams and lost practically everything.

If you are facing foreclosure, get help.

- Contact a lawyer.
- Never sign contracts you do not understand.
- Get all guarantees in writing.
- Avoid any loan assumption or sale contract that fails to release you from your mortgage debt liability.

Mortgage-foreclosure issues are legally complex, so consult an attorney for your unique situation.

Business bankruptcy

Increasing numbers of businesses are facing financial difficulties in a challenging economy marked by credit restrictions and slowing sales. In 2008, 37 public companies with assets greater than \$250 million filed for bankruptcy.

In Chapter 11 or 13 bankruptcies, businesses reorganize to resume profitability or recover sufficiently to be sold. These bankruptcies help owners use freed-up debt-servicing cash to fund operations, get out of arduous contracts or leases, and reduce payment to credit collection.

Under Chapter 7 bankruptcy, a business terminates operations and goes out of business. Appointed trustees liquidate all assets and use cash to pay off debts to investors and creditors.

Advisers often tell businesses facing severe financial difficulties to cut operating costs, keep tax payments current, maintain insurances, and avoid deception in debt disclosure, property transfers, and borrowing, particularly from pension plans.

Bankruptcy issues are legally complex, so consult an attorney for a business's unique situation.



Referrals

We want you to think of us as your law firm.

If you have legal matters that need attention, please let us know. If we cannot handle the matter, we will refer you to a competent firm that can.

Please feel free to refer us to your family, friends, and neighbors for their legal needs. We welcome the opportunity to help.



CALL US. YOU'RE GOING TO FEEL A WHOLE LOT BETTER ABOUT THINGS.

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The information included in this newsletter is not intended as a substitute for professional legal advice. For your specific situation, please consult the appropriate legal professional.

AUTO ACCIDENTS

Continue all therapies

Individuals suffering injuries in auto accidents should continue medical therapies prescribed by their physicians.

Accident victims should obtain required x-rays or diagnostic tests. They ought to report for all prescribed physical therapies. They should take all pain-control and other medications as directed.

Discontinuing medical therapies, no matter how well recovery seems to be progressing, can reduce one's ability to recover for damages. The other driver's insurance company attorneys can claim that a victim's failure to continue treatment demonstrates that his or her injuries were never serious.



Drivers who suffer injuries in auto accidents may forfeit a variety of damages by prematurely ending treatment, including...

- Disability
- Dismemberment
- Emotional distress
- Interference with marital and/or parental relationships
- Loss of opportunity to enjoy life
- Pain and suffering
- Permanent disfigurement
- Wrongful death
- Recovery for special damages, such as medical bills, lost wages, loss of earning potential, and other out-of-pocket expenses.

Auto accidents

Drivers who back up negligently

Each year, thousands of vehicles and pedestrians are struck by negligent drivers backing into parking spaces, leaving driveways, or departing from mall parking lots. For safety, some new cars come equipped with sensors that sound when backing up isn't safe, and onboard cameras and view screens that show drivers what's behind their autos. An attorney experienced with auto accidents can investigate this type of accident to determine how cars were damaged, if there were witnesses, and what speeds were involved to establish liability.

Jumping a curb

A pedestrian was severely injured by a vehicle that negligently backed into traffic, struck an oncoming car, and then overcorrected from the initial collision, sending the vehicle onto the sidewalk. The parties settled for medical and physical therapy expenses.