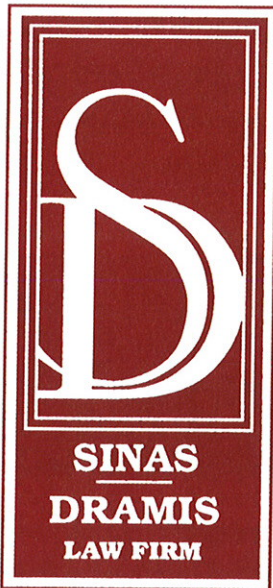


Fall 2007

Law Letter



SINAS, DRAMIS, BRAKE, BOUGHTON & McINTYRE, P.C.

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Lawsuits to Recover No-Fault Benefits Must Be Filed Within One Year If Not, No-Fault Insurers Do Not Have To Pay Them – **NO EXCEPTIONS!**

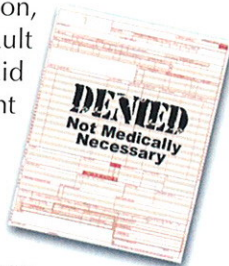
If you are injured in a motor vehicle collision, you may be entitled to recover no-fault PIP benefits, including wage loss, unpaid medical bills, home care, and replacement services.

TO CLAIM NO-FAULT BENEFITS, YOU MUST PUT THE PROPER NO-FAULT INSURER ON NOTICE OF YOUR CLAIM WITHIN ONE YEAR OF THE ACCIDENT.

Typically, an application for no-fault benefits is filed, which describes the accident, your injuries, your treatment, and the losses you have sustained as a result of being injured. It also provides your no-fault insurer with information about who to contact to verify your condition, your lost income and your outstanding medical bills.

After filing the application for no-fault benefits, your no-fault insurer may pay you promptly for your wage loss. If you work a job with a steady paycheck and a regular income, you will likely be paid wage loss soon after you are injured. However, if you are self-employed, work lots of overtime, or hold several jobs, you are unlikely to see any wage loss payments until you have answered more questions from your no-fault insurer. In some cases, an accountant may even be retained to review your income tax returns before you recover any wage loss benefits.

Meanwhile, the clock is ticking on your claim. And, while you are waiting to recover wage loss, the unpaid bills start coming to you. First, the bills come to you from the hospital and from your doctor. Soon, overdue bills are coming to you with warning letters about being sent to collection. Shortly thereafter, you receive a letter from a collection agency threatening to take you to court or ruin your credit.



By the time, you act to correct this situation it may be too late for anyone, even an attorney skilled in handling no-fault benefits claims to help you. **IF YOU WAIT FOR MORE THAN ONE YEAR FROM THE DATE YOU INCUR A MEDICAL BILL, YOU WILL NOT BE ABLE TO RECOVER NO-FAULT BENEFITS TO COMPENSATE YOU FOR THAT BILL, EVEN IF YOU FILE A LAWSUIT AGAINST YOUR NO-FAULT INSURER.**

For example, if you were taken to the emergency room and had surgery on the date of the accident, you must file a lawsuit against your no-fault insurer within one year of the date of the surgery, simply to protect your right to recover no-fault benefits from your insurer for the cost of having that surgery. If you wait until a year and a day after the surgery, you will not be able to recover that unpaid bill from your no-fault insurer even though your insurer owed it under the no-fault act. This is true even if the bill was submitted directly to the no-fault insurer for payment. It is true even if you were completely incapacitated by the accident, for example, by traumatic brain injuries. It is true even if you were a minor at the time of the accident. It is true, even if your no-fault insurer never denied the claim. It is true, even if the adjuster told you he or she was not going to deny the claim.

The Michigan Supreme Court in two significant (and contentious) 4-3 majority rulings has recently clarified for everyone concerned that **ONE YEAR MEANS ONE YEAR!**

YOU WILL LOSE YOUR RIGHT TO RECOVER NO-FAULT BENEFITS IF YOU DO NOT FILE A LAWSUIT WITHIN ONE YEAR OF THE DATE AN EXPENSE IS INCURRED.

See generally, MCL 500.3145(1); *Cameron v Auto Club Ins Ass'n*, 476 Mich 55 (2006); *Devillers v Auto Club Ins Ass'n*, 473 Mich 562 (2005)

In the pursuit of justice since 1951.



Law Firm Works to Protect Kids by Co-Sponsoring 5th Annual Bike Helmet Event

In 2002, almost 300,000 children aged 14 and younger were treated in emergency rooms for bicycle related injuries. In 2003, 622 bicyclists were killed, 21% of those fatalities representing children under the age of 14. Wearing a bicycle helmet can reduce the risk of serious head and brain injury by as much as 85%, according to the bicycle Helmet Safety Institute. Yet only 1 out of 5 children under the age of 14 regularly wears a bicycle helmet. Unfortunately, the message of the importance of bicycle helmets is not getting through to parents, as there are still far too many children who do not wear bike helmets.



In order to do something about this very dangerous situation, the Sinas Dramis Law Firm partnered up five years ago with other concerned community groups to sponsor an annual bike helmet giveaway event officially known as "Heads Up For Safety." In addition to the Sinas Dramis law firm, the co-sponsors of the event this year were the Origami Brain Injury Rehabilitation Program, ABC TV Channel 53, and the Michigan Trial Lawyers Association.



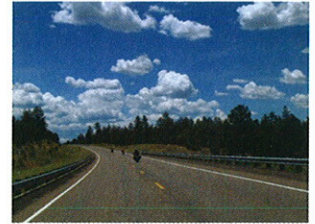
The 5th Annual Heads Up For Safety was held on Saturday, May 19, 2007, at the Marshall Street Fire Station in Lansing. Nearly 500 children were fitted with free bike helmets! Attorneys and staff members from the law firm, as well as volunteers from the other co-sponsors, contributed their time and

energy to help make the event such a huge success. In addition to giving away the free bike helmets, which were donated by the law firm, Heads Up For Safety also gave away eight new children's bicycles, which were donated by the law firm along with Origami and MTLA. During the event, WFMK 99.1 did a live remote radio broadcast from the fire station. ABC TV 53 gave out tickets to a Detroit Lions game. Cottage Inn provided pizza and Origami gave out bottled water to the large crowd on hand.



CAUTION! DRIVER BEWARE!! Road Authorities Have NO Legal Duty to Properly Design Roads or to Maintain Shoulders Adjacent to Roads in a Safe Condition!

As the summer travel season ends, drivers would continue to be well advised to stay off the roads and not just because of high gas prices. Once again, a 4-3 majority of the Michigan Supreme Court has held that the legal duty owed by state and



county road authorities to repair and maintain public roads is very limited. In fact, not only is the legal duty under state law to repair and maintain the roads limited to the actual roadbed surface, it also evidently ends with the designated travel lanes. Although probably contrary to what most drivers would assume to be the case, the majority, which included Justices Robert Young, Steven Markman, Clifford Taylor, and Maura Corrigan, all appointed by former Governor Engler, found that the Michigan Department of Transportation (MDOT) had no legal duty to repair and maintain the shoulder of a public road, because shoulders are not designed for vehicular travel. While the majority acknowledged vehicles do, and sometimes must, travel on the shoulder, they nevertheless concluded that MDOT did not have a legal duty to maintain the shoulder in good condition because, unlike the travel lanes, the shoulder was not designed for vehicles to travel on. Previously, the same four justices concluded state and county road authorities had a legal duty to repair and maintain only the actual roadbed surface. As a consequence, if traffic control devices fail, there is no legal recourse for persons injured as a result of the road authorities' failure to repair them. Similarly, if a road is poorly designed, no civil liability accrues if someone is killed or injured as a result of the roadway being poorly designed. SO DRIVE WITH CAUTION!

See generally, MCL 691.1402(1); *Grimes v MDOT*, 475 Mich 72 (2006); *Nawrocki v MDOT*, 463 Mich 143 (2000).

New Detroit Area Office Opened

The Sinas Dramis Law Firm is pleased to announce opening an office in the Detroit area. The new satellite office is in Troy, Michigan, one half mile east of I-75 in the AT&T Building. The street address for the new office is 100 E. Big Beaver Road, Ste. 108, Troy, MI 48083. Contact information includes the following: Phone: (248) 689-8900 Fax: (248) 689-8977.





People's Law School Resumes Educating Citizens about Legal Rights

Jim Hofer is again serving as the chairperson of the People's Law School, a joint project with the Michigan Trial Lawyers Association and Cooley Law School, which provides free weekly classes on legal topics for interested citizens. The People's Law School will resume classes in September at Cooley Law School in Lansing. Interested persons should contact Jessica Culham at (517) 394-7500.

People's Law School

Time: Wednesdays, 7-9 p.m.

Place: Cooley Law School Auditorium, 6th Floor

9/12	Constitutional Law
9/19	Employment Law (Is Your Job Safe?)
9/26	Estate Planning, Probate and Elder Law
10/3	Real Estate Law
10/10	Michigan Automobile No-Fault Law
10/17	Divorce and Family Law
10/24	Criminal Law (Know Your Rights)



George Sinas Coordinates 4th Annual No-Fault Institute

The Michigan Trial Lawyers Association held its 4th Annual No-Fault Institute on June 7-8, 2007 in Southfield. The No-Fault Institute is the leading educational workshop for attorneys practicing auto no-fault law in Michigan. This year, roughly 140 lawyers attended the event. In addition to coordinating the event, George Sinas spoke on auto negligence cases. Bryan Waldman from the law firm also presented and discussed trucking liability claims.



George Sinas Lectures at UAW Leadership Conference

The United Auto Workers (UAW) asked George Sinas to present on emerging issues in auto no-fault at the Region 1D Leadership Conference, which was held in Mt. Pleasant this summer. The event was attended by several hundred local union presidents, bargaining chairs and financial secretaries from the 83 Michigan counties that make up the region.

George Sinas Speaks Before Michigan Judges

The Michigan Judges Association invited George Sinas to speak about the heightened tort threshold in Michigan at a recent seminar held at the University Club in East Lansing. The seminar was attended by more than 100 judges from all over the State of Michigan.

Bryan Waldman and George Sinas Participate in CPAN Auto No-Fault Seminar

The Coalition Protecting Auto No-Fault or CPAN held a seminar at Lansing Community College early this year designed to educate consumers, accident victims, health care providers and administrative staff about Michigan's auto no-fault system. CPAN is an advocacy organization which includes medical provider groups and consumer groups dedicated to ensuring the survival of the auto no-fault system in Michigan. George Sinas, CPAN's legal adviser, helped organized the seminar and spoke on issues including recent legislative efforts to turn no-fault in Michigan into a managed care system. Bryan Waldman from the law firm also spoke at the CPAN seminar. He discussed strategies designed to promote timely reimbursement under the no-fault system. The seminar was attended by more than 200 persons.



Bryan Waldman Moderated MTLA's Annual Rapid-Fire Seminar in Dearborn

Bryan Waldman again served as co-moderator for the Michigan Trial Lawyers Association's Annual Rapid-Fire Seminar in Dearborn. Bryan is a past president of the Michigan Trial Lawyers Association and frequent lecturer at MTLA seminars.



Steve Hicks Spoke at Appellate Seminar for Michigan Trial Lawyers in Novi

At a recent MTLA seminar in Novi, Steve Hicks spoke on standards of review on appeal and how to best prepare your case in the trial court to ensure success on appeal. Steve handles appeals for the law firm. He also monitors appeals in no-fault auto insurance cases on behalf of the MTLA amicus team. He has authored many amicus briefs for MTLA and the coalition protecting auto no-fault.

George T. Sinas
Timothy J. Donovan
Bernard F. Finn
Michael E. Larkin
James F. Graves

Bryan J. Waldman
Steven Hicks*
James M. Hofer*
Janet A. Bradley
Carrie Kennedy

Barry D. Boughton
(of counsel)
Kenneth G. McIntyre
(of counsel)
*also licensed in Illinois

Thomas G. Sinas
(1922-1985)
Lee C. Dramis
(1922-1981)
Richard J. Brake
(retired)



Deb Depez Announces Retires After Nearly 20 Years With The Sinas Dramis Law Firm

After almost 20 years with the Sinas Dramis law firm, Deb Depez, one of the law firm's most distinguished attorneys, has retired. Deb received her undergraduate degree from Boston

College and her law degree from Northwestern University in Chicago. She first joined the Foster Swift law firm in Lansing and soon became a partner in that firm. In 1987, Deb joined the Sinas Dramis Law Firm, where she again quickly became a shareholder. In honoring her, George Sinas noted the following:

During her long association with the law firm, Deb worked shoulder to shoulder with the other attorneys to maintain the professionalism of the firm and to elevate it to new levels of excellence in the legal profession. And along the way, she constantly reminded all around her that the "human equation" and the virtues of building and maintaining meaningful interpersonal relationships were just as important to a successful law practice. Stated simply, Deb taught the lawyers with whom she worked this enduring lesson: "Goodness is more important than greatness, because when it is all said and done, it is the goodness that is remembered." Deb Depez holds the distinct honor of having both goodness and

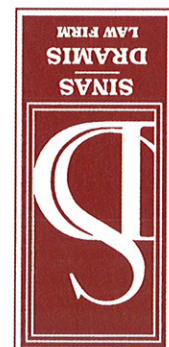
greatness. She is not only an exceptional attorney, she is an exceptional human being. She excels in "matters of the heart," and gives great pride to the law firm. The law firm thanks Deb for everything she has accomplished and brought to the law firm. She deserves nothing less than the best in her retirement, one full of happy, fulfilling years.



Carrie Kennedy Joins The Sinas Dramis Law Firm Personal Injury Team

The law firm is pleased to announce that Carrie Kennedy joined our personal injury team. Carrie received her bachelor's degree from Michigan State University in 1992, and her law degree from Cooley Law School in 1996. While in law school, Carrie was managing editor for the Cooley Law Review. She was a member of the Scholastic Review Board, the Moot Court Board and the Student Senate. She also received the Corpus Juris Secundum award in contracts. After being admitted to practice in Michigan, Carrie worked for several years practicing commercial litigation. Since then, she has specialized in no-fault insurance law. She is a member of the Michigan Trial Lawyers Association.

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