

# STRAVITZ

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## TIPS FROM A PLAINTIFF'S ATTORNEY

### PRE-RIDE

1. Make sure you have adequate insurance coverage. Maryland minimum limits of \$30,000 per person/\$60,000 per collision are pathetically insufficient if you are seriously injured. So...talk to your insurance company or agent about buying as much uninsured/underinsured motorist coverage as you can reasonably afford. I suggest **at least** \$500,000 per person if you are going to ride on roads shared with motor vehicles. Also, increase your Personal Injury Protection (PIP) coverage to \$10,000 and never waive it.
2. Make sure your bike and equipment are in good working order.
3. Always ride with a cell phone. Both the phone **and** the camera can be indispensable.
4. Carry or wear identification.
5. Wear a helmet. (I will omit other specific safety tips to keep this brief.)

### POST-IMPACT AT SCENE

1. Make sure you are okay to move. If you have any doubts, wait for medical help to arrive. If you suspect you injured your head or lost consciousness, make sure you tell the EMTs and emergency department personnel.<sup>1</sup>
2. Call 911 or ask someone else to do it for you. If the police come to the scene, insist that they speak to all involved people and witnesses, and that they write a report. When the police take an accurate report, it can prevent a miscarriage of justice.

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<sup>1</sup> After some crashes, all you can do is let the professionals take over and hope for the best. If you are functioning (both body and mind), the following recommendations apply.

3. Discuss facts, not fault.
4. Don't tell anyone that you are "fine" or "okay" unless you are **absolutely certain** this is true. Since some injuries may take days to become obvious, you cannot be medically **certain** at the scene of a crash in which you were knocked to the ground. Further, if you later claim injury, expect such statements to be used against you.
5. Photograph the vehicles involved from all sides and multiple distances (both to show the resting positions and the property damage).
6. Photograph your (visible) injuries.
7. Get contact information from all witnesses and exchange it with the person who hit you. Record the make and model of their vehicle and their tag no. Also, get name of their insurance company and their policy number. If possible, photograph their license.

## POST-SCENE

1. When speaking to health care providers tell them **everything** that is bothering you during **every** appointment. But...**don't** exaggerate (exaggeration kills personal injury cases).
2. Also tell them about any prior medical conditions or injuries. Be specific: If you had an earlier injury to the same body part tell them about it, but **if true**, also tell them that it healed before this crash.
3. Save the clothing you wore in the bike crash.
4. **Do not** give a recorded statement to the insurance company of the person who hit you. Period. Your insurance policy may require you to give a recorded statement to *your own* insurance company. I suggest consulting with an experienced personal injury lawyer before doing so.
5. Hire a top-rated attorney with a history of trying and winning personal injury bench and jury trials, and a commitment to learning the latest trial techniques and technologies.

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