



A Monthly Publication of Ben Glass Law
This newsletter is for informational purposes only and no legal advice is intended.

\$400,000 IN BENEFITS FULLY RESTORED* (DISABILITY INSURANCE COMPANY TRIED TO END PAYMENTS AFTER SEVERANCE AGREEMENT SIGNED)

by Ben Glass

Recently, a client came to us after his long-term disability insurance company terminated his benefits. The reason that his benefits were terminated, they said, was because he had signed a general release when he settled his worker's compensation claim. His original injury occurred at work. This created two separate claims.

The disability insurance company claimed that his worker's compensation release, which mentioned "ERISA," was intended to end all of his disability payments, as well.

We thought this was crazy, but research revealed that many employees have had their ERISA disability benefits terminated with "overbroad" releases. In fact, there are many court opinions very favorable to the insurance industry in this regard.

We appealed the benefit denial and argued that the employee and his employer never intended to settle anything other than his worker's compensation case. We found some "smoking gun" documents in the worker's compensation case that we felt established this. We also made extensive legal arguments that this termination of benefits would never stand up to Virginia law.

In the end, the disability insurance company agreed with us and paid all back benefits due and owing. Our client was very relieved because, over the course of his insurance contract, our work was worth about \$400,000 to him!

Bottom line: if you are being paid disability benefits and are asked to sign any release for any type of benefit, BEFORE YOU SIGN, have your release reviewed by an experienced ERISA disability lawyer. ■

*Each case is different. Past results do not guarantee future results.

REJECTED
WORK INJURY CLAIM

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FREE INSTANT DOWNLOAD FIVE DEADLY SINS THAT CAN WRECK YOUR INJURY CLAIM



Discover the secrets insurance companies don't want you to know.

Get Ben's book *The Ultimate Guide to Accident Cases in Virginia:*

Five Deadly Sins That Can Wreck Your Injury Claim.

Go to **VirginiaAccidentBook.com** to get your free download now or call 877.540.8618 to have a copy mailed to you.

BECOME A BENGLASSLAW VIP MEMBER FREE!

BENGLASSLAW is proud to announce the launch of our exclusive VIP program. VIP members are given special privileges and access to legal services, as well as entry into regular BENGLASSLAW contests and giveaways. VIP members also get a special Hotline to call the firm. Becoming a VIP member is free! Simply visit www.BenGlassLawVIP.com to register.



The benefits of VIP membership include:

FREE FAMILY AND SMALL BUSINESS CONTRACT REVIEW

Planning to sign a new lease, contract, or other paperwork, and want an attorney to look it over? We will review family or small business contracts and other documents for you free. If you need a reference to an experienced attorney in another practice area, we will help you find the right lawyer for your situation. Our attorney database is huge.

FREE INSURANCE POLICY REVIEW

If you get injured, will your insurance cover you? What if someone gets hurt at your house or business? Find out before an accident happens. Send us your insurance policies and questions for review.

FREE NOTARY SERVICE

No more long lines or silly fees at the bank. We will notarize your documents free at our Fairfax office. Contact staff@benglasslaw.com ahead of time or call us on the VIP Hotline (see www.BenGlassLawVIP.com for Hotline details) to make sure our notary is available.

FREE 15-MINUTE LEGAL CONSULTATION

Sometimes all someone needs to do is chat with a lawyer. We want to hear your story. No need to call one of those “lawyer referral companies.” If it’s not a legal matter that we handle, we will refer you to an experienced attorney who can help you.

FREE ENTRY INTO BENGLASSLAW CONTESTS

BenGlassLaw puts on big giveaways and contests several times a year. As a VIP member, you are automatically entered for each giveaway. Good luck!

ADDITIONAL MEMBER DETAILS AT OUR VIP WEBSITE

Find out more about your membership benefits at www.BenGlassLawVIP.com. If you have any questions, please email staff@benglasslaw.com.

Tell your friends and family! All who register at www.BenGlassLawVIP.com will be sent a personalized membership card and some extra cards to give away to their loved ones. We’re so excited to offer this program, and we can’t wait to help you. ■

BGL’s Best Bites: SWEET AND SOUR PUMPKIN

Ingredients:

1/4 cup extra virgin olive oil
1 lb sugar (pie) pumpkin
4 cloves garlic, thinly sliced
3 TBS red wine vinegar
3 TBS honey
1/2 tsp red pepper flakes
Salt
Small bunch of fresh
mint, finely chopped
(for garnish)



Preparation:

Peel and remove seeds from pumpkin. Chop into 1/2” cubes. Set aside.

Combine red wine vinegar, honey and pepper flakes in separate bowl (*Tip: to cleanly measure honey, spray measuring spoon with oil and it will slide off easily.*)

Heat olive oil in large (10-12”) non-stick skillet over medium-high heat until just smoking.

Carefully add the pumpkin and garlic. Sauté until golden brown (turning down the heat, if necessary) for roughly 4-5 minutes.

Add honey, vinegar, and red pepper mixture. Bring to simmer and cook over medium-low heat for an additional 7-8 minutes, or until glaze has reduced and becomes syrupy – and pumpkin is cooked through.

Season with salt.

Sprinkle with finely chopped mint and serve immediately with a dollop of Greek yogurt or sour cream. ■

*Recipe from Mario Batali’s Molto Italiano cookbook.

Things We're Not Thankful For This Season...

BEING FORCED TO HAVE CONVERSATIONS WITH RECORDINGS

At some point in the early 2000s, it became perfectly acceptable to send a customer on a wild goose chase around your corporate phone tree until they got so frustrated they gave up. Mashing zero and yelling “Representative” used to work, but now you are only taunted by the heartless voice actor Comcast paid minimum wage a decade ago. We take great pride in the fact that when you call BENGGLASSLAW, you talk to a human being immediately. It's a much better experience than, “Sorry, I couldn't hear that. To return to the main menu...”

SPACE BETWEEN THE STALL DOORS IN PUBLIC RESTROOMS

We're all civilized folk here, can't we just use the restroom in peace? I don't know who is to blame for this one - the civil engineer? The architect? The interior designer? Ultimately, it all comes down to the guy installing it, and he apparently doesn't care that at any moment you can see a human eyeball flash across the gap between the door and the hinge in your public stall. I already needed a tetanus shot to sit down on this public toilet seat, all I ask for is to do it without an audience.

AIR-TIGHT PLASTIC PACKAGING

We've all done it. We've all bought something in that super-tight plastic packaging that looks like it was developed by NASA to function on a Martian colony. Back in the '90s, they intended this packaging to be tamper-proof, but they unwittingly made their products customer-proof in the process. You need military-grade scissors to cut through the packaging, and even then, you usually slice your hand as the plastic shreds. No, thank you.

IN ALL SERIOUSNESS...

What we're really thankful for at BENGGLASSLAW is our clients and readers. You guys and gals make all of this possible, and we are honored to be serving this community. We always love your feedback, and every month we try to make the newsletter better and better. As always, if you or someone you know has been in a car accident or had their long-term disability claim denied, tell them to call us at BENGGLASSLAW. It could be life-changing. ■

FOR OUR ATTORNEY REFERRAL PARTNERS

If you are one of our many attorney referral partners, we thank you for the people you've allowed us to help this past month. We always make sure the client knows that you are the hero for having made the connection. If this month you find yourself with a personal injury, long-term disability, or medical malpractice case that you don't handle, give that person the BenGlassLaw number, 703-584-7277, and make sure they say, “Attorney (Your Name Here) sent me,” so that we know who to thank. If you have any questions about how we handle referrals, email info@benglasslaw.com with the subject line “Referral Partners” to learn more about our program.

Reminder About Our Firm's Communication Policy

Our promise to you is that while we are working on your case, we don't take inbound phone calls, faxes or emails. Ben Glass takes no inbound unscheduled phone calls whatsoever. It makes him much more productive and helps get your case resolved faster. You can always call the office at 703-544-7876, and schedule an in-person or phone appointment, usually within 24-48 hours. This is a lot better than the endless game of “phone tag” played by most businesses today. Remember, too, that email is “quick,” but is checked no more than twice a day. Replies are then scheduled into the calendar. So if it's really important, don't email—call the office instead.

This publication is intended to educate the general public about personal injury, medical malpractice, and small business issues. It is not intended to be legal advice. Every case is different. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

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THINGS WE'RE *Not* THANKFUL FOR THIS SEASON...

With Thanksgiving coming up, it's an American tradition to share what we're all thankful for. We like to have fun at BENGLASSLAW, so this month, let's turn that tradition on its head and have a good ol' rant about everything we're *Not* thankful for in 2015.

ONE-PLY TOILET PAPER

The richest man of all time (adjusting for inflation) was John D. Rockefeller, the American business magnate of the 1800s. I wake up every day knowing for a fact that I live better than the richest man in history, and it's for two reasons: 1) Air conditioning, and 2) Two-ply toilet paper. One-ply toilet paper in 2015 is barbaric, and only exists in businesses that hate their customers (e.g., sports arenas, the DMV, prison). If I can see through your toilet paper, I can see through your lies.

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