



Inside this issue:

Lead Paint Claims	1
Structure Rates	1
Message from the President	2
WC Doctor	2
Welcome Frank Peng	4
Disability Etiquette	4

**Repealing Helmet
Laws Leads to Spike
in
Cyclist Fatalities**

A study by the National Highway Traffic Safety Administration found that in the three years following Florida's repeal of its mandatory helmet law in 2000, 933 motorcyclists were killed, an 81% increase from the 515 bikers killed from 1997 to 1999.

The cost of hospital care for motorcycle injuries grew from \$21 million to \$44 million in the 30 months after the law changed; the figures were adjusted for inflation.

Settlement News

Settlement News

Winter 2005/2006

The Benefits of Structures for Lead Paint Claims

Mark Narby, the Bridge Settlement associate in Buffalo, NY, has helped to settle nearly 20 lead paint claims this year alone. He can be reached at 716-204-9053.

Lead poisoning claims provide the perfect illustration of the value of structured settlements. The claimants are frequently minors and even if the state does not require structures for minors,

families will need to ensure that there is money available for the claimant's care. Both defendant and plaintiff can take advantage of the time value of money.

For decades lead was used in various industrial products and houseware items; it is virtually indestructible and non-biodegradable. US food canners quit using lead in solder in 1991. The 25-year phase-out of lead in gasoline was completed in 1995. The use of

lead in paint has been banned since 1978 but it is believed to be the main cause of lead poisoning in children today. Older homes in a state of disrepair often have paint that is flaking, chipping or peeling. Children pick up the small paint chips and ingest them since, apparently, the paint tastes sweet, almost like chocolate. In cases where repairs have been done, the paint is sanded and

(Continued on page 3)

What's Happening with Structure Rates?

Recently, people have been asking "Are the rates still so low?" During the summer of 2005 the interest rates were quite low and so the benefits provided by a structured settlement were also low. With the recent rate increases by the Fed, the benefits paid by a structured settlement are significantly better than they have been in months. We helped a client to settle a case for a minor in October and the work on

that case began in September. Spending the same amount of money, the structured settlement benefits increased by 10.2% and the Internal Rate of Return from the life company's software increased from 4.45% to 4.95% during the period from opening the case in September to concluding it in October.

This structure provided educational money for the 5-year-old girl during her elementary and high

school years and also money for her college education. If we were providing a lifetime structured settlement for a 25-year-old today, the Internal Rate of Return from the life company software would be 5.42%.

Compare that to the return from two AAA Municipal PA bonds (rates effective the week before Thanksgiving):

1. PA Turnpike Commission/Maturity—2041/

(Continued on page 4)



**Joseph H. Long, CSSC
President, Bridge Set-
tlement Corporation**

10 Most Dangerous Jobs

1. Logging workers
92.4 fatalities per
100,000 employed
2. Aircraft pilots and
flight engineers
92.4 fatalities per
100,000 employed
3. Fishers & related
workers
86.4 fatalities per
100,000 employed
4. Structural iron &
steel workers
47 fatalities per 100,000
employed
5. Refuse & recyclable
material collectors
43.2 fatalities per
100,000 employed
6. Farmers & ranchers
37.5 fatalities per
100,000 employed
7. Roofers
34.9 fatalities per
100,000 employed
8. Electrical power line
installers & repairers
30 fatalities per 100,000
employed
9. Drive/sales workers
& truck drivers
27.6 fatalities per
100,000 employed
10. Taxi drivers &
chauffeurs
24.2 fatalities per
100,000 employed

U.S. Bureau of Labor Statistics

A Message from the President

You may recall seeing news blurbs about the Marine Corps' 230th birthday on November 10th. I served in the Marine Corps and usually attend a birthday lunch with a fellow Marine at the Rockland County, NY, Marine Corps League. This year, the luncheon speaker was a young man who graduated from high school in June 2004, has already served a tour in Iraq, and is now serving as a Marine recruiter but expects to return to Iraq for another tour of duty. If you are still reading you are probably wondering why I bring this topic up in this forum. At the luncheon, we were told how the injuries from this war differ so much from the injuries in former wars. Our service people today have flak jackets, armored vehicles and other protection but often the injuries today are caused not by gunfire or aircraft bombing but by a mine or a planted bomb, resulting in catastrophic damage to limbs and changing lives forever. Incidentally, the Rockland County League has a project buying and sending 1-hour

phone cards to the service people in Iraq and also to the marines who are injured and are in hospitals in the USA.

In the structured settlement business, we regularly deal with seriously injured claimants whose lives also have changed forever. For those people and for our brave young people who are injured in Iraq there are many, many resources for help and support. I recently attended a meeting where a representative from the National Organization on Disability spoke about the diversity of handicapped people. The list ran from people with learning disabilities, to blind people to people who are paralyzed.

One of the life companies we represent, MassMutual Life, has prepared a wonderful booklet that lists a multitude of resources for injured and handicapped persons and we would be glad to mail one or more of these helpful booklets to you or your clients; just call or e-mail us.

Who Chooses the WC Doctor?

Medical costs are generally higher and return-to-work outcomes poorer when injured employees, rather than their employers, choose the medical provider in work-injury cases, a study by the Workers Compensation Research Institute concludes.

Overall, when workers chose their doctor, medical payments are 10% to 21% higher, while income-replacement benefits are 8% to 15% higher and time away from work is 23% to 32% longer, according to this study.

When workers choose a doctor that

has previously treated them, however, differences in cost, recovery, or time required to return to work vary little from when the employer chooses the physician.

The study also examined worker satisfaction, finding that those who select a doctor that has previously treated them are, on average, 86% to 89% more likely to report greater satisfaction than when an employer picks the provider. More information on the report is available at www.wcrinet.org/result/provider_choice2_result.html.

Lead Paint Claims and Structures (cont.)

(Continued from page 1)

the dust remains in the carpet where it is ingested or breathed in. In addition, lead may also be present in the old solder used in the piping that brings water into these homes. The water itself could be contaminated with lead. The effect of lead poisoning on children is significant. While the Center for Disease Control (CDC) considers the blood lead level of concern in adults to be 25 micrograms per deciliter (mcg/dL) of blood, the concern level in young children is only 10 mcg/dL. Based upon CDC's levels, the FDA's "tolerable" daily diet lead intakes are 6 mcg for children under age 6, 25 mcg for pregnant women and 75 mcg for other adults. According to the FDA, there are some risks with any level of exposure to lead. Who is most affected? The risks of lead exposure remain disproportionately high for children who are poor, living in large metropolitan areas, or living in older housing. The effect on the children who have been exposed is significant. They can suffer from permanent brain damage, learning and developmental disabilities, kidney disease and muscle weakness, among other symp-

toms. Often times, these children are not treated or diagnosed in a timely fashion, so the effects can be more severe. Over the course of the past five years, there has been an increase in the number of cases brought against municipalities, housing projects, lead paint manufacturers and landlords. The majority of the cases brought against municipalities and the lead paint manufacturers have not been successful. However, in cases against landlords, there have been settlements and some verdicts in many different jurisdictions and that appears to be the path that lead paint litigation is following. The number of these cases and the amount of the recoveries has increased significantly over the past five years. Surprisingly, in several parts of the country, mostly urban areas, the number of children poisoned by lead is NOT decreasing. This means that this is an issue that will not soon disappear. How can structured settlements help in lead cases? Many of these cases involve minors, where the case is brought on their behalf by their parent or legal guardian. Almost without exception, these settlements must be ap-

proved by a court and quite a few states, such as New York, California and Pennsylvania (and many others), require settlement proceeds for a minor to be paid into a protected account, such as a structured settlement. It may be that the minor needs immediate treatment such as physical or occupational therapy. If that is so, the judge can order that the structured settlement periodic payments be paid to the child's guardian or to a trust until the child reaches the age of majority. Since many of the injured parties are young children, both sides of the dispute can employ the time value of money. Since the bulk of the money will not be paid out for some time, the money will continue to earn interest in the structure. The defense can stop the expense of transactional costs like claim management and attorneys, doctors and expert witness expenses. It makes sense for both the defense and the plaintiff to consider the use of a structured settlement in cases of lead paint poisoning. A structured settlement can help to provide a resolution that is beneficial to both the plaintiff and the defense.



Call upon an experienced structured settlement broker to help resolve lead paint claims.

Federal Trials Decline for Injury Lawsuits

A U.S. Justice Department report found that the number of personal injury cases decided by a trial in federal courts has declined by almost 80% since 1985 as more suits are settled.

In 2003, the most recent year for the study, there were 768 trials, down from 3,604 in 1985. The annual number of personal injury cases in the federal court system varied over the 33 years of the study, averaging 44,770. There were 49,166 cases in 2003.

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Frank Peng



Bridge Welcomes California Affiliate

Bridge Settlement welcomed Frank Peng to our group of associates in July 2005. He is based in Seal Beach, CA, and has a broad background as a financial advisor providing financial and insurance services to individuals. He applies that background to help injured parties resolve



Frank D. Peng

claims while establishing and protecting their financial security. Frank holds a Bachelor of Science degree from California State University, Long Beach. He is married to Janice and they have a baby boy. Frank will be happy to whip out his laptop and show you the latest pictures of Ryan, who is remarkably photogenic. You may reach Frank at 562-412-5925 or by e-mail at frank.peng@bridgesettlementcorp.com.

Structure Rates (cont.)

(Continued from page 1)

- Call—None/ Yield to Maturity—3.833%
2. Erie, PA Convention Center/Maturity—2036/Call—2015/ Yield to Maturity—4.26%.

In addition to a better yield, structured settlements can be set up with payment schedules that meet the needs of the payee, are never callable, have no com-

missions, no interest rate risk and no market risk. Anyone who tries to tell you rates are too low and structures don't work any more is misinformed. **Structures still work!**

Disability Etiquette Tips

Due to the nature of our business, we often interact with someone who has a disability. The National Organization on Disability has some tips for making communicating easier.

1. First and most important—people with disabilities, like everyone else, deserve to be treated with dignity and respect. People with disabilities have different personalities and different preferences about how to do things. To find out what a person prefers, ask.
2. When you meet someone with a disability, it is appropriate to shake hands—even if a person has limited hand use or artificial limbs. Simply touch hands (or the person's prosthesis) to acknowledge his/her presence. Shaking the left hand is also fine.
3. Always ask before you assist

a person with a disability, and then listen carefully to any instructions.

4. Be considerate of the extra time it might take a person with a disability to get some things done.
5. Speak directly to the person with a disability rather than to a companion or sign language interpreter who may be along.
6. Don't lean on a person's wheelchair—it's considered an extension of personal space.
7. When you talk to a person in a wheelchair for more than a few minutes, try to sit down so that you will be at eye level with that person.
8. Don't pet a guide or companion dog while it's working.
9. Give unhurried attention to a person who has difficulty speaking. Don't pretend to understand when you don't -

ask the person to repeat what they said.

10. Greet a person who is visually impaired by telling the person your name and where you are. When you offer walking assistance, let the person take your arm and then tell him or her when you are approaching inclines or turning right or left.
11. Some terms that might have sounded acceptable in the past, such as "crippled," "deaf and dumb" and "wheelchair-bound" are no longer accepted by people with disabilities. Instead say "person with a disability," "Mary is deaf," "Denise uses a wheelchair," and "Joe has mental retardation." This type of language focuses on the person first, and their disability afterwards.
12. Relax.