

BEWARE OF DEFENSE CONTROL

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January 2015

DEFENSE TRICKS:

- *In-House Annuity Programs*
- *Kickbacks*
- *Undisclosed Medical Underwriting*
- *Jumbo Case Discounts*
- *Last-minute Switch*
- *Approved Lists*

PROTECT YOUR CLIENTS & LIMIT YOUR LIABILITY

Why Does the Defense Want to Dictate the Terms of Your Client's Structured Settlement?

Does it seem strange that the defense wants to control your client's financial future after they received a full release of liability?! It should. More than "helping" your client make some financial decisions motivates and entices their involvement.

Quite simply, the defense insurance company wants to position itself to save money for itself . . . at the expense of your client.

The only way you can be certain your client's interests are protected is by retaining your own plaintiff-loyal settlement planning specialist. Otherwise, some or all of the following most common tricks employed by the defense could be used against your client resulting in economic harm and possible malpractice liability to you.

In-House Annuity Programs

In-house annuity programs essentially take the money from one pocket of the insurance company and put it into another. They also save money by offering noncompetitive rates and thereby become another profit center.

Kickbacks & Rebates

Defense brokers commonly kickback or rebate part of their



"The Best Offense is Keeping Control Away from the Defense"
~ Vince Lombardi

commission (usually 25-50%) to defendant's insurer.

Undisclosed Medical Underwriting

Undisclosed post-settlement medical underwriting and re-underwriting is used to reduce the cost to the defendant below the represented cost the plaintiff was given.

Daily Rates

Daily-rate annuity pricing used to reduce the cost of the annuity if interest rates improve between the date of the quote and the date of the purchase.

Jumbo-Case Discounts

Jumbo-case annuity discounts are used to secure a lower rate than the standard pricing from

the annuity quoting software.

Last-minute Switch

Defense brokers will often switch form one annuity carrier to another because lower rates are available but the savings are not passed along to your client.

Approved Lists

An insurance company's "corporate policy" to place all structured settlements with a company on their "approved list" of annuity carriers. Carriers make an approved list by showing that they know how to "play ball." A full-market survey most often identifies companies with better rates and ratings than those included in an approved list.

The Bottom Line

If the defense takes control over your client's future, the benefits and cost savings intended to benefit your client will be usurped by the insurance company. Those savings may even be used to fuel tort reform. Retaining a plaintiff-loyal settlement planner will help ensure the defense remains on the defense side of things and that your client is not shortchanged.

**RETAIN YOUR OWN
PLAINTIFF-LOYAL
SETTLEMENT PLANNER**