

# YOUR TRIAL LAWYER'S REPUTATION MATTERS.

We are trial attorneys who represent people seriously injured in auto and truck accidents, ski and snowboard collisions, product liability, and professional malpractice.

We remain fully operational to assist those in need during the COVID-19 pandemic, while taking the necessary precautions to ensure the safety of our clients, staff, and community. We continue to aggressively advocate for our clients and would welcome the opportunity to do so for you.

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## SERIOUS AUTO ACCIDENTS REQUIRE EXPERIENCED LAWYERS.

**IT ONLY TOOK 1.7 SECONDS.** The Ford Taurus was northbound at 65 mph. It lost control, crossed the median, ejected its driver, became airborne, then crashed into the windshield of a southbound HVAC service van. The impact instantly killed the van driver and injured his co-worker in the passenger seat.

First responders smelled alcohol on the breath of the Taurus driver. Her blood test result was positive for alcohol. Felony charges were filed against her alleging careless driving causing death—aggravated by DUI.

The wrongful death case on behalf of the van driver would appear simple and straightforward. Make a claim. Settle it quickly. Case closed.

However, to get the best outcome for our clients—the van driver's widow and their 2-month old baby—would be complicated and time-consuming. The case required five different legal proceedings to get top dollar for the widow and their baby.

**CASE #1** – Uninsured motorist coverage. The at-fault driver was uninsured. Our investigation determined, however, that the service van was owned by and, therefore, covered by the HVAC company's \$1 million uninsured motorist ("UM") policy. UM coverage is insurance you buy in case an un- or under-insured driver runs into you.

In this case, the passenger of the van was also injured. The UM insurer, therefore, deposited its policy proceeds with the court. It filed a case so that a court could decide how to divide the money between our clients and the passenger. The widow and her baby received 90% of the money. This led to

**CASE #2**, a probate case on behalf of the 2-month old who was to receive some of the settlement. For the protection of the child, a probate court must approve a child's settlement, the attorneys' fees and costs, and the distribution plan. The probate court approved the settlement.

**CASE #3** – Criminal case against the Taurus driver. The Colorado Victims' Rights Act (VRA) ensures that crime victims are treated with fairness, respect, and dignity, and that they have notice and the right to attend any hearings at the critical stages of the criminal case. Victims also have the right to submit a victim impact statement at the time of sentencing. We attended hearings with our client and worked in cooperation with her victim rights advocate assigned to the case.

**CASE #4** – Workers Compensation Case, Benefit Penalty. Employees injured or killed on the job are entitled to workers' compensation benefits as a matter of law. However, if the injury or death is allegedly the result of the employee failing to follow a safety regulation, then the employer's workers' compensation insurance carrier can reduce the benefits it owes by 50%. Because our van driver was not wearing his seatbelt at the moment of the collision, the workers' compensation carrier petitioned to reduce the widow's support benefits by half. The evidence we presented however, persuaded the carrier that belted or not, no one could have survived the impact from the Taurus. The penalty claim was dropped. We settled the compensation claim for the widow and baby for over half a million dollars.

**CASE #5** – Lawsuit and judgment against the at-fault driver. In the end, we decided we needed to finalize any claim against the at-fault driver. The van driver was the primary breadwinner and source of support for his wife and his baby. They were a young family, and deeply in love. We filed a civil action for money damages against the at-fault driver and took a default judgment against her for \$2,282,005.

As lawyers, we are trusted to represent clients in matters of great importance—and for our clients, that means the one chance an injured person has to hold the responsible party accountable, to stand for David and take on Goliath in a court of law. That is the fight that we make our trade.

Complicated auto accidents cases not only require experienced lawyers to get the top dollar, but also require lawyers who are in this profession for the right reasons. If you or a loved one needs legal help, make sure to vet the lawyers you are interviewing. You want a lawyer who will go the extra miles to ensure you are given the chance to rebuild your life.

At Chalats Law, our clients are never mere case numbers. An injured victim's recovery and future are always our priority. We welcome the opportunity to talk to you about your case.

**Jim Chalats**  
Attorney/Partner

