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Interim Benefits Awards by Judy Marrow

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Filing a CPP disability claim can be an overwhelming process for anyone, if it is his or her first time doing so. Essentially, from filing a claim, to understanding which statutory accident benefits you are entitled to can be a confusing process. As a result, you may need to hire an auto accident lawyer, to assist you in receiving your benefits from the insurance company. The attorney is also used in an effort to find loopholes to the unfair demands of the insurance company. Today we will look at an intriguing case that dealt with this very issue back in November.

While weâ€™ve spoken at length about the importance of hiring a personal injury lawyer if you are a victim, we havenâ€™t really examined if an insurance company should also hire an attorney. For all intents and purposes, if you take an insurance company to court, you both need lawyers to facilitate your arguments to the judge or jury. One action that is illegal is for the insurance company to be represented by the same personal injury lawyer firm as the plaintiff. If this happens, and neither side rectifies the coincidence, then one side will be punished. For example, in the November 2011 case of Hotchkiss v Kingsway General Insurance, lawyers of the same firm represented both the plaintiff Hotchkiss and the insurance company Kingsway General.

As it stood, Hotchkiss had obtained the services of the traumatic brain injury lawyers prior to Kingsway General Insurance. For this reason, the judge in the case, was of the opinion, that KGI could have hired a different law firm, and understood that the conflict of interest took place. KGI then attempted to cause a mistrial by firing their lawyer during the trial. However, the judge then awarded interim benefits to Hotchkiss, as he wasnâ€™t about to let the insurance company avoid making payments.

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If you are looking for more information on a spinal cord injury law or any other specialty, we recommend contacting a personal injury lawyer in Toronto or local lawyer in your area. A a Toronto accident benefit lawyer or a local lawyer will be able to provide you with local information.

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