



# BUCKFIRE & BUCKFIRE, P.C.

A t t o r n e y s   A t   L a w

FALL 2008

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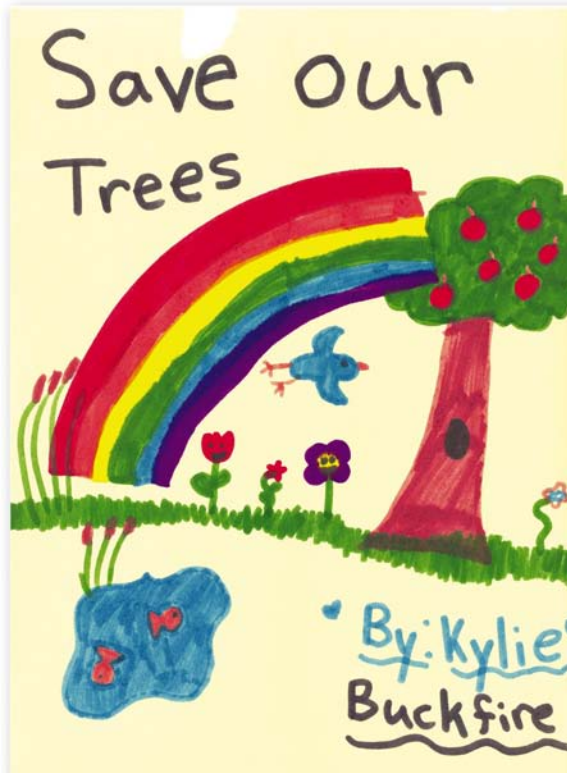
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## **PERSONAL INJURY PRACTICE**

- Free consultation
- No fees or costs unless you get compensated
- Representing injury victims and their families throughout Michigan and the United States

Send your e-mail address to [info@buckfirelaw.com](mailto:info@buckfirelaw.com) and we will keep you up-to-date on important legal news.

## *Win Great Prizes In Our E-Mail Contest!*



Our quarterly legal newsletters have become a firm tradition. We receive tremendous feedback from our clients on this great resource, and many clients have asked us to start sending them out on a more frequent basis. When I told this to my 8-year-old daughter, she reminded me that we needed to preserve our environment and use less paper. She then drew her beautiful "Save Our Trees" picture.

After a short brainstorming session, my daughter and I came up with the idea of sending some of our legal updates to our clients via e-mail. This would accomplish my goal of providing more frequent information and her mission to save trees.

We created a contest to collect your e-mail addresses. To learn how to enter and win great prizes, see the bottom of this page. I guess I needed to see the trees before looking at the forest—another valuable lesson learned from a child.

*Larry Buckfire, President*  
**Buckfire & Buckfire, P.C.**

## **Here's how you can help us SAVE OUR TREES!**

### **CONTEST INSTRUCTIONS:**

1. Send an e-mail to [patti@buckfirelaw.com](mailto:patti@buckfirelaw.com)
2. Type "Contest" in the e-mail subject line.
3. In the message area, put your name and address where you want your prize sent if you win.

You will then be eligible to win one of these great prizes:

- Portable DVD player
- Autographed photo of Hall of Fame baseball player Willie Mays
- Movie passes to a local movie theater
- \$25 Starbucks gift card

The contest ends on November 1, 2008, so be sure to send your e-mail entry by that date. We'll announce the winners in our Winter newsletter.

# Rebate **RAGE!**

Rebate rip-offs have sparked consumer lawsuits and new legislation. Many who buy products promoted with “cash” rebates are enraged when the rebate is too hard to apply for, is unreasonably delayed, takes the form of a “reward” credit card, is a credit toward purchases limited to the issuing manufacturer, or never arrives at all.

A federal court in California has allowed cell phone buyers who received Visa® “reward cards” to file a class action. Purchasers allege violations of federal laws against unfair competition, false advertising, and unjust enrichment.

There are other consumer-rebate cases as well:

- When thousands complained to InPhonic, Inc., in 2006, Washington, D.C.’s attorney general sued for the company’s failure to honor rebates. The city and InPhonic reached a

## **What a buyer can do**

Obtaining rebates can be challenging. To avoid rebate rage...

- Shop at reputable merchants.
- Obtain duplicate cash-register receipts.
- Apply for rebates immediately.
- Photocopy all submitted materials.
- Submit via certified mail.
- Maintain transaction and call notes.
- Be persistent.
- Cash rebate checks immediately.

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multimillion-dollar settlement.

- In 2007, California computer retailer Soyo, Inc., reached a settlement with the Federal Trade Commission over complaints about excessive delays in rebate processing.

# Courts and courting

Jury duty can be very rewarding.

Queens County, New York, Supreme Court Justice Daniel Lewis, presiding over a criminal trial, said, “Some juries are serious, some are somber, but this jury seemed like it was full of beaming, happy people.”

No wonder. After noticing an attraction between two of their 30-something copanelists, fellow jurors convinced the two to go out on a date. They went to lunch together during a trial break.

A year later, the couple was engaged and planned to be married...by Justice Lewis.



## **Auto airbag FRAUD**

Drivers who are in accidents, purchase used cars, or visit “weekend” mechanics may be at risk of a very dangerous scam: airbag fraud.

Airbags are valuable, so some dishonest mechanics have removed and sold original airbags. Fraudulent mechanics replace bags with cheap knockoffs, rebuilt equipment, or even stuff cavities with rags—then replace covers. This exposes drivers and passengers to extreme accident-injury risk.

### **Precautions**

**Get an inspection.** Have a trusted mechanic verify that airbags are present and working properly.

**Check dash lights.** On recent models, dash lights blink at start-up, indicating that the airbag system is working.

**Review invoices.** After accident repairs, have mechanics certify that airbags have been replaced and are working.

**Verify vehicle history.** Obtain a commercial service report.

**Never tamper.** Opening airbag wells is dangerous.

Contact an attorney if you feel you are a victim of airbag fraud.

# CONSUMER PROTECTION

## New car purchases

Consumers have several important protections for new car purchases.

The Federal Trade Commission Web site offers guidance for purchasing a new car, trade-ins, financing, and service contracts. State governments provide buyers assistance with problems such as false advertising, predatory auto lending, and lemon laws.

Car buyers can also contact resources such as *Consumer Reports* magazine, rating guides, and associations such as the Direct Marketing Association and the Better Business Bureau for information about manufacturers, vehicles, and dealers.



### A not-so-new car

After a buyer purchased a vehicle from a dealership that represented it as new, she discovered the car had been previously owned. When she began to experience trouble with it, she attempted to take the car back. The dealership threatened her, relocated the disabled car to a tow-away zone, and laughed in her face. Her attorney sued for fraud and violations of a state consumer protection act. A jury awarded the victim an award a dozen times the vehicle cost, plus punitive damages.

## CLIENT-ATTORNEY PRIVILEGE

**Q:** Who holds the “privilege?”

**A:** The client. An attorney can release information only with authorization from the client.

**Q:** So, clients can trust their attorneys with confidential information?

**A:** Yes. An attorney may not reveal anything disclosed without client consent.

**Q:** Why?

**A:** Regulations governing evidence and rules of professional conduct require that attorneys maintain all specifics of a client-attorney relationship as strictly confidential.

**Q:** Should clients tell their attorneys everything?

**A:** Yes. It’s important to fully disclose all the relevant details of a case to a lawyer—positive and negative—so that counsel can represent the client confidently and appropriately.

**Q:** Why is that?

**A:** A client’s failure to be fully candid may adversely affect a case if the attorney is surprised or blindsided by critical information coming from anyone but the client at any time in the case. If there are problems with conflicts of interest or ethics issues, the attorney will advise a client immediately.



## FOR YOUR SAFETY

### Recalled product roundup

Here are some recently recalled products you may have in your home or at work:

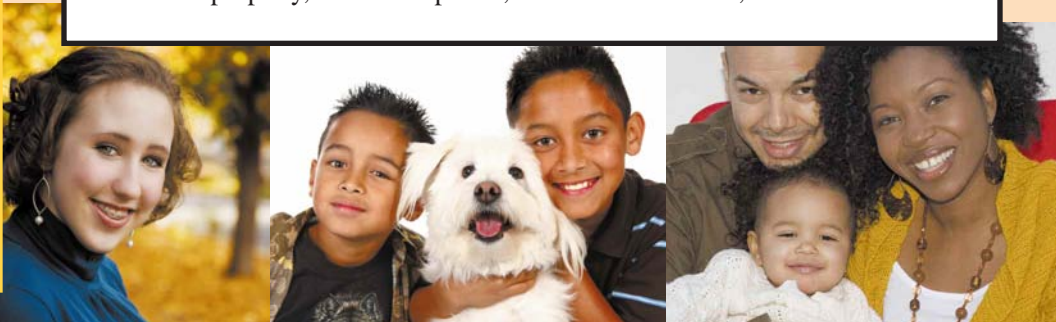
✓ **Campbell Hausfeld** has voluntarily recalled 233,000 Campbell Hausfeld and Husky Air Compressors with motor protective covers that can ignite and burn users.

✓ **Kids II, Inc.**, has called back 15,000 Baby Einstein Baby Neptune™ Soothing Seascape Crib Toys with straps that can detach, posing choking hazards to young children.

✓ **Dollar Tree Stores, Inc.**, asks buyers to return 253,000 Crafters Square Electric Hot Melt Mini Glue Guns, which can short-circuit, catch fire, and shock or burn consumers.

✓ **Sears, Roebuck and Co. and Kmart Corp.** recalled 17,000 “My First Kenmore” Play Stoves. Metal brackets may cause a tip-over when the oven door is opened and injure young children.

✓ **Mantra, Inc.**, voluntarily recalled 38,250 Pressure Cookers. When closed improperly, lids can separate, release hot contents, and burn users.



OR CURRENT RESIDENT

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you do not wish to receive  
future newsletters.*

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The information included in this newsletter is not intended as a substitute for professional legal advice. For your specific situation, please consult the appropriate legal professional.

## *Types of cases we are currently working on:*

- Car and truck accidents
- Motorcycle accidents
- Pedestrian & bicycle accidents
- No-fault insurance claims
- Medical malpractice cases
- Dog-bite attacks
- Slip-and-fall cases
- Dangerous conditions
- Defective sidewalks
- Dangerous products
- Child lead poisoning
- Food-poisoning cases

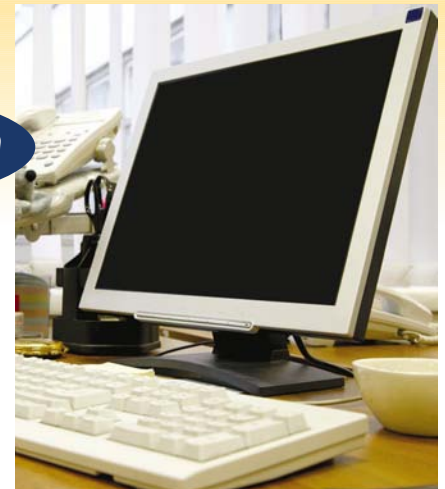
We handle all accident and injury cases. Call us to discuss your case or to refer a friend, family member, or colleague. We greatly appreciate your referrals.



## **Our Web site!**

**www.BuckfireLaw.com**

We think that our firm Web site is the best law firm Web site on the Internet. Our state-of-the-art site features videos; up-to-date legal news, information, and library articles on a great number of legal issues; and legal forms that you can download from the site and print for **FREE**. We also provide you with links to other important Web sites that are important to you. You can also request **free legal books** from our site. We hope you'll bookmark our site and use it as a valuable resource. Please visit our site and let us know what you think.



## **Announcing our new blogs**

In addition to our great Web site, we have two new blogs with great information for our clients. For those not familiar, blog is short for "Web log," an interactive Web site where visitors can make comments, ask questions, and give observations.

Please visit our blogs for small articles, interesting thoughts, and important legal news. We also have videos on many blog posts. We greatly appreciate our visitors posting meaningful comments. To see our blogs, simply visit:

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