

Law and Life Newsletter

Legal Lead Story: Debtors Have Rights Too

INSIDE THIS ISSUE:

Legal Lead Story	1
Quick Tips	1
Deposition	2
Spartan Spotlight	2
Free Chat with a Lawyer	2
Healthful Hints	3
Store Closings	3
Check This Out	3
UNCG: Drive with Pride!	4
FAQs	4

The United States is in the midst of one of the most difficult economic times in its 200+ year history. Companies are shrinking, closing, and losing money. Dollars and cents are harder to come by for most everybody. Unfortunately, these challenging economic times mean some companies and creditors are becoming increasingly and illegally aggressive in seeking to collect their debts.

Just because you owe money not mean you should be manhandled by your creditors. Federal law provides valuable rights for debtors (persons who owe money). The [Fair Debt Collection Practices Act](#) limits the hours and locations at which you can be called and even prevents the creditors from making certain threats, representations, and communications regarding the debt. Violations of the Act can lead to a claim for monetary damages and recovery of attorneys' fees.

The [Fair Credit Reporting Act](#) regulates credit reports and establishes procedures for

correcting inaccurate credit reports. You have the power to dispute the error and, in some cases, demand the credit reporting agency delete the information. Agencies that violate this Act face payment of statutory damages, punitive damages, and possibly even attorneys' fees. The Act also gives you access to one free credit report per 12 months from each of the three credit reporting agencies. To access your free report, go to www.annualcreditreport.com.

The [Fair Credit Billing Act](#) covers credit reports and credit transactions including credit cards. Under the [Soldiers and Sailors Civil Relief Act](#), military personnel have additional legal protections.

In addition to these federal laws, there are [state laws](#) protecting debtors facing repossession or foreclosure proceedings. With the many possible laws, you should consult a lawyer to discuss your rights and obligations regarding your debt.

If you are contacted by a company about a debt that

you do not owe, do not ignore the repeated calls and letters. Delayed action or no action could have costly results for you.

I recently represented a woman who had been pursued by a collection agency seeking to recover over \$10,000.00 from her for a credit card account that the woman had never opened or used. The woman contacted my office and, after aggressive legal representation and two lawsuits, the collection agency dismissed their case and gave up. If this woman had failed to respond to the lawsuit or agreed to pay some amount of money on the credit card company debt, she would have been another victim.

We all should pay our debts but we are entitled to dignity and lawfulness in doing so. Do not settle for anything less. Best wishes in these changing economic times.-OLO

Quick Tips

[Lock the door behind you.](#) I have seen countless unattended, unlocked, keys-in-ignition vehicles at gas stations. This is asking for trouble. I would not want to be the person who has to tell the police and the insurance company my vehicle was

stolen and I made it easy for the culprit. Locks are made for your safety and the security of your property. Use them.

[Place a subject in the subject line of your e-mail.](#)

No more "Re:re:re:re:your e-mail" e-mails. Please clue the reader in on the topic(s)

covered in your e-mail.

[Live with a list.](#) With so many things to do and so little time, a list can be a huge help. Winging it or going on your memory is bound to get you sunk eventually.

(cont'd on p. 2)

3-6-9..Talk to a Lawyer and Don't Spend a Dime!

Last year, the NC Bar Association organized hundreds of lawyers who donated their time and service to answer phone calls from people across the state. Given the popularity of the event, attorneys will be back on the phones from **7 a.m. to 7 p.m. on Friday, March 6, 2009** to take your calls. People often put off dealing with legal issues or questions because of time or monetary constraints. I invite you to take the time on March 6th to call and get the information and guidance you need.

Here are the toll-free numbers you can call:

Raleigh/Durham/Triangle area: 800-425-9725

Greensboro/High Point/Winston-Salem/Triad area: 888-818-3471

Charlotte area: 866-616-4255

Eastern NC area: 866-281-8314

Asheville/Western NC area: 800-289-0013

Deposition

A deposition is a formal meeting at which an attorney or party representing himself/herself can ask questions of a person who has or may have information relevant to the issues in the case. Depositions are valuable tools for obtaining or locating information and evidence that can help a party prove her case. In some cases, depositions are vital to a proper evaluation of the issues

and prospects of the case as well as preparation for pre-trial motions and trial.

Depositions cost money. The person taking the deposition must pay any court reporter or videographer hired to record the testimony provided by the person being deposed. The court reporter creates a written transcript of the deposition and the transcript can be used by the parties or their attorneys. Also, expert witnesses (ex: doctors, engineers)

typically require payment for their time in providing deposition testimony.

If you will be deposed, it is important that you prepare for this event. Your attorney, if you have one, probably will want to schedule a meeting with you to review the case issues and potential questions you may be asked. A poor presentation at a deposition can severely damage your case. Be prepared. -OLO

Spartan Spotlight---UNCG Athletics!

“Spartans Rising”. This tagline captures the excitement and energy at UNCG. Now is a great time to be a Spartan and you need to be connected with your alma mater. Breaking news! Starting with the 2009-2010 season, the Spartans men’s basketball team will play its home games at the Greensboro Coliseum. The Spartans need your support as they seek to become the Triad’s home team. Get your friends, family, neighbors and others excited about UNCG athletics. The students need and deserve our support. Check out a game at the Coliseum but also check out baseball game (UNCG plays NC A&T on Tuesday, March 31st at NewBridge Park in downtown Greensboro) or volleyball or wrestling or some of the many other fine Spartan sports offerings.

For more info on UNCG athletics go to www.uncgspartans.com. Support our future Spartan alums and celebrate your alma mater. Go Spartans! -OLO

Quick Tips (continued from p. 1)

Be it a Blackberry, I-Phone, e-mail reminders, or old-fashioned pen and paper, make a list and use it. It can save you time, gas, worry, and money. Don't forget to schedule at least 30 minutes of "you time" each day.

Cut out the lights. When you leave a room and will not return within 5 minutes, turn out the lights. Why have the lights on just to burn energy? Those pennies add up and you can save that money for other things. Use the same logic for your idling vehicle and your electronic items (radio, TV, etc.) -OLO

Healthful Hints: Change (Is Good)

We are in the midst of winter and the weather here in North Carolina changes frequently. From day to day it is unclear if you should be reaching for that sweater and gloves or going a bit lighter on the apparel.

We are also almost 60 days into a new year. Many people made resolutions to begin exercising regularly and eating better or to maintain what they had been doing. Some people made no resolutions and have made no moves. In which category are

you?

If you are like me, you have been exercising regularly for years and periodically you have to change your workout regimen. Once the body adapts to your routine, the benefits begin to decrease and boredom can enter the picture. This is a recipe for falling off the wagon. Do not let that happen.

Change some of the following to keep it fun and worthwhile:

order of exercises, number of reps, number of sets, tempo of your reps, days and times you exercise, location of your exercise (some gyms offer free short term passes to sample their facilities), type of music or introduction of music, getting a workout partner, or a revamp of the exercises you perform.

Mixing it up from time to time is a good thing and quite fitting since we are now in an era of "change". An active lifestyle helps you in countless ways and is far cheaper and better than the "eat whatever and do whatever" philosophy. Try it and see. What do you have to lose? A few pounds...some stress...bad habits.

Switch up your routine to keep it fresh. Keep it moving and enjoy your next workout! -OLO

Store Closings Mean Savings For You!

The economy has taken a downward turn and it has virtually everybody seeking to cut costs and save money. There is nothing wrong with being opportunistic as stores offer discounts and specials to sell merchandise. Your purchases help stimulate the economy. The following store chains are closing some or all of their stores and you should be on the lookout to save some dollars.

Circuit City: All of the company's 567 nationwide

stores are closing by the end of March. You may be able to find some deals on electronics items.

Movie Gallery: Video rentals and video sales. Act now as all stores are closing in 2009.

Starbucks: Yes, the ubiquitous coffee chain has decided to close over 600 stores nationwide.

Ann Taylor: Women's apparel.

Office Depot: Over 100 stores are closing. Could be some

good deals here.

Also, be on the lookout for individual store closings and clearance sales in your area. Check your local malls and shopping centers for "going out of business" sales. Patience can pay off. Savings abound.

One piece of advice: Do not spend money that you do not have on things that you do not need. With this caveat, happy shopping!--OLO

Check This Out! Websites for you...

www.thedailybeast.com The latest Hollywood and entertainment news and tidbits.

www.kidsites.com A listing of educational and fun websites for kids but also some sites that will interest adults. You could browse this site for hours.

www.finaid.org Links and tools for those seeking financial aid for college and graduate/professional school. The site is well organized and the site map is an added bonus. Don't leave any money on the table.

www.bracketography.com For those of you who want a jump on analyzing March Madness (a/k/a NCAA Men's Basketball Tournament), this site already has reviews of teams, games, and trends to help you create that winning bracket entry. You can even get RSS feeds for frequent updates on new articles and postings. Will you pick this year's Davidson or George Mason? Good luck and enjoy the Madness! -OLO

O'Neal Law Office
7 Battleground Court
Suite 212
Greensboro, NC 27408

Phone 336.510.7904
Fax 336.510.7965
www.oneallawoffice.com

Personal attention, professional results.

NOTE: The information in this newsletter is not intended to be legal advice nor is it intended as a substitute for consultation with an attorney. Specific conditions always require consultation with the appropriate legal professionals. To unsubscribe from the Law and Life Newsletter, send an e-mail to oneallaw@triadbiz.rr.com with "Unsubscribe from newsletter" in the subject line or e-mail text.



Join the UNCG license plate campaign! Download your application now: <http://www.uncg.edu/ala/downloads/applicationforuncglicenseplate.pdf>.

FAQs about the O'Neal Law Office

How much does it cost for a consultation?

Nothing. It is vitally important that the facts of your situation be reviewed before a decision can be made regarding case prospects and an appropriate fee. Contact the O'Neal Law Office to arrange your consultation today.

How much will it cost me to hire you? This depends. Traffic cases typically require a flat fee while [personal injury cases](#) usually involve a contingent fee (a percentage of your recovery). Fees in other cases such as [car law](#)

cases, [contract cases](#), and [document drafting](#) will need to be determined after you discuss your case with Attorney John O'Neal so that he can ascertain what legal services may be required.

Why should I hire you?

Attorney John O'Neal has over 10 years of legal experience and has handled a [unique variety of cases](#). With the O'Neal Law Office, you speak directly with Attorney John O'Neal and get personal attention with professional results.

Can you guarantee a particular result in my case? No. No attorney can or should promise a client a particular result in a case because there is almost always the possibility of something adverse happening. However, some cases will have a typical outcome.

Attorney John O'Neal strives to provide you with an honest and objective assessment of your legal situation so you can make an informed decision on how to proceed. The hallmark of a good attorney is that he or she tells you what you need to know, not just what you want to hear.