

Law and Life Newsletter

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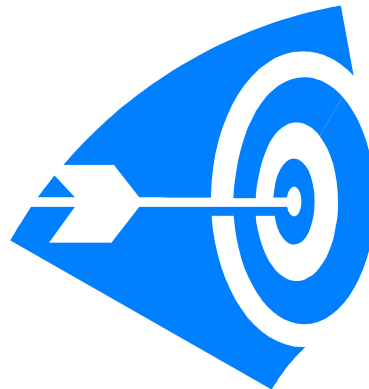
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Legal Lead Story: Myth Busters

From time to time, I read or hear people pass along incorrect information on legal issues. Here I will share a few facts to reverse a few legal myths.

MYTH: There is a three day “cooling off” or cancellation period on all contracts. The general rule is that a contract is final once it is signed. North Carolina law allows some limited exceptions to this rule such as in the case of a door-to-door sale, a health club membership, and membership contracts for multi-level marketing groups. You should assume every contract you sign will be final so read it thoroughly and ask all questions before signing.

MYTH: If you are rear-ended in a vehicle crash, the other driver is automatically at fault.



If you slammed on brakes, you may be held contributorily negligent for the collision which could mean a reduction or elimination of your claim. Also, if the offending driver had a medical emergency, he may be deemed not liable. While most rear-end collisions will be deemed the fault of the other driver, the facts of each case are

important.

MYTH: If I win my case, my attorney fees will be paid by the other party.

The United States rule is that each party bears his or her own attorney fees unless there is a specific law or contract provision that states otherwise. Only certain types of cases in North Carolina

(cont'd on p. 2)

Asset Protection

A vehicle is a funny “asset”. It is typically the second most valuable item a person owns yet it steadily depreciates in value. It is regularly to subject to damage or total loss and you pay to

insure it but do not get a refund of your premium if no damage or losses occur.

If you have a legal question or problem related to your vehicle you need competent legal advice. There are

few attorneys who handle vehicle-related legal issues. Contact the O'Neal Law Office for help with vehicle issues including [repair problems](#), [used vehicle woes](#), and [dealer fraud](#).

--OLO

Depositions

A deposition is a formal question-and-answer session in which a person is placed under oath and asked questions relevant to the legal proceeding. Depositions are a key component of many cases. Witnesses, information, evidence, and other areas of inquiry and investigation can be gained from deposition testimony.

Depositions cost money

and are typically the major expense in many personal injury and medical malpractice cases. The attorney taking the deposition must pay a court reporter, any videographer used, and the expert witness who is testifying. In cases involving medical issues, deposition testimony is legally required.

If your deposition is taken, your attorney will need to review the case with you

in detail and prepare you for the areas about which the other party's attorney is likely to inquire. Good cases are often lost or negatively affected due to poor deposition testimony.

The decision whether to take depositions is part legal and part economic. When you are involved in a legal proceeding, be prepared to consider the cost and necessity of depositions. Your case could depend on it. --OLO

Myth Busters (continued from p. 1)

qualify you to recover attorney fees if you win (ex: small personal injury cases, motor vehicle repair claims). Placing an attorney fees provision in a contract is usually a good idea as it can often serve as leverage to resolve some disputes without litigation.

MYTH: Paying the traffic ticket is always best. No, no, and NO! You really need to know

what you are doing when you pay the ticket because payment equals pleading guilty. Paying a ticket in another state may result in a revocation of your drivers' license. Why not talk to a lawyer before making a final decision about how to handle that traffic ticket?

MYTH: We don't need a contract; a handshake is sufficient. Don't fall for this trap. Get those

promises in writing and signed by the other party. If a mechanic fixes your car and says you have a warranty on the repairs and parts, get it in writing. If you have a part-time business, the smart business move is to protect yourself and have your clients sign contracts. This can protect you if an issue arises about services or goods you provided. If you need a contract or have [questions about a contract](#), contact the O'Neal Law Office.

--OLO

Spartan Spotlight---Staying Connected

This column is especially for my UNCG Spartans. There are so many things to do on a daily basis. With work, family, church, sports, the gym, and other commitments, it can seem easy to lose track of what is going on with your alma mater. However, it is

important you keep those ties to UNCG. The University needs your time, talents, and contributions. There are several easier ways you can remain connected.

Mark these websites on your Favorites list:

www.uncg.edu/ure/campusweekly/

www.uncg.edu/ala/index.html

www.uncgspartans.com

www.freewebs.com/uncgfamjam

One way you can help your alma mater right now is by [placing your order for a UNCG license plate](#). See p. 3 of this newsletter for more details. Go Spartans! --OLO

Healthful Hints: Quick Hits for the Holidays

From Thanksgiving to New Year's food and drink are available at almost every turn and it can be hard to maintain your healthy lifestyle. Have some fun and enjoy some food and drink. Just bear in mind these quick tips:

Moderation is a virtue.

Have some of those cookies and some of that stuffing but limit your portions. Your body will appreciate your self-

restraint.

Do not fast to feast.

When you starve yourself in preparation for a meal, you are more likely to overeat and eat more of the wrong foods. Pace yourself throughout the holiday season.

Load on the good stuff.

Consume plenty of the following which can help you maintain your healthy goals: water, fruits,

vegetables, whole grains, and protein. These will help fill you up and leave you less room for other not-as-healthy foods.

If you overeat, let it go.

We are all human. You can exercise and adjust your next few meals. Be good to yourself over the long haul. A few indulgences should not undo one's regular healthy habits.

Bon appetit! --OLO

Happy Holidays and Thank You!

Once again we are moving toward the close of another year. This year has seen gas prices fluctuate wildly, food prices rise sharply, our nation's overall economy sputter, the election of the first African-American president of the United States, and other historically significant events. All in all, there are many things that should give us pause to consider our future direction and

we can all find something for which to be thankful. If 2008 was not a good year for you, here's hoping that 2009 is prosperous and fulfilling.

I would like to take this opportunity to thank all of you who have supported me as we will soon mark the third full year of the [O'Neal Law Office](#). Since opening in January 2006, I have had the pleasure and privilege of being

entrusted with legal matters of vital importance to many of you. I hope that you were satisfied with the level of service provided and will contact me in the future if the need should arise.

I plan to spend time with family and friends over the holidays and I encourage you to do the same. Take time to treasure the things that are truly valuable. Have a happy and safe holiday season. Best wishes. --OLO



Happy Holidays to you and yours from John O'Neal of the O'Neal Law Office!

Check This Out!

www.urbanspoon.com A great site to find cheap restaurants across the country. Read reviews, sign up for a free newsletter, and much more. Happy eating!

www.joost.com and www.hulu.com These

websites allow you to view full episodes of many TV shows (past and present), movies, and music videos. For those of you who love TV, it's a dream come true.

www.dtv2009.gov Hurry up and get your free coupons for a digital converter box for your TV.

The deadline to order coupons is Dec. 31, 2008 and Feb. 17, 2009 is the last day your analog TV will work without a box. If your TV has a digital tuner or is connected to cable or satellite, you do not need a converter box. Take action now so you don't face a black screen!-OLO

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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.