



CURRY, PEARSON & WOOTEN, PLC

Attorneys At Law

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Personal Injury Law
Criminal Law
Domestic Relations Law
Aviation Accident Law
Bankruptcy
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OUR NEW NEWSLETTER!

We're sending our new newsletter to you because we care about your family's security and well-being.

In each issue, we'll give you information to help keep you and your family safe and healthy. Our newsletter will suggest protective steps to reduce the chances of harm or injury in your car, at home, at work, at school, or at play. We'll also update you about legal issues and cases you'll find helpful and which can improve everyday living.

Should you or a loved one suffer personal injury—and find you need us—you'll learn a lot here about what your legal options and remedies may be.

We hope you enjoy this newsletter. We have prepared it with the same personal and professional touches that you feel when you visit our practice. We also thank those who ask us to represent their legal needs and those who recommend us to others. We hope you'll share this information with friends and neighbors. Please contact **Angie** at **602-258-1000** if you would like to be placed on our newsletter mailing list.



We'll give you information to help keep you and your family safe and healthy.

MICHAEL W. PEARSON

Michael W. Pearson completed his undergraduate degree, summa cum laude, at the University of Houston. Michael also holds MBA and Juris Doctorate degrees, with high academic honors, from Arizona State University. While attending law school, Mr. Pearson was nominated as a Pedrick Scholar, due to academic excellence, and awarded honors in legal writing and research.

Mr. Pearson has extensive personal injury experience and a varied professional background. Michael has worked as an air traffic control specialist in the TRACON and Tower environments for over 20 years. Mr. Pearson is a faculty member at Arizona State University. Pearson is a reviewer for the *Journal of Air Transportation World Wide* and is authoring a text on aviation law.

Michael worked as a Quality Assurance Specialist for the Federal Aviation Administration and is a graduate of the Department of Transportation aviation accident investigation program.

Mr. Pearson is a member of the state of Arizona and Colorado Bar Associations, the Association of Trial Lawyers of America (ATLA), the Arizona Trial Lawyers Association (AzTLA), the Lawyers and Pilots Bar Association (LPBA), the NTSB Bar Association, and is licensed to practice before state and federal courts.

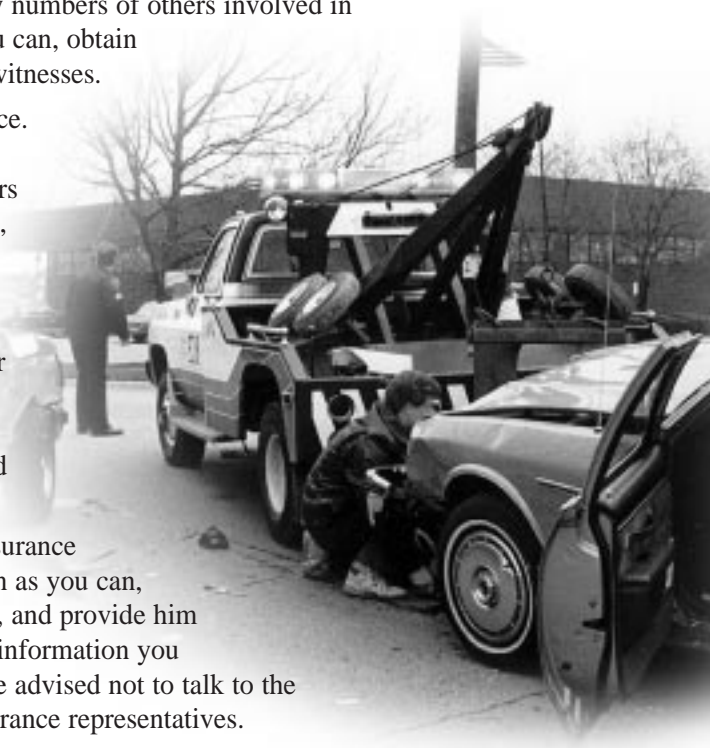
Don't forget to register and vote in 2004.

Auto accident?

Remember 1-2-3-4-5

If you have the misfortune of being involved in an auto accident, remember these five steps:

1. Remain calm and still if you are injured. Wait for medical help.
2. Don't make any admissions or statements about your own involvement in the incident. Anything you say can be used in a jury trial, should it come to that.
3. Get the names, addresses, driver's license numbers, car tag numbers, names of insurance carriers, and policy numbers of others involved in the accident. If you can, obtain information from witnesses.
4. Call the police. When law enforcement officers ask for a statement, be clear and concise. Don't volunteer details that don't matter or may work against you. Write down officers' names and badge numbers.
5. Call your insurance agent as soon as you can, report the accident, and provide him or her with all the information you collected. You'll be advised not to talk to the other people's insurance representatives.



Know the law

The Ninth Circuit Court of Appeals ruled that random searches of passengers' luggage did not violate the Fourth Amendment. Placing a bag on an x-ray belt constituted implied consent to search.



Family law

Is a family you know at risk? We handle many kinds of family law cases.

BANKRUPTCY BASICS



Here are some common questions our clients ask about bankruptcy.

Q: Will creditors keep bothering me when I declare bankruptcy?

A: No. The law prohibits continuing actions against a debtor once bankruptcy is filed. No one can file a lawsuit, garnish wages, or make harassing phone calls.

Q: Is bankruptcy public?

A: No one usually learns a person has filed a Chapter 7 bankruptcy, even though records are public. Bankruptcy filings stay on credit records for up to ten years.

Q: Can a bankruptcy filing be cleared from a credit record?

A: Bankruptcy courts want filers to restore their credit. Proceedings help filers deal with debt, and counselors can improve opportunities to re-establish credit.

Q: Can my boss fire me for filing for bankruptcy?

A: No.

Bankruptcy is serious, but it also helps people deal with life's serious problems, including losing employment, getting divorced, or suffering illness. Bankruptcy provides relief from the embarrassment and depression of financial hard times.

Con artists and the elderly

Con artists view some seniors as easy prey in their schemes to steal money. American Association of Retired Persons surveys show that more than half of telemarketing-fraud victims are age 50 or older. Other sources claim that more than 14,000 illegitimate telemarketers steal at least \$40 billion from unwary older—and younger—consumers annually.

The most common scams include calls about phony prize notifications, bad-credit clearance offers, fraudulent home inspections and repairs, expensive buyers clubs, deceptive investments, unnecessary and unwanted phone service subscription “slamming,” and others. Some seniors fall for scams claiming the ability to recapture money from the same scammers who took their money the first time.

To be safe from fraud, law-enforcement authorities often offer these guidelines:

- Never pay up-front fees for prizes or offers.



- Refuse to make payments by wire or through private couriers.
- Always ask for detailed, printed information on any offer.
- Do not release Social Security or credit-card numbers to unknown persons.
- Donate only to known charities.
- If a deal sounds too good to be true, it is.



Life insurance scam

An elderly couple’s insurance agent allegedly promoted a life insurance policy that would provide a \$5 million death payment and other benefits. After the couple pledged \$700,000 in personal assets to collateralize the premium loan, the premium lender demanded an unexpected \$35,000 first-year premium payment, threatening foreclosure on the collateral. When the couple sued for negligence, fraud, securities fraud, and statutory elder abuse, the agent and lender settled before the case went to court.

If you are stopped for DUI/DWI

Driving under the influence of alcohol or other substances is a serious crime in our state. It is always best to never drive while impaired.

That being said, what should you do if a law-enforcement officer stops you while you are driving and asks you to submit to DUI testing? It may be a vision test, a walking test, or even a blood test to see if you are driving under the influence.

- Comply with the officer’s request to show your driver’s license and proof of insurance.
- Politely say, “I will take any tests you suggest and answer any questions you ask, but only in the presence of my attorney.”
- Do not answer any further questions without an attorney present.
- Never volunteer any information.
- Do not be intimidated by anything the police officer may say.
- If you are arrested, the officer will read you your rights. You may be taken to the police station for temporary apprehension.
- Call an attorney as soon as possible.



Referrals

We want you to think of us as your law firm. If you have legal matters that need attention, please let us know. If we cannot handle the matter, we will refer you to a competent firm that can.

Please feel free to refer us to your family, friends, and neighbors for their legal needs. We welcome the opportunity to help.



CALL US. YOU'RE GOING TO FEEL A WHOLE LOT BETTER ABOUT THINGS.

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The information included in this newsletter is not intended as a substitute for consultation with an attorney. Specific conditions always require consultation with appropriate legal professionals.

ROBERT D. WOOTEN

Although he handles personal injury, general civil litigation, and bankruptcy matters for a variety of clients, Mr. Wooten concentrates his practice on criminal law. Robert has significant complex litigation experience and has been counsel in several high-profile cases.

Mr. Wooten holds a bachelor's degree from the University of Oklahoma and earned his Juris Doctorate from Stetson University College of Law.

Among his current activities outside the practice, Mr. Wooten has been involved with the Desert Hills Homeowners and the Maricopa County Horseman's Boards. He holds memberships in the H. B. Daniels, Tallahassee, Arizona, and American Bar Associations, and is licensed to practice law in Arizona and Florida state and federal courts.

WENDY LANCASTER

Ms. Lancaster obtained her Juris Doctorate from the University of San Diego in 1993. Since being admitted to practice in Arizona in 1993, Ms. Lancaster has practiced family law in Maricopa and Yavapai Counties.

Ms. Lancaster is a current member of the Family Law Sections of the Maricopa County Bar Association and State Bar of Arizona, Volunteer Lawyers Program, Association of Family and Conciliation Courts, and the Arizona Women's Lawyers Association. She has completed her Justice of the Peace Pro Tempore training and served as Justice of the Peace Pro Tem for Maricopa County in 1997 and 1998. Ms. Lancaster's practice emphasis is high-conflict custody cases, many of which involve issues of abuse, parental alienation, and in loco parentis.



Register and vote!

*Exercise all the wonderful rights
we all enjoy as American citizens.*

DUI/DWI blood testing

Driving under the influence of alcohol or other substances is a serious crime in our state. It is always best to never drive while impaired.

That being said, what should you do if a law-enforcement officer stops you while you are driving, arrests you, and then convinces you to submit to a blood test for driving under the influence of alcohol or another substance?

Contact an attorney as soon as you can. An attorney may be able to help you keep your driver's license, even if a blood test is incriminating. Here are some potential defenses:

- Antiseptics used by lab workers may contaminate your blood sample.
- Unauthorized or poorly trained technicians may draw your blood.
- Your blood may have fermented because insufficient preservative was used.
- An inexperienced analyst may have tested your blood.
- The custody chain may have been broken so that your blood was never tested.
- Lab technicians may have improperly recorded your blood test, or results may not have been reported in a timely manner.