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THE BASSETT REPORT (SPRING 2009)

The Bassett Report is a quarterly report providing information about recent developments at The Bassett Firm.

- ★ **Rising Star!** - The Bassett Firm is pleased to announce that Jennifer Eldridge has been named as a 2009 Texas Rising Star by Super Lawyers.
- ★ **TBF Speaks** – Recently, Mike Bassett and Mat Samuel spoke to Gallagher Bassett in Mechanicsburg, PA on “Claims Handling: Judging A Book By It’s Cover.” Mike Bassett also spoke to Providence Risk Management on “An Adjuster’s Guide to Litigation,” and to the TMTA Safety Management Counsel Spring Seminar on “A Legal Look At Driver Management and Company Policies.”
- ★ **Can We Speak To You?** - The Bassett Firm would welcome the opportunity to speak with the members of your company or organization. We provide nine courses, at no charge, that have been accredited for continuing education hours by the Texas Department of Insurance.
- ★ **The Legislature Is In Session** - The following bills of interest are currently pending in the Texas Legislature, but not yet signed into law: SB119 and HB 1956 seeks to reverse the Texas Legislature’s enactment of Texas Civil Practice and Remedies Code 41.0105 which limits a Plaintiff’s recovery of medical bills to those actually paid or incurred by the Plaintiff. Under the newly proposed legislation, the Plaintiff would be able to recover amounts which the healthcare provider wrote off or reduce. SB 298 and HB 169 seek to allow the Texas Department of Public Safety and certain local law enforcement agencies to establish a checkpoint on a highway or street to determine whether persons are driving while intoxicated.
- ★ **Statutory Protection** – Section 18.061 of the Texas Civil Practice and Remedies Code provides that a Court in a civil action may not admit a communication that expresses sympathy relating to the pain, suffering, or death of an individual involved in an accident. However, statements concerning negligence or culpable conduct pertaining to an accident or event are admissible to prove the liability of the communicator.
- ★ **Have You Paid Your Taxes?** – Section 18.091 of the Texas Civil Practices and Remedies Code provides that evidence to prove loss of earnings, loss of earning capacity, and loss of inheritance must be presented in the form of a net loss after reduction for income tax payments or unpaid tax liability pursuant to any Federal Income Tax Law. This means that certain categories of damages should be adjusted, before presentation of the damages to a jury, to reflect the amount of unpaid tax liability owed by the Plaintiff.
- ★ **Can We Help?** - The attorneys at The Bassett Firm provide statewide representation throughout the State of Texas. If we can help you please call us at (214) 219-9900.