

Aitken • Aitken • Cohn  
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Experience. Compassion.  
Resources. Results.



WINTER 2007

Aitken • Aitken • Cohn

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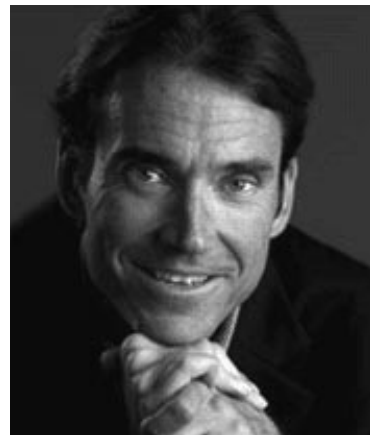
- Free consultation
- No recovery. No fee.
- Martindale-Hubbell  
AV rating
- "Best Lawyers in America"
- "The Top 100 Influential  
California Lawyers"

## Client Profile—Jim MacLaren Athlete and inspiration

Our former client, **Jim MacLaren**, is a motivational speaker and author noted for his record-breaking performances in the marathon and ironman triathlon after having his left leg amputated below the knee.

Jim was a successful scholar-athlete at Yale, where he not only excelled in his course studies, but also lacrosse and football. He majored in theater studies while morphing into a 300-pound defensive end for the Bulldogs. Finishing his undergraduate work in 1985, he ventured to New York City to train at the Circle in the Square Theatre School on Broadway. Three weeks later, leaving a late-night rehearsal session on his motorcycle, MacLaren was broadsided by a 40,000-pound city bus. Rushed to Bellevue Hospital, he was initially diagnosed as "dead on arrival."

After 18 hours of surgery, doctors stabilized a comatose MacLaren and made a decision that would shape the next eight years of his life. They amputated his left leg below the knee. He awoke from his coma, rehabbed diligently, and attempted to resume his graduate studies at the Yale School of Drama. There, he started swimming and picked up a book on triathlons that sparked his imagination. Soon, MacLaren was ready to resume life as an athlete, as a triathlete. "I felt like I was back in it, back in life," he says. "I didn't compete against other people. I was competing against me. A buddy once said, 'Mac, nobody cares how fast you go, they just love that you're doing it.' I told him *I* care. I never wanted to be taken for granted, as that guy with the fake leg. So I just kept pushing myself."



MacLaren's success paved the way for a new generation of disabled athletes. He competed and set scores of records in some of the toughest races on the planet, including the New York City Marathon and the Ironman Triathlon in Hawaii, and routinely

*(continued on back page)*

## New Year's Message

May you and all those you love find peace, happiness,  
and good health throughout 2007.

We would also like to thank you for seeking out our  
legal services over the years and for referring your  
relatives, neighbors, and colleagues to us.

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## SEMINAR SCHEDULE

**ABOTA National 7th Amendment Summit**  
February 8  
Wylie Aitken

**CEB**  
February 24  
& March 24  
**Analyzing Key Evidence Issues**  
"The Jefferson Approach Program"  
"California Evidence Benchbook"  
Wylie Aitken

## WHO'S NEW...

### Please welcome...

**Randi Beamish** joined the firm to assist Chris. She has been a legal assistant for more than seven years. Randi is presently studying business law.

**Rachel Garcia** has joined us as the legal assistant to Casey and Michael. She has a B.A. in criminal justice and five years' experience as a legal assistant.

**Marilyn Kagley**, legal assistant to Darren, joined the firm bringing with her more than 15 years' experience working in the legal field. She has completed legal classes at UCLA.

**Virginia Tomlinson** is our new receptionist and voice of the office. She has more than five years' experience in customer service, has obtained her B.A. in psychology, and is presently working on a paralegal certificate.

**Susan Tuley** is replacing our longtime bookkeeper, Dayle, who has decided to retire. Susan received her B.A. in business from San Diego State University and has more than 20 years' experience as a bookkeeper for law firms.

## Do you have enough auto insurance?

Many who think they have sufficient auto insurance protection learn otherwise after accidents.

One option every driver should purchase is uninsured/underinsured motorist coverage (UM/UIM). Never sign UM/UIM waivers.

**UM coverage** protects you when a negligent driver in an automobile accident has no insurance. It pays lost wages, medical costs, and other expenses associated with serious injuries.

**UIM coverage** safeguards you if you are injured by a careless driver who has only minimal insurance. Since UM doesn't apply, the other driver's nominal coverage may not cover injuries you suffer. Your own policy may not cover injuries, either.

### Protect yourself

Be sure you have sufficient auto coverage for all your family's drivers. Talk to your auto insurance agent to learn the extent to which your UM/UIM coverages will safeguard you and your family. If they are inadequate, increase this relatively inexpensive protection.

## Shopping for auto insurance

### The seven steps in buying auto insurance that will best protect you and your family include:

1. Educating yourself about state auto insurance requirements.
2. Comparison-shopping coverages.
3. Meeting with several insurance agents.
4. Reading the entire policy very carefully.
5. Listing all drivers.
6. Paying premiums promptly.
7. Disclosing past claims.

### DID YOU KNOW?

Only two percent of all jury trials involve personal injury claims.

## Lower your insurance costs

Here are nine more ways to reduce your auto insurance premiums:

1. Drive carefully.
2. Purchase a safe vehicle that costs less to insure.
3. Maintain the vehicle's safety.
4. Increase deductibles.
5. Reduce older car coverage.
6. Maintain a good credit rating.
7. Obtain low-mileage discounts.
8. Investigate group insurance plans.
9. Seek other discounts.





**Front row: Richard Cohn, Darren Aitken, Wylie Aitken, Chris Aitken**  
**Back row: Casey Johnson, Michael Penn**

Wylie Aitken, nationally recognized trial lawyer and founding partner, has received numerous honors, including being named to the premiere listing of the *Lawdragon 500 Leading Lawyers in America* and recently *Lawdragon 500 Leading Plaintiffs' Lawyers in America*. Richard Cohn and Darren Aitken, partners, were selected to the *Lawdragon 3000 Leading Plaintiffs' Lawyers in America*.



## Our firm's areas of interest

**Aitken Aitken Cohn** has chosen to specialize its practice in a few precise areas of law. The practice of law has become increasingly complex, and the firm's sophisticated clientele expect and deserve legal representatives fully aware of the nuances of their particular situations. Members of the firm, however, are always willing to adapt to the changing legal environment and explore new opportunities that are consistent with the firm's mission and goals. The following is a brief list of our areas of practice.

- Personal injury
- Products liability
- Aviation
- Insurance bad faith
- Commercial vehicle/ Trucking liability
- Medical/Legal malpractice
- Commercial torts/ Wrongful termination

Please see our Web site at [www.aitkenlaw.com](http://www.aitkenlaw.com) for further details in regard to each of these practice areas and for descriptions of other representative matters.

## 18-wheeler truck accidents

Annually, more than half a million 18-wheeler trucks are involved in accidents. About 5,000 accidents result in fatalities. Many who die drive autos that collide with trucks.

Anyone involved in an accident should consult an attorney familiar with semi-truck/auto accidents, since a number of special considerations may apply. An experienced attorney investigating an accident may review...

- applicable insurance-coverage issues.
- driver medication or illicit drug use.



- driving-time logs and records.
- GPS-device recordings of minute-by-minute speed, braking, location, and other factors.
- independent-contractor truck and driver-liability defenses.
- overlapping or conflicting federal and state regulations guiding truck safety.
- proper materials loading and safety rules.
- roadway speed, lane use, and passing regulations.
- trucking-company maintenance records.

## 18-wheeler crashes

Between 1994 and 2004, the number of 18-wheeler trucks involved in fatal collisions rose from 4,644 to 4,862, a five-percent increase.



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## Referrals

*Thanks to all of you who have recommended our firm to your relatives, friends, and neighbors. We appreciate your vote of confidence and pledge to care for these "VIPs" as well as we care for you.*

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## Client Profile—Jim MacLaren

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finished ahead of 80 percent of the able-bodied athletes. Then, on June 6, 1993, his life took another cruel turn. He was in Mission Viejo, California, competing in another triathlon. Two miles into the bike leg, on a closed course, a traffic marshal misjudged MacLaren's speed approaching an intersection. The marshal directed a van to cross the street, and the van and MacLaren collided. Hurling into a signpost, MacLaren broke his neck at the C5 vertebrae, which paralyzed him. **Aitken Aitken Cohn** was proud to represent Jim following this second devastating incident.

"There are times I don't like the way my life has gone, but that doesn't mean that I'm not in love with life," says the 43-year-old motivational speaker who created the Choose Living Foundation. "Is it fair what's happened to me? No, of course not. So what? I still have to get up in the morning. By engaging life, by moving what few muscles I have, my bed suddenly becomes an exercise mat."

MacLaren's Choose Living Foundation, which he launched in 2005, and his ongoing speaking engagements are a distillation of those experiences that have shaped and changed Jim's life every day. While it sounds simple, even simplistic, MacLaren doesn't shy away from the no-nonsense challenge that such a straightforward moniker entails.

Today, MacLaren considers himself blessed not only because of the enlightenment achieved through his recoveries, his studies, and self-exploration, but also because his speaking schedule allows him to impart those lessons. He's grateful for the exposure that came his way when he and Emmanuel Ofose Yeboah received the Arthur Ashe Courage Award at the 2005 ESPY Awards, and the ensuing widespread media attention, including televised appearances with Oprah Winfrey and Jim Rome.

While working as a motivational speaker, Jim refuses to cast himself as a victim. He has garnered two master's degrees and is currently working toward his Ph.D. in mythology and depth psychology. MacLaren also understands the opportunity he's been given to motivate others, and readily accepts that responsibility, offering his own experience as an example.

*(The preceding profile was adapted from Jim's Web site at [www.jimmaclaren.com](http://www.jimmaclaren.com).)*

## Identity theft Reduce the risk

In 2005, wrongdoers defrauded more than nine million Americans by illegally obtaining their financial information.

**Reduce your chance of identity theft.**

### At your mailbox

Prevent credit-card and other financial-services offers from arriving in your mail. Thieves can steal solicitations and apply for credit in mail recipients' names. Stop mailings by calling the credit bureaus' toll-free telephone, **888-567-8688**, or surf to **[www.optoutprescreen.com](http://www.optoutprescreen.com)**. Callers must provide names, phone numbers, and Social Security Numbers (SSNs).

### On your phone

Preclude dishonest telemarketers from asking for account and SSN "verification" for a phony mortgage or credit-card offer. Sign up with the National Do Not Call Registry, operated by the Federal Trade Commission. Register by calling **888-382-1222** or surfing to **[www.donotcall.gov](http://www.donotcall.gov)**. See registry guidelines to understand which calls may still come through.