

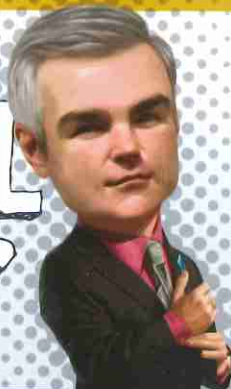
April 2016

MARC WHITEHEAD & ASSOCIATES
ATTORNEYS AT LAW, LLP
A NATIONAL DISABILITY CLAIMS LAW FIRM

Vol. 2

Issue: 02

THE NEWSLETTER YOU'VE BEEN WAITING FOR... Successful Barrister



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WELCOME to Another Fantastic Issue of the Successful Barrister!

This innovative newsletter is for lawyers seeking to improve their practices and their lives while making money tons of money and still staying sane! In this issue, I share some thoughts on keeping your employees motivated and on task as well as how to keep yourself under the crack of the whip (even though the weather screams GOLF!). As always, if you know anyone you think would enjoy this newsletter, please email me their contact information at marc@marcwhitehead.com and I will be pleased to add them to my mailing list. Enjoy!

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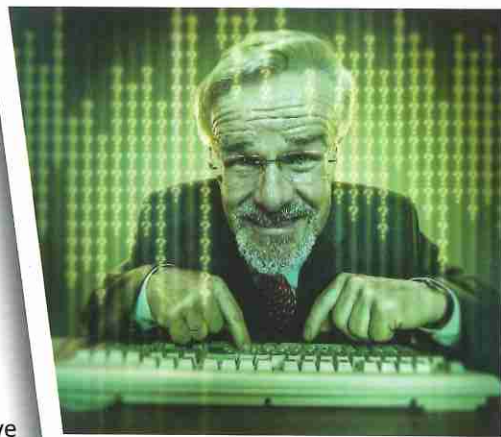
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The 5 CHOICES

The Path to Extraordinary Productivity



MARC WHITEHEAD
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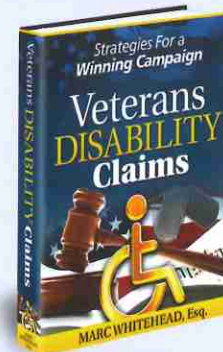
This article is a summary of a book I recently read entitled, "The 5 Choices" authored by Kory Kogon, Adam Merrill, and Leena Rinne. I highly recommend it. It can be found at www.the5choices.com.

The 5 Choices argues that being productive today is something of a paradox. It is simultaneously easier and harder than ever before to become highly productive and feel good about your life and career. The three basic challenges which everyone faces today are:

1. **Decisions**- Every day, you face an overwhelming number of decisions which have to get made.
2. **Attention**- Your attention is under unprecedented attack from all quarters.
3. **Energy**- You can feel your mental energy ebbing away as you deal with trivial stuff.

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FEATURE BOOK

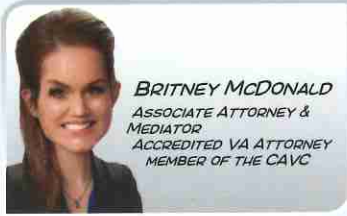


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From Standard To Superstar

Tips For Getting The Most Out Of Your Employees



Often the best way to generate enduring profits for your firm will not come from marketing or recurrent referrals. The most cost-efficient and lasting approach often comes from investing in

your own employees to get the most out of their skill sets. Managers have the ability to use persuasive techniques to motivate employees so that they approach their positions in the most effective way for the firm, and, in turn, generate lasting profits.

Many successful entrepreneurs have developed practices to motivate and strengthen their employees for the good of their firm. For example, Alex Valencia wrote about a series of effective practices in his article, "6 Tips for Turning Average Employees into Self-Motivated Super Stars." He conveys that his goal is to ensure each team member is fully engaged in the firm's process and fully invested in its success. His advice lends to create a team that has embraced a collective goal of company success, driven by the individual opportunities for improvement and recognition you provide as a manager.

Set Your Employees Up for Success

There are a number of ways to accomplish this directive. E-myth has created an accountability tool managers can use to persuade employees to meet their jobs' expectations and, in turn, produce expected results. E-myth calls this tool a "Position Agreement." Where a simple job description functions as "more of an organizational formality than a document which serves a greater purpose," the Position Agreement "makes explicit the result the employee is accountable for in that position and the work standards necessary to produce that result." Employees are asked to list a "result statement," all strategic and tactical work for which the position is accountable, the quantity, quality, and behavior standards for which the position is accountable, and to also sign the document signifying that the employee is to be held accountable to those listed standards and results.

The employee's manager is also asked to sign the document, agreeing to provide the necessary environment, tools, and training to enable the employee to accomplish those listed results. The affirmation and execution of this accountability agreement is proven to encourage employees to fulfill their expectations and produce results more effectively than if the employee is provided with an

often vague job description. This document provides a clear avenue for every position to achieve the company's "Strategic Objective," collectively resulting in a thriving and profitable business. Methods like this one can serve as great tools for educating and empowering your employees to be on top of their game and provide excellent service within your company.

Provide a Challenging Environment for Your Employees

While an established routine is typically essential for productivity, it can cause complacency and loss of motivation among your workers. Set both long-term and short-term goals to be reached that are both challenging and realistic. If the goals feel impossible to accomplish, the team members may deviate from their objectives. Proper goals should motivate employees to use all of their potentials and provide variety to their workdays.



Oftentimes, getting to the source of motivation is key to producing it. Discovering what motivates each of your staff members is an effective way to internalize their motivations. From recognition to rewards, if you figure out how to motivate your team members to put in that extra effort, you are sure to experience not only a happy office, but also a productive one.

Reward Top Performers

This is an effective way to set standards for expected behaviors and results. Track the productivity of your employees to encourage that they meet and surpass their goals. Alex Valencia even suggests that you give your employees the opportunity to nominate their peers for awards based upon exemplary performance, noting that sometimes the best acknowledgments don't come from their boss, but rather their co-workers. However you approach this technique, the end result will be that your employees receive a boost in the morale that should promote productivity within your firm.

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"Get your facts first, and then you can distort them as you please."

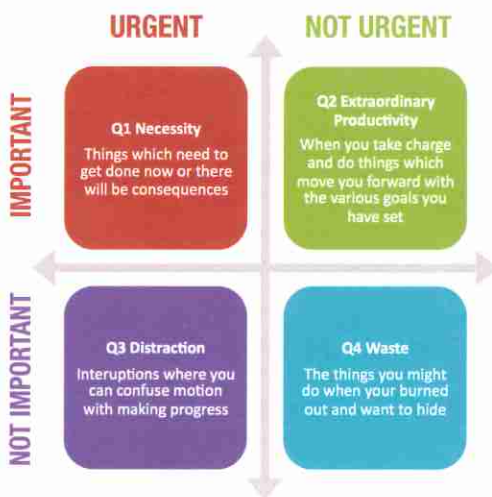
Mark Twain

To rise above the chaos and do great work, the authors argue that there are 5 Choices you have to make:

Choice #1- Act on the Important; Don't merely react to the urgent

The first choice you can make to become extraordinarily productive is to become more discerning and less reactive about how you use your time. Maximize the amount of time you spend every day working on activities which are important but not urgent.

Stephen Covey's Time Matrix is a good framework to help examine the 5 Choices. Covey's Time Matrix places activities in 4 quadrants:



Quadrant 1 activities are Urgent and Important: like crises, emergency court hearings, or last minute deadlines. These have to be dealt with immediately or there will be consequences.

Quadrant 2 activities are Important but Not Urgent: this is where you take charge and do things which move you forward with the various goals you have set. Developing systems, plans and strategy are good examples of Q2 activities as well as profitable work that only you can do. You want to maximize the amount of time you spend in this area.

Quadrant 3 activities are Urgent but Not Important: these are distractions like unimportant emails or phone calls, irrelevant meetings, unimportant reports, and false deadlines. Here you can waste time and not end up achieving your goals.

Quadrant 4 activities are Not Urgent and Not Important: this is where you waste

time on trivialities like internet surfing and television watching. You can stop thinking when you are in Quadrant 4 which is why sometimes productive people end up here when they become burned out and start hiding from their responsibilities.

You will always do your best and most productive work when you are in Quadrant 2. The key to staying in Quadrant 2 is to move more of your decisions from your "reactive" brain to your "thinking" brain. You do this by using a process called *Pause-Clarify-Decide* or PCD.

Choice #2 Go for the extraordinary; don't settle for the ordinary

To maximize the amount of time you spend in Q2, you have to figure out what makes you feel satisfied and accomplished. This is a matter of clarifying the roles you play and deciding what would constitute extraordinary performance in those roles.

A good way to visualize the concept of being extraordinary is to identify the important roles in your life. Professionally as an attorney you are probably a manager, marketer, legal technician and legal strategist. Personally you may be a husband or wife, a parent, caretaker, friend, community activist or just a good citizen.

To maximize Quadrant 2 activities, you should identify what extraordinary performance looks like in these roles you identify. Make sure how you define extraordinary is truly your own thinking and not someone else's. To be extraordinary, you must be genuinely motivated and to be genuinely motivated, it must be **your own thinking and your own goals**.

Choice #3 Schedule the Big Rocks; don't sort Gravel

You'll never become extraordinarily productive until you decide what is most important and start proactively scheduling those activities in advance. You have to create some Q2 time zones where you can make significant progress towards your key goals.

"Big Rocks" represent the important Quadrant 2 activities you want to fill your days with. This is productive time spent on building key relationship, progressing important projects and so forth. Big rocks are those activities which will generate the extraordinary achievements you're after in your various roles.

"Gravel", by contrast, is all the little stuff which soaks up your time—answering emails, making phone calls, doing personal tasks, etc.... You have got to be careful that you don't end up spending too much time dealing with gravel that you don't focus on the big rocks.

The key to true productivity is not to try and get more things done, that is, not to sort gravel faster – but to schedule more time for the big rocks. It's not about trying to do more with less but doing more about less. You need to schedule time for the big rocks which make up your Quadrant 2 activities and then give them your best attention and energy.

Choice #4- Rule your Technology; don't let technology rule you

Today's technology can accelerate the inflow of gravel into your life if you're not aware. Don't let that happen. Have systems in place so you rule your technology and use it to boost your productivity. Be savvy and smart when it comes to technology.

What's important to keep in mind about the flood of information that comes to us though an influx of messages, emails, requests and demands is the philosophy of Choice #1—you want to act on the important rather than merely react to the urgent and the loudest. With that in mind, you should use technology to help you be productive in Quadrant 2 rather than letting it waste your time in Q1, Q3 or Q4.

Choice #5- Fuel your personal fire; don't get burned out

Staying extraordinarily productive takes a lot of mental energy. Your brain is your number one business asset and as such you should invest some time each day in optimizing your mind and brainpower. To do this there are two keys:

1. Always act with a purpose. Be motivated by the great contribution you can make.
2. Invest time every day in the five drivers of mental and physical energy
 - Move
 - Eat
 - Sleep
 - Relaxation
 - Connect

The Five Choices is a good read that you can get through fairly quickly. If you enjoyed The 7 Habits, this brings the a fresh perspective on those tried and true concepts. Enjoy! ☺

How to Focus Your Staff into an Effective Team!



Could you imagine a surgeon walking into an operation without an organized surgical team? Or a commanding officer marching into battle with a wayward platoon? Similarly, we cannot effectively represent our clients without the proper support and organization. However, all of us know how hectic the practice of law can become. Pressure and stress from our profession can often be overwhelming without the necessary support of our staff.

Of course, the difficulties we face can become exponentially worse if our support staff is disorganized and requires more maintenance than the problems themselves. Jay Henderson, in his article *"How to Get Your Staff Doing What They're Supposed to Be Doing... In 9 Simple Steps"* gave insight into some of his management methods. I'll be discussing some of his tips and more!

The most important factor in leading a team effectively is establishing yourself as a proficient leader.

To do so, you must invest in your role as the leader of a team. Law school taught us how to read and research the law, write persuasively, and think critically. I never once saw a class geared towards managing staff and delegating effectively to a team. Therefore, we must make time to build and research leadership styles and skills.

- Go to leadership training seminars.
- Seek out materials on becoming a great leader
- Become confident in your skill set as a leader!

With that being said, be honest with yourself, search for your most needed improvements, ask a mentor or peer in the office about where they feel you could use improvement and start there. Even great leaders continuously strive for improvement; there is always room to progress as a leader.

A good leader is knowledgeable of the "ins and outs" of his or her team.

How can I expect myself to delegate effectively if I'm not familiar with what exactly my staff does? How do I know that I am passing a project to the right

"Most lapses in ethical behavior are related to the wallet, the bottle or the zipper."

Anon

person? You must be knowledgeable about the processes required of your team as a whole and individually. This is necessary for giving proper instruction to members of your team, and also knowing where to look in case of deficiencies.

- Take time to sit down with each member of your team.
- Learn about their position, duties, and with whom they work to complete tasks.
- Really listen to what they have to say. There is no better way to key in on how your team is doing.

Clear communication is one of the best tools a leader can have in his or her tool chest.

How can you expect great things from your team if you cannot adequately

express your expectations, needs, and wants? This is particularly important when you're effectuating a change of policy or procedure.

Employees, especially more tenured employees, tend to be resistant to changes in policy and protocol.

To help yourself and your staff with changes:

- Try making your changes a discussion, instead of an order.
- Take questions, discuss the strategy and "why" behind the changes.

An essential way to engage in clear communication with your team is to set regular, purposeful, staff meetings.

- Set a clear agenda and allow your team to add to it as well.
- Organize your meetings into clearly set out phases so that everyone in the meeting knows when to appropriately discuss topics.
- Make your team stick to the agenda and procedures you have in place for your meetings.

Don't let the meek and soft-spoken team members get run over by the more assertive team members; I am often surprised by what they have to say. Sometimes the best ideas come from the most unlikely people. The team meeting should be a safe and open environment to present potential problems, constructive criticisms (of processes, not people), and engage in brainstorming to fix those problems. The most important take away though is that the team meetings should be exactly that, centering on the team.

Finding ways to focus your team is essential to being a good leader. But, this focus has to come from the top down, starting with you! Invest in yourself and invest in your team; I guarantee you this investment will pay dividends down the line! 😊

How To Make The Best Digital Marketing Choices

By Stacey Burke

In today's increasingly competitive legal industry, lawyers must recognize that marketing and business development are integral components to business success. Every law firm should establish, claim, and maintain a consistent digital brand that corresponds to its offline, real world practice style. The opportunities within the digital landscape are endless, leaving everyone from the solo practitioner to the bustling mid-sized boutique wondering how to find the time to learn enough to make informed decisions and hold vendors accountable.

The Five Basic Building Blocks Of Digital Legal Marketing

There are five main components to a solid digital marketing strategy. The foundation is your law firm website, and everything else will revolve around it, so it better be good. You should spend the money necessary to create a solid web presence, and that includes paying for both a professional photography shoot and a logo design with specific colors that will drive the rest of your digital aesthetic.

1. WEBSITE

When I want to learn about a business, I go straight to the search engines. I look first for a website and customer reviews. Potential new clients, referral sources, opposing counsel, insurance adjusters, judges, and more will all look at your law firm's website to get a feel for who you are. Do you want to put a cheap and ugly digital face forward or do you want your website to serve as a gorgeous online brochure touting your best attributes?

Whether you are using your law firm website primarily as a reference point or as a lead generation mechanism, it is the most worthwhile investment you can make toward establishing your entity's credibility. A few pieces of advice:

(1) own your own domain name (www.yourlawfirm.com), (2) focus on the points of differentiation that make your law firm stand out from the competition, (3) keep your target audience in mind when designing and writing your content, and (4) always be sure to include the core pages that search engines look for,

including "about us," "lawyers," "practice areas," and "contact us."

Good quality content lives at the core of all successful digital marketing strategies and your content will live primarily on your law firm website. Make sure that you understand how to write for both people and for search engines, ensuring that your audience can find your content online and once they do, that they can understand what you are saying.



2. DIRECTORIES

The Internet contains thousands of citations, directories, and other digital listings with both lawyer and law firm information. These listings can include Avvo, Super Lawyers, Best Lawyers, Google My Business, Manta, and Martindale-Hubbell, among others. When someone uses a search engine to find information about you or your law firm, the user will only scroll through the first few pages of search results, if that far. Digital citations will appear on the early pages of organic search results, so you should make sure that you claim them, build them out, and keep track of the login credentials.

Since these directory listings exist, you should use them to your advantage and be present in a meaningful way. While the importance and relevance of some listings varies by practice area, the best approach is to seek out all of your correct, incorrect, and duplicate listings on the most important sites. Then, remove duplicates, fix any name and/or contact information

variations, and enhance the listings with as much information as possible. Your ultimate goal is to get listed in the top sources in your city and your practice areas.

3. PAID SEARCH ADVERTISING

Search engine marketing is an umbrella that covers a variety of strategies, the most well known of which is paid search advertising (also known as PPC or pay-per-click). Google's primary original advertising platform, AdWords, has been around since 2000 when advertisers paid a monthly fee for Google to manage their campaigns. Since that time, AdWords has become self-service, and many lawyers have tried it out for themselves.

Google is not the only game in town. Yahoo and Bing collaboratively created the second-largest search engine advertising option, Bing Ads, a service that provides pay-per-click advertising on both the Bing and Yahoo! search engines. While Google does control the vast majority of paid search advertising opportunities and the lion's share of the digital audience, a law firm can become dominant more quickly, cheaply, and easily on the smaller but still effective Bing/Yahoo network.

Search engine advertising options have expanded far beyond the text-based ads that appear above and to the right of organic search results. Some of Google's newest features include various forms of remarketing, ad extensions, and the Google Display Network.

4. SEARCH ENGINE OPTIMIZATION

Search engine optimization is one of the most important yet one of the most commonly misunderstood digital marketing phrases. Search engine optimization (SEO) is generally defined as improving a website's ranking in organic, natural search results.

SEO starts with how your website is built. A poorly built website often cannot be optimized well. A number of website design and development factors can influence SEO, including page headings, page formatting, page load speed, the keyword ratio of your content, and metadata.

Various paid and free tools exist that reveal SEO-related data points, such as external backlinks, page rank quality, broken links, server errors, schema markup, and rank tracking.

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Using YouTube™ to Blow Away Your Competition and Make Your Firm Look Amazing



We have all seen the videos of attorneys sitting at their desk going on and on about how brilliant they are. But what do you really remember about those videos? It's more likely that you remember the terrible lighting, subpar audio, and the lack of pertinent information.

You probably don't even remember what the subject matter was. These are all rookie mistakes and to be fair, a great number of us can look back at old videos we have made and cringe a bit.

So how do you make sure that your videos stand out, get a great message out and leave a lasting good impression on your potential clients? Well, Gerry Oginski, the attorney mastermind behind the lawyers video studio, has the best advice to make your YouTube videos outstanding.

Let's break it down.

1. THE PERSON SEARCHING FOR AN ATTORNEY MUST FIRST FIND YOUR YOUTUBE VIDEO.

A lot of attorneys assume that YouTube will optimize their videos for search engines or they may even have a production company to handle that for them. But did they hit the mark? You can tell the attorneys that nailed it by looking at their video descriptions. Viewers are more likely to click on a video that has a compelling headline and a detailed, but not boring, summary of the video along with relevant keywords. Some attorneys will just assume that because their video is out there, that is enough. This is a Rookie mistake. As Gerry says, **if nobody can find your video, you have wasted a lot of time and money creating your video.**

2. THE VIEWER MUST ACTUALLY PRESS 'PLAY'. Just because you have made a video you think is amazing and uploaded it to YouTube doesn't mean that it will be watched. Even if you make it to page one of the YouTube search results, you have a slim chance of anyone actually watching your video if you don't have compelling headline and content. Think about it this way, if you sent the link to your video to everyone you knew, would anyone other than your spouse, best friends or family even watch it? So why would someone who knows nothing about you watch your video? Your attorney videos need to grab the viewers' attention. These viewers have a legal problem that they need help with. They are looking for an attorney who will solve their unique problem. Grab them with your titles and make sure your

video descriptions explain all that you cover in the video.

3. THEY NEED TO WATCH THE FULL MESSAGE. You would think that this would be easy to achieve. You spend time, effort and money to make a good video. You think the content is interesting and that it will hold the viewers' attention for 5 minutes. But then you check your analytics and see that people are only watching the first 15 seconds, or at most, only staying until the halfway point and then moving on. Why does this happen? Gerry has a little secret that most online viewers know but attorneys do not: **Many lawyers talk way too much and don't listen.**

If you look through your video and think that this may be how you come across then you have lost your audience. Attorneys talk for a living. You give advice on a daily basis, so it comes naturally for you to stand in front of the camera and lecture the

viewer. If this is what your videos look like, scrap them now and start over. Edit your content to convey a message that the viewer will want to watch!

4. THE VIEWER SHOULD BE COMPELLED TO CONTACT YOUR FIRM.

Think about it. Why would someone want to call you after they have seen your YouTube video? Let's hope you don't think it's because of your amazing credentials, or what school you graduated from. All

viewers will take away from those types are things are that you are expensive and condescending. Viewers on the whole, don't care about you as a person. They want to know if you can help them solve their problem. You need to think about your viewer when putting your video together. Are you offering assistance to a problem? Are you offering advice on a certain issue? Make sure you take the time to "think" like your viewer.



"Reality continues to ruin my life."

Bill Watterson

When in doubt, check your YouTube analytics. If no one stays to watch more than 15 seconds, scrap it and start again. Simple!

You can check out more of Gerry Oginski's advice on how to make amazing legal videos on his website: lawyersvideostudio.com. ☺

Stay Connected with Your Employees

This has proven to be a sure to way to maintain motivation within the organization. Oftentimes in larger office settings, connections with individual members are lost in favor of a larger team environment. Remember that each employee is there for a reason and each employee has his or her own motivations. Managers should provide care to each relationship to make the member feel important and valued. This care could take form in writing occasional personalized notes, or even by taking



time to visit with each employee to see how he or she is doing. If the employees realize that they are individually noticed and valued, they will often find deeper purpose in their work and a motivation to help the firm succeed.

Employees are the lifeblood of any business. Investing in their skill sets is advantageous to both their well-being and your practice. Using even some of these techniques to maximize your employees' potentials ensures that they approach their positions with confidence, motivation, and efficiency to maximize the growth and success of your firm. ☺

HOW TO MAKE THE BEST DIGITAL MARKETING CHOICES - FROM PAGE 5

Whether or not SEO strategies will be effective depends upon a variety of factors including the level of competition for your target keyword phrases, geographic parameters, and the budget you must spend to have an impact.

5. SOCIAL MEDIA

Some marketing companies say social media is a waste of time and produces no measurable return on investment. While success on social networks does require an investment of time, the time will be worth it if you spend it wisely. Also, the success metrics for social media marketing are very different than those for other digital techniques like PPC. With social media, while link clicks are still extremely important, you must also measure key performance indicators for engagement.

The top three channels lawyers should use (in order) are LinkedIn, Facebook, and YouTube. Once you create these profiles, you must check them regularly for client communications and you should share and engage on them regularly to increase both your digital credibility and your potential reach. The design and branding of your social channels should be consistent with your website and other digital properties, i.e. use the same professional photo from your website on your LinkedIn profile.

LinkedIn is primarily for professional networking, and every lawyer should have a profile and every law firm should have a company page. Every law firm should have a Facebook Page, but just one page not many pages. YouTube is linked to a master Google account and that account should be the Google My Business account referenced above under item two. YouTube is the second most used search engine in the world, so failing to be present keeps your law firm from reaching a lot of online traffic.

Video puts a human face to your law firm brand. Posting client video testimonials, media coverage, and even your television advertisements to your firm's YouTube channel all provide value. Additionally, each of these three social networks has its own advertising platform.

Lawyers Must Market Themselves To Survive, So Do It Well

The legal services marketplace is more competitive than ever; and, if you do not take steps to both preserve existing valuable relationships and to develop new ones, you will regret it! Make sure to have clearly defined goals, to measure your progress toward those goals, and to account for every marketing dollar you spend. Remember – if you are not actively hunting for new potential business, your law firm is missing opportunities to market its services in a meaningful way. ☺

ABOUT THE AUTHOR

Stacey E. Burke, JD is the owner of Stacey E. Burke, PC, a business consulting practice that works with law firms across the country. Stacey advises her clients on digital marketing, law firm branding, business development, and legal technology. Prior to her consulting career, she practiced personal injury litigation with Schechter, McElwee, Shaffer & Harris LLP of Houston, Texas and Watts Guerra LLP of San Antonio, Texas. You can learn more about her at www.StaceyEBurke.com.



Lawyers Need a Laugh

Man Checks His Wallet

Jokes appeared in Legal Funnies by Law Marketing

A New Yorker was forced to take a day off from work to appear for a minor traffic summons. He grew increasingly restless as he waited hour after endless hour for his case to be heard.

When his name was called late in the afternoon, he stood before the judge, only to hear that court would be adjourned for the rest of the afternoon and he would have to return the next day.

"What for?!?!" he snapped at the judge.

His honor, equally irked by a tedious day and sharp query, roared out loud: "Twenty dollars contempt of court! That's why!"

Then, noticing the man checking his wallet, the judge relented:

"That's all right. You don't have to pay now."

The young man replied, "I know. But I'm just seeing if I have enough for two more words."



Cigars Do the Talking In Court

A defendant in a lawsuit involving large sums of money was talking to his lawyer.

"If I lose this case, I'll be ruined." "It's in the judge's hands now," said the lawyer.

"Would it help if I sent the judge a box of cigars?"

"Oh no! This judge is a stickler for ethical behavior. A stunt like that would prejudice him against you. He might even hold you in contempt of court. In fact, you shouldn't even smile at the judge."

Within the course of time, the judge rendered a decision in favor of the defendant.

As the defendant left the courthouse, he said to his lawyer, "Thanks for the tip about the cigars. It worked!"

"I'm sure we would have lost the case if you'd sent them."

"But, I did send them."

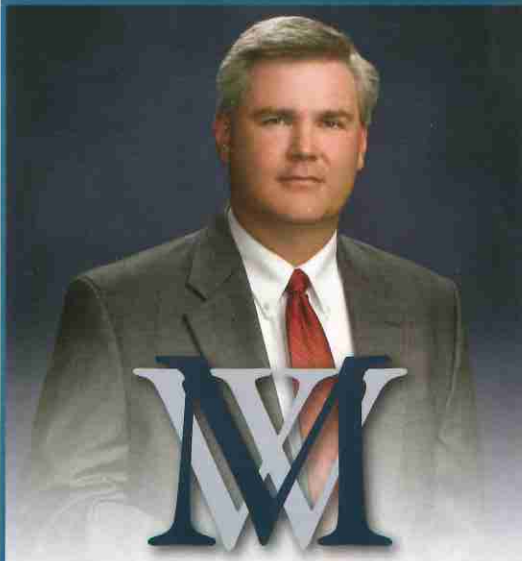
"What? You did?" said the lawyer, incredulously.

"Yes. That's how we won the case."

"I don't understand," said the lawyer.

"It's easy. I sent the cigars to the judge, but enclosed the plaintiff's business card." 😊

DISABILITY & INSURANCE DENIALS



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