

July 2016

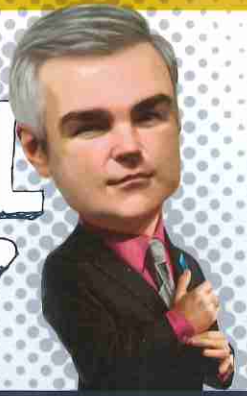
MARC WHITEHEAD & ASSOCIATES  
ATTORNEYS AT LAW, LLP  
A NATIONAL DISABILITY CLAIMS LAW FIRM

Vol. 2

Issue: 04

THE NEWSLETTER  
YOU'VE BEEN WAITING FOR...

# \$uccessful Barrister



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## WELCOME to Another Mind Blowing Issue of the \$uccessful Barrister!

This monthly newsletter is jam-packed with advice and guidance for lawyers seeking to improve their practices and their lives while making money piles of money and still staying dynamic. In this issue, I share some thoughts on time management, deadlines and how to keep on top of your ever growing success. As always, if you know anyone you think would enjoy this newsletter, please email me their contact information at [marc@marcwhitehead.com](mailto:marc@marcwhitehead.com) and I will be pleased to add them to my mailing list. *Enjoy!*

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# Time Management for Attorneys



MARC WHITEHEAD  
BOARD CERTIFIED - PERSONAL  
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## Take Control of Your Time.

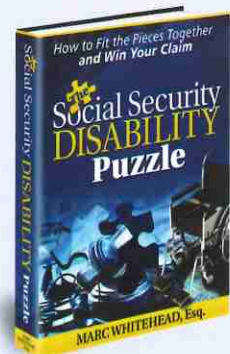
*The key is not to prioritize  
what's on your schedule, but  
to schedule your priorities.*

Time management is an oxymoron - you can't manage time, you can only manage yourself. On any given day, clients and other attorneys call, colleagues and staff drop by your office, and email notifications constantly pop up on your computer screen or smartphone—causing more disruption to an already busy schedule. But there are ways to tackle the daily barrage — the first is to realize that multitasking is a myth. In order to reach the level of focus and productivity you want, you need to follow these five basic...

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### FEATURE BOOK

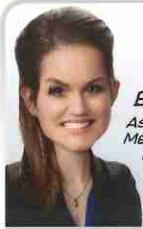


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Marc's Latest Book!

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# DEADLINES

If You're Early, You're On Time.  
If You're On Time, You're Late.



**BRITNEY McDONALD**  
ASSOCIATE ATTORNEY &  
MEDIATOR  
ACCREDITED VA ATTORNEY  
MEMBER OF THE CAVC

This little cliché speaks volumes to those who run deadline driven practices. The goal should never be to complete a project by its deadline; you're only setting yourself up for failure. Instead, you should

aim to create extra room for completing your responsibilities. A good standard to use is to try to build at least an additional few days or even weeks if you can, to complete projects ahead of their due dates. If you plan ahead in this way, you will not only free up an often overcrowded calendar, but you will begin to safeguard yourself and your firm from those last minute catastrophes that we all face from time to time.

Conversely, sometimes the problem doesn't lie in when we schedule a project for completion; the issue may simply be that you or your team struggles with overcoming procrastination. It's fair to say most of us think of procrastination as a barrier to success. Essentially, procrastination robs you of your productivity and hurts your credibility. Most of the tasks that you procrastinate on aren't actually difficult to do; you have the talent and skills to accomplish them, you just avoid starting them for one reason or another.

## "Culture Eats Strategy for Breakfast"

*Peter Drucker*

Often people tend to avoid doing something uncomfortable or challenging in favor of working on tasks more familiar or pleasurable, and that is entirely understandable. However, when you consistently find yourself absent-mindedly browsing the internet in the face of inexorable deadline, you may have a habit that needs adjustment.

Certainly, there are a variety of ways to overcome personal procrastination. Oftentimes the answer is to discover what motivates you and use that as your drive for tackling those frustrating responsibilities. Some good ways that I regularly use to simply jump-start my "to-do's" involve writing evolving lists, a trick dubbed by James Clear as the "2-Minute Rule."

He claims that this method overcomes procrastination and laziness by making it so easy to start taking action that you can't say no.

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## The "2-MINUTE RULE" is applied in two parts:

### Part 1

If it takes less than two minutes, then do it now.

- It's surprising how many things we put off that we could get done in two minutes or less. For example, washing your dishes immediately after your meal, tossing the laundry in the washing machine, taking out the garbage, cleaning up clutter, sending that email, etc. take only about as much time.
- If a task takes less than two minutes to complete, then follow the rule and do it right now.

### Part 2

When you start a new habit, it should take less than two minutes to do.

- James explains how this is accomplished. Can all of your goals be accomplished in less than two minutes? Obviously not.
- But, *every goal can be started in 2 minutes or less.* And that's the purpose behind this little rule.
- The 2-Minute Rule is relatable because it embraces the idea that all sorts of good things happen *once you get started.* And it can be applied to just about anything, from your practice to your life goals.

**Want to write that lengthy motion?** Just write one sentence (2-Minute Rule), and you'll often find yourself writing for hours. You'll be on a roll, engrossed in the file, forgetting the feeling that this was seemingly an insurmountable task a short time back.

**Want to eat healthier?** Just eat one piece of fruit (2-Minute Rule), and you'll often find yourself inspired to make a healthy salad as well.

**Want to run three times a week?** Every Monday, Wednesday, and Friday, just get your running shoes on and get out the door (2-Minute Rule), and you'll end up putting mileage on your legs instead of popcorn in your stomach.

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...time management skills:

- **PRIORITIZATION**
- **GOAL SETTING**
- **SCHEDULING**
- **MANAGING INTERRUPTIONS**
- **DELEGATION**

## 1. Prioritization

To become more effective, whether that be in your career or your personal life, you need to become more selective in what you choose to spend your time on. First, examine what roles you play in your career as a lawyer. Once you understand your roles, you can set your goals that will then assist you in making your plan. In a law practice there are three essential priorities of an effective attorney.

- Managing Law Practice as a Business
- Marketing & Business Development
- Chief Strategist & Problem Solver for Your Clients

## 2. Goal Setting

Just like any other business, your law practice needs vision and an entrepreneurial spirit—but you can only achieve that vision by setting and reaching specific goals. Break down long-term goals into quarterly plans. To do this, write down your long-term goals. Then boil those down to one-year plans, and then again into quarterly plans. These plans will inform your day-to-day priorities, while you keep the big picture in mind.

## 3. Scheduling

Once you have prioritized your tasks and broken them down into component parts, schedule them on your calendar.

### THE 'BLOCK AND TACKLE' APPROACH

Block out a specific time on your calendar to tackle one task, uninterrupted by any distraction—no phone calls, no emails, and no visitors. I like to call this the “block and tackle”

*“If you aim at nothing, you will hit it every time.”*

*Zig Ziglar*

method. Let your colleagues and staff know that your time is reserved during these blocks. These “power hours” are your time to be brilliant.



### ORGANIZE YOUR CALENDAR

Set up your calendar to function more efficiently and help you visualize the tasks you need to complete. Use a color-coded system for different categories of work, such as marketing and business development or case strategy. I find that Outlook works great for this. With a quick glance, you'll be able to determine your tasks for that day, and over time you'll also see how you spend your days and whether you need to make any adjustments.

### MANAGING INTERRUPTIONS

Your day is probably full of unscheduled calls and visitors that require your attention. Studies show that it can take five to 15 minutes to refocus on what you were doing before a distraction broke your concentration.

### SCHEDULE YOUR INTERRUPTIONS

An easy way to make these intrusions more manageable is to actually schedule your interruptions. Schedule time blocks on your calendar specifically for answering employee questions, responding to email, and returning client calls. Schedule telephone appointments just like you would any other in-office appointment. I have open office hours at regular times each day for staff to pop into my office unannounced. If you do this, you'll be expecting interruptions during those times and won't settle into tasks that require a high level of concentration — save those for

your “power hours.”

### CONTROL YOUR EMAIL

This can seem impossible since you probably receive an onslaught of emails every hour. But just like keeping your calendar organized, it's important to make your email more manageable. Sort your inbox automatically by setting up Outlook rules, which will route incoming messages to the appropriate folder. Create separate folders for courts, attorneys, departments, organizations, list servers, clients, finances, and personal email. Use whatever arrangement suits your needs to help you deal with your inbox in a timely manner.

## 4. Delegation

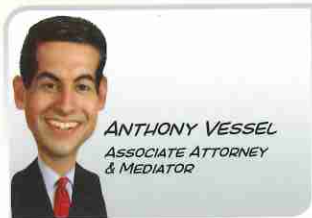
Successful lawyers stay focused and organized. But you can't do everything yourself—you need to learn to lean on others and let go of certain tasks. Use all of the resources available to you: Figure out what you do well, and find team members to help you with the rest. The first step is to define your most important functions. Ask yourself the following questions:

- What can only I do?
- What can I delegate?
- What can I eliminate?
- How can I do this more efficiently?
- Is this the best use of my time?

For example, you can delegate or outsource certain functions such as bookkeeping, record collection, and call backs. Train one or more associate attorneys, paralegals, or secretaries to take care of clients if you're not available. This person should have ready access to you, and be customer service-oriented and detail-oriented. Introduce him or her to your clients early in the process so they'll know what to expect.

As you work through this process remember, “Don't mistake movement for achievement. It's easy to get faked out by being busy, the question is: Busy doing what?” Your *to-do*'t list should be longer than your *to-do* list— just because a task exists, it doesn't mean that you should take it on. Think about your goals and priorities, and implement good systems now to make the best use of your time and talents in the long run. ☺

# Leaders: How Does Leadership Work? (Part 2)



## An Exploration of John Maxwell's Book "Good Leaders Ask Great Questions"

There isn't really one answer and certainly not just one way that leadership works. Every leader has their own set of skills, strengths, and attributes that make them effective. But one common necessity amongst all leaders is influence. Influence is the ability to inspire other people to follow your lead.

Despite the 90 minute arc of a typical coming of age movie, leadership is developed, not discovered. There usually isn't an old sage waiting decades for our discovery or family heirlooms that reveal the secret we need to be a leader. Leadership is built brick by brick. Leadership is forged out of handling challenging situations, inspiring hope, and working up to the next stage of leadership.

This should come as great news; most of us do not have access to sages or magical heirlooms. Instead, leadership is developed over the course of an entire career or lifetime. You have to motivate yourself to work at developing every day, week, month, and year to be better than you were. Look to mentors, resources, family members and co-workers to develop yourself and aid in your improvement. Always strive for improvement. Complacency will kill your pursuits of becoming a better leader.

### How do I get started as a leader?

Although in the last section, I stated that there isn't just one way to be an effective leader, there is a common theme amongst leaders that is their starting point... a need for them. This may seem overly-simplistic, but think about how great leaders have risen through the ranks; it's almost always because we need them at that point in time. Think back to the leaders I've listed in the last article (assuming you can remove it from its careful matting and framing): During and following the Civil War we needed someone to step up to reunite the country, and that person was Abraham Lincoln. Following the Great Depression and World War II, we needed a leader (Franklin Delano Roosevelt) to emerge and take

hold of America's economy and military. During the Civil Rights Movement, we needed Dr. Martin Luther King, Jr. King to guide our country towards equal rights.

But for the racial disparities across our countries, would Dr. King have found such a prodigious leadership position? Had the country be in more stable times, would Honest Abe or FDR have been so influential? A great leader needs to be needed greatly. With that being said, the question to ask yourself is "what need or needs exists within my team/division/firm?"



### How do I resolve conflict and lead challenging people?

Forget million; this one seems like the trillion dollar question. I've seen many quotes and adages on this topic. Some include: "Do not get upset with people or situations, both are powerless without your reaction;" also, the Dalai Lama once said "Do not let the behavior of others destroy your inner peace." Both of these are of the same mind. Be resilient to outside negativity, whether it's people, situations, or problems that sap you of your energy and power. In approaching these situations, ask yourself: How much of my energy/time/focus/joy/resources will I let them take?

Another adage of leadership is "a good leader knows how to hire talented people then get out of their way." Are your employees or team members helping you reach your goals? Or, are they draining you of your resources, thus keeping you

from those goals? If the latter, ask yourself "can they change?" (a question of their professional ability.) Also consider "Will they change?" (a question of attitude.) If the answer to either or both of these questions is "no," then this employee has seemingly made your decision for you on how to move forward.

### How can I develop leaders?

Assuming your answers to the last questions were answered affirmatively or you work with people that help you reach your goals, I'm sure you're asking yourself "how do I further develop this person?" The mentor/protégée relationship is a sacred one that takes a lot from both parties, but especially of the mentor (leader.) The first step is to identify those worthy of and willing to accept the honor of coming under your wing. Do they exhibit passion? How teachable are they? Do they even have the potential to lead? Ponder these things before you spend your time and energy on them.

What special traits do you see in this person that speaks to you about their potential as a leader? Leaders are: catalysts, influencers, relationship builders, gatherers, finishers. Leaders are people you turn to get the job done when no one else will. Leaders, simply put, add value, not just keep with the status quo. Search for the person on your team that moves the ball forward and that surprises you with their talent, abilities, and work ethic. The way to lead these potential leaders is to keep improving yourself. People naturally follow leaders that are stronger or have more promise than themselves.

If you take anything away from these articles, know this: Being a great leader is not a static achievement. It is a way of mind and an ongoing process that fuels itself. No one will ever be the perfect leader, yet all great leaders continue to strive to be that one day. This is what makes great leaders great, the constant work towards improvement and lifting up those around them. Keep asking questions, keep working towards your goals, keep developing yourself and others, and you can become a great leader! ☺

# Why You Should Consider Outsourcing Your Marketing Instead of Your Life

By Stephen Fairley, CEO, The Rainmaker Institute

## THE RAINMAKER INSTITUTE

Summer is vacation time, so what do you have planned? If you are like most small business owners / owners of law firms I know, you won't be going anywhere without your smartphone, tablet or your laptop. That's because you'll undoubtedly be working.

If you could change that would you? Well, you can—if you learn to delegate the things that others can do better and focus on your core competencies.

A growing number of law firms are finally recognizing what non-legal companies have known for decades: **to build a financially successful business, you must focus on your core competencies and either delegate or outsource the rest of your business functions.** As the owners of a small law firm, you are unlikely to have any expertise in accounting or payroll processing, and you may not have a large enough law firm to justify hiring a full-time bookkeeper so your best option is to outsource that to a company that specializes in that specific area.

A similar parallel can be drawn to marketing—with some notable exceptions. Most of the time labor intensive parts of marketing can be outsourced, for example: designing and developing a new website, writing content for your blog, running your social media marketing campaigns, improving your Google rankings with search engine optimization (SEO), or sending out a monthly e-newsletter.

### 5 Steps for Outsourcing Your Marketing Efforts

1. Identify the marketing strategies and business development tools that will work best for your practice area.
2. Analyze your firm's realistic ability to effectively design and implement the plan using existing, internal team members.
3. Select which strategies your firm will handle internally and which ones you want to outsource.
4. Interview and select an outsourced

legal marketing company who can assist you.

5. Set realistic goals and benchmarks.

Not all marketing strategies work for all practice areas. How you market a personal injury firm is very different from how you develop business for a commercial litigation firm. I've written dozens of articles on my blog ([www.TheRainmakerBlog.com](http://www.TheRainmakerBlog.com)) about how different marketing strategies can be used with different practice areas. Once you have selected which marketing tools you want to use, the next step is to analyze your law firm's current ability to design, develop, implement and maintain the marketing plan.

You must be realistic! The worst thing you can do is try to do it all by yourself or force your staff to do it. If your plan is to "dump" a bunch of marketing activities onto an already overwhelmed office manager because s/he took a couple marketing classes in college, then don't be surprised when it implodes.

One of the ways I have seen work is when a law firm dedicates 25% to 50% of one person's time just to marketing and business development. Any less than 25% of their time is probably not meaningful. Give them very specific tasks to do, be sure they have the proper skills and training to succeed, meet with them every week to review their progress, and set realistic, measurable goals they can achieve within a certain timeframe.

Many attorneys become frustrated when they try to "pull the team together" and get them to "do some marketing." Then there are the attorneys who try to do it all on their own. They falsely believe they are saving money by handling most or all of their marketing efforts by themselves. However, we have found this is actually the most expensive way to do marketing. Think about this—how much do you charge per hour? \$200? \$300? \$400? More? If you charge only \$200 per hour for your expertise and it takes you only one hour to research, write and post a 300-400 word

article on your blog, then that one blog post "cost" your business \$200!

If you do that 20 or more times every month, which is the best practice according to the latest research, that means you are spending \$6,000 per month or \$72,000 per year just on blogging! Certainly you can find or hire a part-time writer for less than that. Some business strategy experts would even go further and say it actually cost you twice as much because not only is it taking an hour of your billable time, but that was an hour that you weren't charging to a client. Either way, that's a huge expense.

### How to Evaluate a Legal Marketing Provider

When working with any outsourced legal marketing company on your business development efforts, here are the questions I recommend you ask to evaluate their services:

1. Do they specialize in working with attorneys in small to medium-sized law firms?
2. How many attorneys have they worked with?
3. What is their experience working with attorneys in your specific practice area?
4. Do they understand the business of law (how the law works)?
5. What is their knowledge of legal ethics and how attorneys are restricted in how they market their services?
6. Have they researched how prospects "buy" legal services—both online and offline?
7. What is their knowledge of your competitors?
8. How many of your competitors are they currently working with providing the exact same service they are offering to you?

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# How Guerrilla Marketers Ask Clients for...

# REFERRALS



One of the best sources of referrals for an attorney is from past and current clients. So why is it so hard for attorneys to ask for referrals? What are the secrets to

making it easy to ask for referrals and have them rolling in? This article gives you the answers.

Asking for referrals from clients is not as hard as some attorneys may think. If you have thought through the process a bit, have a map of the terrain, practice a bit and take action in the real world, it should pay off. If you build your referral network you will be invincible and the mightiest of guerrilla marketers. In order to be able to build this referral network you first have to have the right mind set.

## Just what is the necessary mind set to become successful in asking for referrals?

- The first mindset change is to know that your satisfied clients will not make referrals to you naturally for the most part, so **asking for referrals is required**. You need to facilitate the process and be proactive in making it happen.
- The second way to approach referrals is to understand that if someone knows you, likes you, trusts you, finds you credible and has a relationship with you then it is highly likely they want to make a contribution to you. For heaven sakes let them make that contribution to you! By asking for referrals from them you are enabling them to do what comes naturally.
- The third mindset is to understand that people already know you are in a referral business. You don't have to be afraid they might think you want referrals. They already know at some level in their minds that you want referrals.
- The last mindset change is knowing that you need to ask for referrals from clients more than you think you need to be asking. With existing client referral sources as opposed to new clients it is not so much about asking for referrals as it is thanking them for referrals in a way that reminds them of you.

## With the right mindset in place what's next? When is the best time to ask for referrals?

You need to ask many times, in many ways both subtle and direct even with prospective new clients.

With clients, you can ask in subtle and direct ways over the beginning, middle, and end points of service delivery as well as beyond. In speaking with prospective new clients, you can mention how you prefer to work with referrals or you work mostly with referrals. Explain

to them your commitment is to create a long term relationship with each client that makes them want to refer their family and friends to you.

Asking for referrals in your client service agreement is another opportunity. Your client service agreement can mention how much you value your relationships with your clients and always appreciate their referrals since this is acknowledgement of their confidence in you.

At points in the service delivery, asking for referrals may be appropriate since there is a natural opening for the request at times. Make sure you always keep an eye out for those types of opportunities. At the end of service, when the benefit has been delivered, asking for referrals is beyond a doubt the best time since the person is likely to be the most happy with you.

Oh, we are not done yet! Just because a client's file is closed, that doesn't mean you can't keep on going like the Energizer Bunny. You can send out a client satisfaction questionnaire in 30 to 90 days which includes asking if they feel comfortable referring someone to you. This keeps them thinking about you and your firm for future referrals. And if you have a database marketing system (and you should) in place then you will be reminding them in emails, newsletters, etc. over time.

*"You don't have to fail to become extinct; you just need to succeed less often."*

*Charles Darwin*

When a client does refer someone you need thank them for the referral as soon as possible. Maybe even send an appropriate gift – not too large so it looks like a bribe and not too small so it looks petty. If you don't wish to send a gift, a phone call or a handwritten note directly from you goes a long way. Always acknowledge each and every client referral.

With a little work to develop your database and dropping subtle and not so subtle hints regarding referrals to your clients throughout their case development and beyond, you will find that the future holds a greater number of client referrals than you ever thought possible! 😊



**The most important part of any new habit is getting started.** You likely have the skills and tools to tackle and complete any task, you simply need action.

Similarly, creating lists is an effective way to hold yourself accountable for the projects on your calendar. In fact,

while many people struggle to follow through with attempting items on their lists, you can employ that nifty “2-Minute Rule” to

help you get the enthusiasm you need to get started. Further, lists can be lifesavers in your practice when unexpected issues arise that place your duties with a second in command. Having a template for what you needed to accomplish will aid your co-worker in his/her attempt to keep business running smoothly for you.

Essentially, staying organized with the help of lists and planning for completion ahead of deadlines are key strategies that good lawyers implement in their practices of law. When the bottom line is to do right by the client, it’s always important to ensure that you have the tools to do so. ☺



### WHY YOU SHOULD CONSIDER OUTSOURCING YOUR MARKETING INSTEAD OF YOUR LIFE - FROM PAGE 5

9. Is their service geo-exclusive, or are they offering the same services to all your direct competitors?
10. Is this a “done-for-you” service, or will you or your staff do the heavy lifting?
11. Are you “leasing” their marketing efforts or is it a “work-for-hire” service? Who owns the end product when you part ways?
12. Who will actually be implementing the service (it probably won’t be the salesperson selling it to you)? What are their credentials? Can you speak with them?
13. How do they measure results? How will you know if they are successful? How long will it take before you start to see results?
14. What are the timeframes to develop and deploy the marketing service?
15. Can they give you the contact information for several references?

### 3 Things You Should Never Outsource

That said there are certain activities that you and only you, as the owner or Managing Partner of your law firm, must do. Here are three important marketing efforts that I never recommend you delegate to someone outside of your law firm:

**Building meaningful relationships with your clients.** While you can and should have staff members involved in doing the actual work and even managing the client relationship on a daily basis, you cannot abdicate the relationship building responsibility with your key clients.

**Meeting potential referral sources.** You need to have a systematic approach to setting up introductory meetings with potential referral sources and following up with them after the meeting. You can delegate or outsource both of those activities.

However, the actual face-to-face meeting needs to be conducted with a partner in the law firm. You are the face of your business.

### Giving a legal seminar to promote your law firm.

Presenting to potential clients or referral groups is generally best done by the owner or Managing Partner of the firm. You can have an assistant prepare your slides and handouts, but unless you have another attorney that has a specialized area of expertise or is a significantly better presenter, you should be the person giving the actual talk.

There are many marketing tasks that you can and should delegate or outsource because it’s simply not the best use of your time. But the three listed above are well worth your time because of their potential to deliver a massive ROI. ☺

## THE RAINMAKER INSTITUTE

### ABOUT THE AUTHOR

**Stephen Fairley** is the CEO of The Rainmaker Institute, the nation’s largest law firm marketing company specializing in lead conversion for small to medium size law firms. Over 15,000 attorneys have benefited from learning and implementing their proven marketing and lead conversion strategies.

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# Are You Going to PILMMA's 2016 Super Summit?

*I Am, It Looks Awesome.*

**PILMMA'S 2016  
Marketing &  
Management**

**Super  
Summit**

**Grand America Hotel, Salt Lake City, Utah  
September 21-24**

I have found out the hard way that "you don't know what you don't know." Keeping in mind the 7th Habit of "sharpening the saw," I like to find events to attend that can keep my saw sharp. This year's PILMMA Super Summit will be that event for me. It will cover topics from



Managing and Marketing to Millennials, SEO Tips to Increase Your Online Cases, Growing Your Firm, Google Updates and Conquering the Local Search, to Client Conversion and even Hiring, Firing and Everything in Between.

I've been a PILMMA member for years but this will be my first Super Summit. I'm not gonna lie, it looks like it will be a pretty good time.

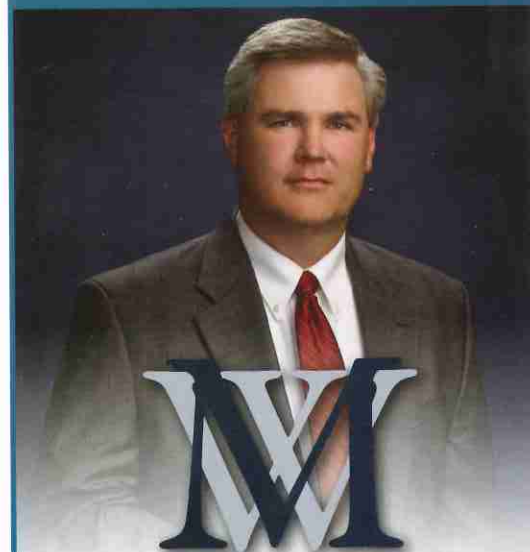
Also, did you see that hotel? Take your spouse and gain some *serious* brownie points. Get them a spa treatment while you "work".

Check out the hotel amenities and all of the Super Summit action at [www.pilmmasummit.com](http://www.pilmmasummit.com) ☺



**Drinks on me for the 1st people to tell me they are going too!**

## DISABILITY & INSURANCE DENIALS



**MARC WHITEHEAD & ASSOCIATES**  
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A NATIONAL DISABILITY CLAIMS LAW FIRM

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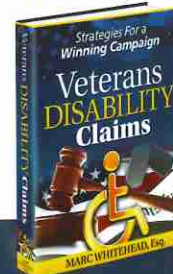
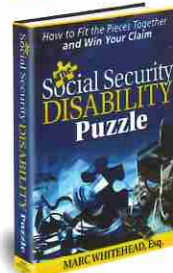
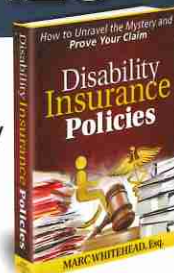
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