

We treat  
every client  
like a family  
member

INJURY  
LAWYERS



HENRY CARUS  
ASSOCIATES

YOU DESERVE MORE™



YOU  
DESERVE  
MORE

## DISCLAIMER

### WARNING - THIS GUIDE CONTAINS GENERAL ADVICE OR INFORMATION ONLY

The information in this Guide is general information only and has been prepared without taking into account your personal situation or needs. You should consider any advice in this Guide in light of your own personal matter before acting on the advice or information given. More importantly, you may wish to consult with a personal injury lawyer before relying on any advice or information in this Guide.

If you, or someone close to you, have been involved in a motor vehicle accident, work place accident or public accident, then we strongly recommend that you seek the advice of a specialist personal injury lawyer. Neither Henry Carus + Associates nor the author, Henry Carus, take any responsibility for any decision you may make acting on the advice or information given in this Guide, unless you decide to consult our firm and obtain such advice and information that we say would be helpful to your specific situation.

LET ME WORK TO MAKE  
A DIFFERENCE IN THE  
VALUE OF YOUR CLAIM

I have found over the many years of being a lawyer, no greater sense of fulfilment in life than being of service to others. I feel very privileged to be able to provide my legal skills and experience as a lawyer to help someone who has been sadly injured in an accident.



**Henry Carus**

Principal  
Accredited Personal Injury Specialist



# A highly experienced team of compensation lawyers

When the unthinkable happens and you're faced with a personal injury, it can be an incredibly tough time for you and everyone around you. Not only are you likely to be experiencing physical and emotional pain, you also have the stress of dealing with a compensation claim.

Needless to say, it's important to find a law firm that you can trust - and more importantly, one that can get you the result you want.

We are designed to work with each of our clients as a unique person - someone that we have been entrusted to care for, protect and support.

And that is how Henry Carus + Associates shines above other firms.





THE ONLY FIRM  
THAT OFFERS  
A 90-DAY  
SATISFACTION  
GUARANTEE

Because of the confidence we have in our services, we are happy to offer all new clients a 90-day satisfaction guarantee.

What this basically means is that we are so confident you will be pleased with our services that, in the unlikely event you no longer want to continue working with us, there will be no financial obligations on your part whatsoever.

**No other firm offers such a guarantee.**



# Traffic Accident Commission

## Testimonials

### David Comerford

David, a self-employed painter and decorator, was involved in a motor vehicle accident and sustained a number of injuries. Severe lower back pain meant that his ability to work was substantially restricted and, as a result, he experienced a significant loss of earnings. David went to a known firm of solicitors who asked TAC for a serious injury certificate so he could get compensation. TAC said 'no' and David's solicitors said they could no longer help him. David came to our firm and asked if we could help - and we did. We issued proceedings for him in the County Court and fought for him all the way to a trial. After hearing all the evidence, a Judge gave him the certificate he needed. With that certificate, we then went and achieved a settlement of his claim for \$250,000.

"HENRY, YOU AND YOUR TEAM HAVE BEEN SO INFORMATIVE ALL THE WAY THROUGH THE CASE. THE OTHER WELL-KNOWN LEGAL FIRM PROVIDED VERY LITTLE CORRESPONDENCE AND ACTUALLY 'DROPPED' MY CASE, LEAVING ME WITH LITTLE OR NO HOPE OF AN OUTCOME FOR MY FUTURE OR MY FAMILY. I CANNOT RECOMMEND HENRY CARUS + ASSOCIATES' EXPERIENCED TEAM HIGHLY ENOUGH."

## Phillip Batistich

Phillip was riding a motorcycle when a vehicle turned right into his path. As a result, he received a serious injury certificate. The TAC, acting for the driver, accepted the driver was at fault for turning in the path of the motorcycle but argued that Phillip was also very much at fault for what happened for a range of complex reasons. We accepted that Phillip faced massive difficulties if the matter was allowed to go all the way to a trial in front of a jury and so we worked hard to achieve a good early outcome for him. Our efforts paid off and we obtained a significant offer of settlement from the TAC of over \$325,000.

"HENRY MADE ME FEEL VERY COMFORTABLE AND RELAXED ABOUT MY SITUATION. HE TOLD ME HOW IT WAS GOING TO WORK RIGHT FROM THE VERY START, AND EVERYTHING HENRY SAID PRETTY MUCH CAME TRUE. WE FINISHED UP WITH A SUCCESSFUL RESULT THANKS TO HENRY AND HIS ASSOCIATES AND I'D RECOMMEND THEM TO ANYONE."

## Ken Deng

Ken came to us after being seriously injured in a motor vehicle accident. He was pushing a trolley across the road when the accident happened. Ken was moving house at night and was using the trolley to transport his possessions when it tipped over onto the road. While standing on the road collecting his items, he was hit by a vehicle. One could say Ken should not have been on the road. We argued that the driver should have seen him and moved to avoid the accident. TAC accepted that argument, and Ken was very happy with the settlement reached.

"A SPECIAL THANKS TO HENRY CARUS + ASSOCIATES FOR YOUR EXPERIENCE, PATIENCE AND VALUABLE LEGAL ADVICE. THE MATTER HAS NOW SETTLED DUE TO YOUR HARD WORK AND I HAVE RECEIVED A FAIR COMPENSATION FOR THE INJURIES I SUSTAINED. I AM HAPPY AND SATISFIED WITH THE SERVICES YOU PROVIDED ME."

## Hope McMahon

In 2005, Hope was involved in a car accident. Aged 17 years at the time, she was travelling as a passenger in a vehicle that collided with a light pole in rural Victoria. As a result of the accident, Hope suffered serious injuries and spent considerable time recovering from those injuries. For Hope, nothing will take away the memory of the accident or the fact that she will continue to require treatment for her injuries into the future. Upon successfully resolving Hope's claim, we can truly say that we feel extremely privileged to have been able to support Hope through this period in her life.

"EVERYONE HAS BEEN VERY SUPPORTIVE AND THEY MAKE YOU FEEL LIKE YOU'RE CARED FOR AND LOVED. I CAN NOW HELP MY FAMILY AND MYSELF WITH THE CONFIDENCE I NEEDED TO GET OUT AND ABOUT BECAUSE OF THE SETTLEMENT."

## Robert Mineo

Robert was involved in a nasty road accident when a truck failed to give way at an intersection. He was riding his motorcycle at the time and suffered a neck injury and fractures to both of his wrists. Robert suffered other injuries and the TAC agreed that he was entitled to a serious injury certificate and, with it, access to common law damages. The TAC obtained medical reports that downplayed the extent of Robert's injuries, which surprised Robert, but not us. We explained to Robert that with common law damages the TAC is acting as an insurer for the truck driver and would be seeking to minimise his compensation claim. We arranged for Robert to be seen by highly respected specialists, including ones used by the TAC for the care of some seriously injured people. In the end, their views were very supportive and convinced the TAC that Robert was entitled to much more compensation than they originally considered.

"I WANTED TO SAY A SINCERE THANK YOU TO YOU AND YOUR FIRM FOR THE GENUINE HARD WORK AND DILIGENCE THAT WAS PUT IN TO SUCCESSFULLY CONCLUDE MY CASE. CLEARLY, THE OUTCOME WAS NOTHING SHORT OF OUTSTANDING! FINANCIAL SETTLEMENT CAN'T TAKE AWAY THE 'LEGACY' OF THE ACCIDENT - BUT IT SURE HELPS."



# WorkCover Testimonials

## JIANPING CHEN

Jianping, an older Asian woman, was injured very badly while working in a factory. The assembly line was too high for her and her employer addressed the issue by giving her a milk crate to stand on. One day while working on the assembly line she slipped off the crate and shattered her knee, never to be able to walk normally again. Trusting Henry Carus + Associates with her claim, we worked hard on our investigation and the company eventually accepted liability. We started with an offer of \$60,000 and ended settling at \$288,000.

"I AM VERY GRATEFUL TO ALL THE ASSISTANCE AND PROFESSIONAL EXPERIENCE PROVIDED BY HENRY CARUS + ASSOCIATES ON MY WAY TO GAIN WORKCOVER COMPENSATION, AND THE AFTERWARDS SERVICE AS WELL. THE NEGOTIATION OF THE SETTLEMENT AMOUNT ALSO TOOK A VERY LONG TIME. THEY ALWAYS STARTED WITH A VERY LOW OFFER, YET AFTER SEVERAL TIMES NEGOTIATING, MY SOLICITOR GOT ME A VERY SATISFACTORY RESULT IN THE END. THANK YOU."





## Elizabeth Fay

Elizabeth suffered a fractured ankle after falling from a ladder at work. During her treatment and recovery it became clear that Elizabeth had a complicated injury which did not heal well. She was left with chronic pain and reoccurring problems and the increased possibility of arthritis in the future. Every aspect of her life was affected including her ability to work. We settled Elizabeth's claim for her pain and suffering, the loss of the job she loved and her inability to return to the workforce - all achieving a great outcome.

"HENRY AND HIS CREW HAVE BEEN FANTASTIC TO DEAL WITH, KIND AND EXTREMELY SUPPORTIVE. ONE THING I ESPECIALLY LIKE ABOUT HENRY IS THAT HE IS VERY DOWN TO EARTH - A PEOPLE'S PERSON. SO ONCE AGAIN, THANK YOU HENRY CARUS + ASSOCIATES."

## Adam Care

Adam was referred to our office while still recovering after a major truck accident. He was driving his truck in NSW when the cabin filled with smoke and he lost control of the vehicle. Whilst in hospital he informed us that the truck had just recently been repaired by his employer. We located the truck in a NSW car yard waiting to be sold for salvage and arranged for a forensic engineer to fly up and inspect the vehicle before it was sold. Our expert's report was later crucial in achieving a settlement figure of over \$800,000 for Adam.

"I REALLY KNEW THAT YOU CARED FOR ME WHEN YOU NOT ONLY DROVE UP TO SEE ME IN HOSPITAL IN BENDIGO BUT ALSO VISITED ME AND MY FAMILY AT OUR HOME IN SEALAKE TO EXPLAIN EVERYTHING TO US. I WAS ALWAYS TOLD WHAT WOULD BE HAPPENING AND HOW WE WOULD BE WORKING TOGETHER FOR A SUCCESSFUL OUTCOME. I WAS SO HAPPY WHEN MY SETTLEMENT CAME THROUGH, AS IT WOULD REALLY HELP MY FAMILY."

## Sharon Jacob

Sharon came to our office after suffering an extensive back injury at work. Her matter was complicated by a prior WorkCover incident, some 8 years before. Once we had an opportunity to review all of Sharon's history, including her recent injury, we advised her that she should submit two separate WorkCover claims seeking compensation – one for psychiatric injury suffered in 2000 and one for her physical and psychiatric injury suffered in 2009. The 2009 injury has been accepted, and Sharon received a significant sum for those injuries. We remain acting on Sharon's behalf, as the job still requires us to achieve compensation for her 2000 psychiatric injury.

"HENRY AND HIS TEAM WERE AMAZING. WE SETTLED OUT OF COURT WITH A VERY PLEASING OUTCOME. THANK YOU FOR ALL YOUR HARD WORK. THANK YOU FOR MAKING ME FEEL IMPORTANT. THANK YOU FOR FIGHTING FOR ME AND THANK YOU FOR **CARING**, TAKING THE TIME TO LISTEN AND BRINGING EVERYTHING AND MORE THAN ONE COULD WISH FOR IN A SOLICITOR – IF NOT A FRIEND."

## Ken Ho

Ken came to our office after having a fall at a restaurant while working as a chef. What made Ken's claim different was that he was 69 years old when his accident happened. He had been asked by his employer to return to work after his retirement to help out when he was short of staff. Ken suffered a nasty hip injury which led to a total hip replacement and an inability to return to work. He asked for both certificates for pain and suffering and loss of earning capacity, even though he was past retirement age. WorkSafe refused, and while we were litigating his entitlement to such certificates, we were able to achieve a good early settlement of his claim.

"I SINCERELY THANK YOU FOR THE PAST TWO YEARS OF HARD WORK FIGHTING FOR MY RIGHTS. AS AN ELDERLY CITIZEN FROM A LOWER SOCIAL CLASS WHO DID NOT KNOW HIS RIGHTS, I FEEL SO LUCKY TO HAVE YOUR FAIR, PROFESSIONAL AND **HIGHLY EXPERIENCED** LEGAL SERVICE, WHICH IS ALSO A SOCIAL JUSTICE. THANK YOU, HENRY CARUS + ASSOCIATES. YOU ARE THE BEST LAWYERS IN THE WORLD."

## Danny Dutton

Danny fell through a hole in a concrete roof at his work and sustained a serious injury from the fall. He required surgery to his arm and had ongoing problems with day-to-day life and work activities. After the accident in 2006, he attempted to handle his claim with WorkCover himself but, found the WorkCover insurer unwilling to approve the additional medical treatment that he needed. He came to Henry Carus + Associates for help. Despite the insurer denying liability and blaming Danny for the accident we were able to negotiate a fair settlement without having to proceed to court.

"I NOW HAVE A SETTLEMENT THAT I AM VERY HAPPY WITH. I AM EXTREMELY GRATEFUL TO HENRY AND I HAVE TO SAY THAT HENRY AND HIS EXPERIENCED TEAM DID ALL OF THE HARD WORK AND AT NO TIME DID I FEEL BURDENED OR HAVE ANY ANGST, NOR DID I HAVE ANY CONCERNS. HENRY AND HIS TEAM WERE CONCERNED ABOUT MY WELFARE AND OBTAINING A HIGHLY DESIRABLE OUTCOME FOR ME WHICH THEY DID WITH THE UTMOST OF INTEGRITY AND PROFESSIONALISM."



# Public Liability

## Testimonials

### Nina Kogan

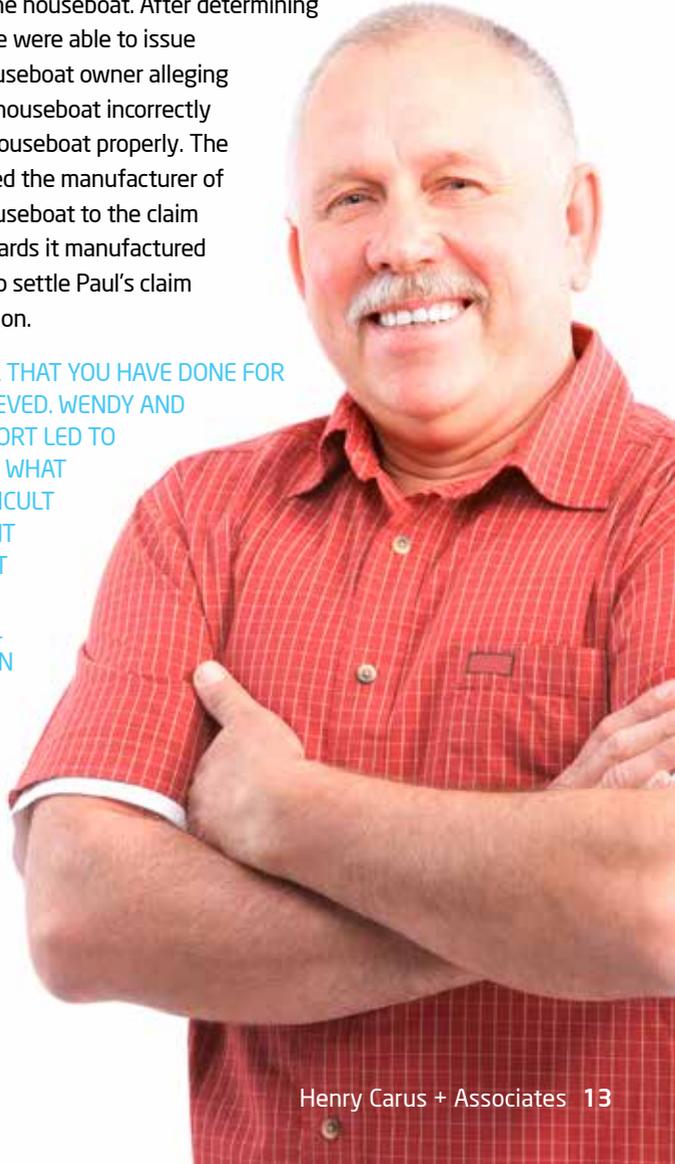
When Nina had a fall at a medical practice in Melbourne, her life changed forever. She was attending the clinic to get a hearing check but stumbled on an unmarked rise in the floor level, fracturing her left arm and leg. Nina was 74 at the time of the accident but was a very active and capable person. Her injuries, however, resulted in her having to severely restrict all aspects of her life. She also had medical bills starting to flow in and the costly need for attendant care assistance. After reviewing her case details, we decided she had a solid claim. The Defendant's insurance solicitor took a very strong defence of the claim at first on the basis that no one else had fallen at the clinic before. Their view of the matter only changed when we asked them to attend the accident site to witness what we had seen at the outset. Meaningful negotiations then followed. Nina received a lump sum of \$135,000 in compensation to reflect the level of her injuries.

"I WOULD LIKE TO EMPHASISE HOW WELL HENRY CARUS + ASSOCIATES TOOK CARE OF ME AND HOW THEY PAID SPECIAL ATTENTION TO MY CIRCUMSTANCES. IT WAS ALWAYS VERY PLEASANT TO DEAL WITH HENRY CARUS + ASSOCIATES. ANY QUESTION OR ISSUE WAS SOLVED IN A PROFESSIONAL MANNER. WHENEVER WE HAD ANY CONCERNS, MY SON CALLED THE SOLICITOR AND GOT CLARIFICATION EVERY TIME. I WOULD DEFINITELY RECOMMEND HENRY CARUS + ASSOCIATES TO OTHERS WHO MAY FIND THEMSELVES IN A SIMILAR SITUATION."

## Paul Schulze

Paul came to us after suffering a serious injury to his knee while holidaying on a houseboat on the Murray River. His knee was injured when the houseboat decking gave way from under him, resulting in his leg falling through a hole. The decking had broken previously during the same charter and the houseboat owner took no action, allowing Paul and his friends to continue to use the houseboat. After determining which state's law applied we were able to issue proceedings against the houseboat owner alleging that it had constructed the houseboat incorrectly and failed to maintain the houseboat properly. The houseboat owner then joined the manufacturer of the decking used on the houseboat to the claim arguing that the decking boards it manufactured were faulty. We were able to settle Paul's claim successfully to his satisfaction.

"A BIG THANK YOU FOR ALL THAT YOU HAVE DONE FOR ME AND THE RESULT ACHIEVED. WENDY AND HER TEAM'S TIRELESS EFFORT LED TO A **SUCCESSFUL** RESULT IN WHAT WOULD HAVE BEEN A DIFFICULT CASE GIVEN THE DIFFERENT LEGISLATIONS AS A RESULT OF THE LOCATION OF THE ACCIDENT. THANK YOU ALL AND I HAVE NO PROBLEM IN RECOMMENDING HENRY CARUS + ASSOCIATES TO FRIENDS AND FAMILY, OR USING THEM AGAIN IF I NEED ASSISTANCE."



## Jennifer Sargeant

Jennifer came to us after she had a fall outside of a hotel she visited regularly. Jennifer's injury occurred as she was leaving the hotel via a pedestrian ramp. As a result of her injury Jennifer had to have surgery to her knee. After her injury Jennifer could not take care of her grandchildren or enjoy her retirement activities - both of which she had been doing prior to the accident. The hotel did not want to take responsibility for her fall. We helped Jennifer to recover damages from them for the pain and suffering which resulted from her fall.

"I'M VERY HAPPY ABOUT THE RESULTS HENRY CARUS AND HIS HIGHLY EXPERIENCED TEAM HAVE ACHIEVED FOR ME AND THE SERVICE THEY'VE PROVIDED AND THAT IT'S ALL NOW BEHIND ME. THE HENRY CARUS TEAM COULDN'T HAVE BEEN BETTER AND THEY'VE ALL BEEN LOVELY."



## Trevor McMaster

Trevor suffered a serious injury to his right hand at home. He came to our office after seeing two other personal injury solicitors who told Trevor he had no claim. We disagreed and won Trevor a settlement sum of \$160,000.

"I WILL ALWAYS SMILE WHEN I THINK OF THE DAY THAT I STUMBLED ACROSS YOU. YOU ARE THE TOTAL OPPOSITE OF THE FIRST TWO LAWYERS THAT FOBBED ME OFF, AND I CAN ONLY ASSUME THAT YOU MUST HAVE MISSED THE 'HOW TO BE HEARTLESS' SEMESTER AT LAW SCHOOL! YOU HAVE TRANSFORMED MY DARKEST MOMENT INTO A POSITIVE FUTURE FOR NOT ONLY ME, BUT MY WIFE AND KIDS TOO. YOUR GENUINE CARING NATURE AND PROFESSIONAL KNOWLEDGE ARE A VERY POWERFUL COMBINATION THAT WILL UNDOUBTEDLY IMPROVE THE LIVES OF MANY MORE PEOPLE TO COME."

## Kylie

Kylie suffered an injury to her ankle when she attended a nightclub with some friends and was knocked over by other patrons who were fighting in the club. Those same patrons had been involved in an earlier altercation and the club and its security staff failed to eject them from the premises following that incident. After being told by other solicitors that she did not have a claim, Kylie came to Henry Carus + Associates. We were successful in obtaining compensation for Kylie.

"A SPECIAL HEARTFELT THANK YOU TO HENRY AND WENDY FOR YOUR EMPATHY, HONESTY, GUIDANCE AND EXPERIENCE. I AM FOREVER GRATEFUL FOR ALL YOUR HELP AND SUPPORT, GENUINE KINDNESS, YOUR PATIENCE, DEDICATION AND LEGAL ADVICE. I HAVE NOW REACHED A SETTLEMENT THAT I AM VERY HAPPY WITH, ALL DUE TO YOUR HARD WORK. WITHOUT HESITATION, I WOULD HIGHLY RECOMMEND HENRY CARUS + ASSOCIATES."

## Huanxi Hu

Huanxi was walking with her husband and carrying her grandson in the Box Hill Shopping Centre. She slipped on a food item on the floor and suffered a fracture to her knee that caused her significant disability. Her claim become complicated when, just before a mediation a year ago, she fell off a chair and suffered a fractured spine. The issue was whether the fall off the chair was connected to her knee injury. She claimed it was - we tried to argue for that connection and the defendant argued against it. A settlement was reached which reflected the level of disability Huanxi had suffered. She received a significant sum of \$100,000 and was very grateful.

"I WOULD LIKE TO GIVE MY APPLAUSE TO HENRY CARUS + ASSOCIATES. THEY STAND FOR THE CAUSE OF JUSTICE. YOUR HARD WORK AND EXPERIENCE MAKES ME BELIEVE THAT ALL ARE EQUAL BEFORE THE LAW. ESPECIALLY FOR US, WITH CHINESE BACKGROUND, WE DO NOT SCARE AND COMPROMISE, BUT BELIEVE IN THE EQUALITY OF LAW."

Huanxi Hu's daughter



## Tanya Keselj

Tanya suffered a serious injury to her knee when a fellow student tackled her from behind without warning during a self-defence class at school. Tanya was young at the time, and it was hoped her injury would pass but it did not. She was left with knee problems that will plague her for the rest of her life. When her mother first consulted us, she did not know what could be done, and thought about the responsibility of the school. We suggested that the girl who did the tackling, then aged 16, was responsible for the event herself. We were lucky to find the girl and find that she was covered under a home insurance policy for accidents wherever they may occur in Australia. We made a claim against the responsible student and fought for Tanya against lawyers hired to say the accident happened in a totally different way. Eventually we were able to obtain a settlement for Tanya that gives her financial support for the rest of her life.

"I WANT TO THANK ALL THE TEAM AT HENRY CARUS WHO WERE INVOLVED IN MY **SUCCESSFUL** CIVIL LAW CLAIM AND HELPING ME REACH MY SETTLEMENT. I WANT TO ESPECIALLY THANK WENDY AND HENRY CARUS FOR MAKING THIS POSSIBLE AND PUTTING IN ALL THE HARD WORK. I HAVE SOME CONFIDENCE WITH MY FUTURE AND AM VERY GRATEFUL."



# Our Values

## **At Henry Carus + Associates:**

- We are focussed on our clients and place them at the centre of everything we do.
- We take the time to learn about each client so that we can appreciate their personal needs and circumstances.
- We understand how important it is to be available for our clients in whatever manner they may need to contact us.
- We do not make promises we cannot achieve - instead we regularly achieve outcomes that far exceed our clients' expectations.
- We leave no stone unturned to ensure that we achieve the best possible outcome for our clients.

**We summarise all of these values as simply...**

**YOU DESERVE MORE™**

# Our Services

## **Henry Carus + Associates specialises in:**

- Compensation Claims
- Public Accidents
- WorkCover Accidents
- Road Accidents / TAC
- Personal Injuries
- Slips & Falls
- Medical Negligence Claims
- Birth Injury Claims
- Superannuation Claims
- Insurance Claims
- Defective Product Claims

We make sure that our unique experience, knowledge and insight are on your side - delivering the best possible outcome to you.

# Our Promise

**At Henry Carus + Associates, we promise you “No Fee Until You Succeed”.**

This includes:

- No fees until we are successful for you.
- No upfront costs to you.
- No need to pay any amounts along the way.
- No Credit Debt arrangements to finance disbursements.

Put simply, if we believe we can succeed for you, you do not have to take on any financial risks in employing our services.

## IF THERE'S NO WIN, THERE'S NO FEE TO PAY

Our first goal is to make sure we win your compensation case for you.

Our second goal is to maximise the outcome - achieve the best result - as you will have only one opportunity to obtain all the compensation you deserve.

So, no matter what it takes, how long we need to work, or how complicated the issue is, we never charge a single cent until we achieve that excellent result and the settlement money is deposited in to your bank account.

That means no big bills to pay along the way. In fact, when a case is successful, the losing party will pay most of the fees, with the remaining amount coming from the final settlement figure.

**You could say it's a win-win whichever way you look at it.**

### MELBOURNE

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### BRIGHTON

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### BOX HILL

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Altona VIC 3018

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