



The Law Office of Brandon Davies LLC is a firm based in Shawnee, KS. Mr. Davies is an attorney licensed in the State of Kansas and practices solely in the State of Kansas. If you have a legal issue and want to speak with an attorney please call our Shawnee office at 913-732-3014.

**The advice of a good attorney can be expensive but an attorney's knowledge can be priceless. Do you have a question about a legal matter? Go to [NewspaperAttorney.com](http://NewspaperAttorney.com) and ask a licensed Kansas attorney your question free of charge. Your question may just end up getting answered in the newspaper! Remember the Law Office of Brandon Davies LLC does not represent you in any matter until a formal representation agreement has been executed. The following information is not legal advice it is for entertainment purposes only. If you have a legal question please consult an attorney.**

*Q: I received a letter from a lawyer's office about a class action suit. What is a class action suit and should I send this form in?*

A: A class action suit is a suit brought on behalf of many people to remedy the same problem for everyone that takes part in the suit. For example, a small overcharge at a bank would affect many people but it isn't feasible for everyone to sue the bank. Class action suits allow everyone to sue together. As far as your particular case, you should read the literature sent with the form and determine if it is in your interest to sign, and consult with an attorney to advise you further. Remember, signing that form can bar any further claim so read carefully and speak with an attorney for advice.

*Q: I bought a house and it is having some severe issues. The house has substantial damage that happened because it was constructed poorly. Can I sue the person who sold it to me?*

A: This is going to be a fact driven case where the attorney is going to need more details. The most important question will be was the house new when you bought it or had someone already lived in it? If it was new then you will have an implied warranty of habitability and if you can prove the house wasn't constructed in a workman like manner, then you may

have a case. If it was a used home then you wouldn't have the implied warranty. You may still have a case against the seller of a used home if they failed to disclose a known material defect. I would consult an attorney as there is only a limited time in which suite can be brought to recover damages.

*Q: I was in a car accident and I hurt my back and arm. It was the other guys fault. I had to go to the hospital and I am still hurting because of the accident. I had insurance and they paid for most of the hospital bill. I was only out of pocket a few hundred dollars. Will a lawyer take on my case since not very much money was involved?*

A: First, you should immediately consult with an attorney as you only have a small window of time to seek damages. Second, even though your own personal health insurance covers your medical bills you can still sue to recover. Because of the collateral source rule the person who injured you can't benefit from you having insurance. You may be able to recover the entire amount of the bill. There are many attorneys that will take on these types of cases on a contingent basis where they only get paid if they recover for you. You should consult a personal injury attorney to evaluate your case.

*Q: I am in a partnership with two other people in a company. We all own 1/3 of the shares in the company. We do not like one partner's wife. How can we prevent having to work with her if he dies?*

A: Many people don't plan for this until it's too late; you're smart to be thinking ahead. A sure fire way to not have to deal with her would be to buy out her share of the company when she inherits your partner's share. This solution can be problematic if your company doesn't have the cash on hand to buy her out. A possible solution may be to have the company purchase life insurance policies on the three partners with the death benefit equal to the value of their shares. That way when one partner dies you have cash to buy out their heirs. It would also have the added benefit of a possible tax deduction as well as not having to tell your business partner that you don't care for his wife. Sit down with an attorney and an insurance agent for more solutions to this common problem.