

HOW INSURANCE COMPANIES TRICK YOU!

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SCOTT CALLAHAN & ASSOCIATES

INJUSTICE WINS

TM

INJURY LAWYERS



CHAPTER 1

THE “DELAY, DENY, DEFEND” STRATEGY

The most effective weapon insurance companies have isn't a lawyer — it's time.

The industry follows a playbook called “Delay, Deny, Defend.” It's as simple as it is ruthless.

Delay: They stall your claim by requesting redundant forms, “losing” documents, or transferring your case between departments. Each week that passes means you’re more likely to accept a smaller offer.

Deny: They find technicalities to reject claims — perhaps your paperwork wasn’t “complete,” or your medical treatment was “not related” to the wreck.

Defend: If you refuse to settle for less, they bring in corporate lawyers to intimidate and outspend you in court.

Imagine being in pain, unable to work, with bills piling up — then waiting six months for an insurance company to “review” your claim. They’re counting on exhaustion.

Your defense: hire a lawyer early. A strong legal team forces the insurer to respond on your timeline, not theirs.

CHAPTER 2

THE RECORDED STATEMENT TRAP

Within days of your accident, you may receive a friendly call from the other driver's insurance adjuster. They'll sound empathetic, asking how you're feeling and promising to "get this wrapped up quickly."

Then they'll say something like:

“We just need a quick recorded statement to move things along.”

What they really want is evidence to use against you.

Every word you say can be twisted.

Saying:

“I’m okay” = “They weren’t seriously hurt”

Saying:

“I didn’t see them coming” = “They admitted fault”

Saying:

“I’ve been busy and haven’t gone to the doctor yet” = “Their injuries must not be serious.”

Insurance adjusters are trained interrogators. They know how to make casual conversation sound harmless while collecting soundbites that reduce your compensation.

What to do: Never give a recorded statement without an attorney. You are not required to do so, no matter what they claim.

CHAPTER 3

THE “FRIENDLY ADJUSTER” STRATEGY

Adjusters are professional negotiators, not your advocates. They're evaluated by one metric: how little they pay out.

They'll make small talk, ask about your job or family, and show “concern.” This psychological tactic is designed to make you trust them. Once they have that trust, they use it to manipulate the conversation.

You might hear:

“I don’t think you need an attorney.
That’ll just slow things down.”

“Let’s settle this quickly so you can
move on.”

“Our offer covers everything you
need.”

**But behind the scenes, that
adjuster has an entire team
analyzing your case value — and
the first offer is almost always a
fraction of what your claim is
worth.**

A 2022 study found that **injury victims represented by attorneys recovered, on average, three times more** than those who handled claims alone. That's why insurers work so hard to keep lawyers out of the picture.*

*Insurance Research Council. (2014). Attorney Involvement in Auto Injury Claims. Malvern, PA: Insurance Research Council. Retrieved from <https://www.insurance-research.org/sites/default/files/downloads/AttorneyNewsRelease.pdf>

CHAPTER 4

HOW THEY DEVALUE YOUR MEDICAL CARE

After a crash, medical bills can feel overwhelming — especially when you're facing surgery, therapy, or long-term pain management. Insurers use this vulnerability to their advantage by questioning, minimizing, or outright rejecting your medical expenses.

Their favorite tactics:

“That treatment wasn’t necessary.”

(They’ll argue that certain therapies or diagnostic test were excessive)

“You waited too long to get care.”

(They’ll claim your injury wasn’t serious if you didn’t go to the ER immediately)

“That was a pre-existing condition”

(Even if your back was perfectly fine before the wreck, they’ll insist your pain isn’t related)

They may even hire their own
“independent medical examiner”
(which is typically a doctor paid by
the insurer) to say your injuries are
minor.

The worst part? Once you accept their low settlement, **you can't reopen your claim** if complications arise later.

That's why early legal guidance is critical. Your lawyer ensures all future costs are included, not just today's bills.

CHAPTER 5

SHIFTING THE BLAME: THE COMPARATIVE FAULT TRICK

Texas follows the modified comparative negligence rule: if you're found **more than 50% at fault**, you get nothing. Insurers exploit this rule relentlessly.

Even when liability seems clear, such as when an 18-wheeler rear-ends you at a red light, the insurer will look for ways to blame you.

They might allege:

You were speeding.

You stopped **“too suddenly.”**

You weren't wearing a seatbelt.

Your tail lights weren't functioning.

In serious truck accidents, the trucking company's insurer may send investigators to the crash scene within hours to shape the narrative before police reports are finalized.

Evidence like black-box data, GPS logs, and dashcam footage can make or break your case. But those records often vanish if they're not preserved right away.

Your best move: contact an attorney who knows how to send a spoliation letter demanding that evidence be preserved. Without it, insurers rewrite history to their advantage.

CHAPTER 6

SURVEILLANCE AND SOCIAL MEDIA SPYING

If you've filed an injury claim, assume you're being watched.

Insurance companies often hire private investigators to follow you, photograph you, and monitor your social media activity. Their goal is to catch moments that contradict your claim.

Examples:

You post a smiling photo at your child's soccer game → "They're not in pain."

You check in at a restaurant → "They're not homebound."

You're seen carrying groceries → "They can lift heavy objects."

Protect yourself:

Set all accounts to private.

Avoid posting or engaging publicly until your case is resolved.

Never accept new friend requests from people you don't know.
Investigators often use fake profiles.

CHAPTER 7

THE FINE PRINT: HIDDEN EXCLUSIONS AND LOOPHOLES

You may think you're fully covered, but insurance contracts are full of **buried exclusions** that limit coverage when you need it most.

Common examples:

“Business use” exclusions: deny claims if you were using your car for work or deliveries (like DoorDash or Uber).

“Intentional acts” exclusions: used to reject claims even when you weren’t at fault, based on vague language.

“Non-owned vehicle” loopholes: exclude coverage if you were driving a rental or borrowed car.

In commercial trucking policies, these exclusions can be even more complex. Sometimes responsibility is spread between multiple insurers, each pointing fingers at the other.

Tip: An attorney can analyze your policy, identify all possible sources of recovery, and fight to make sure every insurer pays what they owe.

CHAPTER 8

INSIDE THE TRUCKING COMPANY'S PLAYBOOK

When a semi-truck crash occurs, the stakes are high — often involving catastrophic injuries, multiple victims, and millions in damages.

That's why trucking companies respond immediately. They have **"crisis response teams"** on standby 24/7 (investigators, lawyers, and even public relations specialists). Their only job is to protect the company, not the victims.

Within hours, they:

Dispatch accident reconstruction experts.

Recover (**or sometimes hide**) critical evidence.

Record statements from the driver that minimize fault.

Contact victims under the guise of “helping” with insurance claims.

By the time you're released from the hospital, their legal team has already built a defense.

That's why you need your own rapid response — an attorney who knows the trucking industry's tactics, the Federal Motor Carrier Safety Regulations (FMCSR), and how to uncover falsified logbooks, tampered GPS data, or driver fatigue.

Truck wreck cases are not like car accidents. **They require specialized investigation** to uncover all liable parties, including the carrier, broker, and even the manufacturer if a mechanical failure played a role.

CHAPTER 9

QUICK SETTLEMENT PRESSURE

Insurance companies know that after an accident, you're likely struggling. Maybe your car is totaled, you can't work, and medical bills are piling up.

That's when they strike with what they call a "compassionate offer."

It sounds appealing: quick money, fast peace of mind.

But it's a trap.

They'll say:

"We want to help you move on."

"This is a fair offer. It covers everything."

"You don't need to drag this out in court."

The truth: that "fair" offer is often less than **25%** of what your case is truly worth.

Once you sign the release, you can never pursue more, even if your injuries worsen, or you need additional treatment later.

Your move: Don't sign anything without legal advice. A personal injury lawyer can calculate your claim's real value, including:

Future medical costs

Physical therapy and rehab

Lost wages and earning potential

Pain, suffering, and emotional trauma

CHAPTER 10

DENYING CLAIMS BASED ON TECHNICALITIES

One of the most frustrating tricks insurers use is **finding obscure technicalities** to avoid paying legitimate claims.

Examples include:

“You didn’t submit this form on time.”

“The other driver wasn’t properly listed on the policy.”

“You didn’t seek medical attention within 24 hours.”

In Texas, insurers must follow strict deadlines under the Prompt Payment of Claims Act, but many still violate these rules, betting that consumers won't know their rights.

An experienced personal injury attorney can hold insurers accountable by **filing bad faith claims** and forcing them to **pay penalties and attorney's fees for intentional misconduct.**

CHAPTER 11

HOW ADJUSTERS UNDERVALUE PAIN AND SUFFERING

Some losses, like medical bills or car repairs, are easy to calculate.

But **pain and suffering** is harder to quantify, and insurers take advantage of that.

They'll argue that:

Your injuries were “minor.”

You’ve “resumed normal activities.”

Your pain is “subjective.”

In truth, pain and suffering often make up the **largest part of your claim**. They represent what you’ve truly lost: your comfort, independence, and peace of mind.

Attorneys use detailed documentation, such as medical records to journal entries and testimony from friends or therapists, to prove how your life has changed.

Without this, insurers will **lowball your suffering into a spreadsheet**.

CHAPTER 12

THE HIDDEN COST OF GOING IT ALONE

Many accident victims hesitate to hire a lawyer because they fear it will cost too much.

But personal injury attorneys, like Scott Callahan & Associates, work on a **contingency fee**, meaning **you pay nothing unless you win.**

Meanwhile, handling a claim alone could cost you tens of thousands in lost compensation.

Insurance companies have legal teams, actuarial software, and years of experience negotiating down claims. Without an advocate, you're walking into a fight you can't win fairly.

Hiring a lawyer does more than increase your settlement. It sends a message:

“You can’t take advantage of me.”

CHAPTER 13

LEVELING THE PLAYING FIELD

Insurance companies have vast resources **but so do we.**

At Scott Callahan & Associates, we've gone head-to-head with some of the biggest insurers in the nation.

We know how they operate, and we don't fall for their tactics.

When you hire us, we:

Handle all communication with the insurer.

Protect you from recorded statement traps.

Collect and preserve crucial evidence.

Work with medical experts to document your injuries.

Negotiate aggressively for the full value of your claim.

Take your case to trial if they refuse to play fair.

You focus on healing.

We handle the fight.

CONCLUSION

DON'T LET THEM WIN TWICE

You were hurt once in the wreck.

**Don't let the insurance company
hurt you again by denying what's fair.**

When you stand alone, they see an
opportunity.

When you have a skilled attorney, they
see a challenge.

At **Scott Callahan & Associates**, we believe in one thing: justice for Texans who've been wronged.

Whether you're battling a billion-dollar trucking insurer or a small auto carrier, we'll stand beside you every step of the way.

Call **713-888-9000** or visit **WeHelpTexas.com** today for a free consultation.

You don't pay unless we win.

And we don't stop until you get the justice you deserve.