



# MESSAGE & BULLETIN

A Newsletter from Martinson & Beason, P.C., Attorneys at Law

Winter 2013 • Volume III • Issue 3

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M&B is a full service law firm that has attorneys who specialize in the following areas:

- Serious Personal Injury
- Car, Truck & Motorcycle Accidents
- Wrongful Death
- Breach of Contract & Fraud
- Probate, Estates & Trusts
- Real Estate Transactions
- Business Law
- Criminal Domestic Relations

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## Four Must-Take Steps to Prevent Identity Theft This Holiday Season

With the holiday season fast approaching, most of us are looking forward to spending time with family. Retail stores and online shopping sites also have a reason to be merry due to increased traffic and sales, but a third group of people have more nefarious reasons for enjoying the holidays. Identity thieves use the stress and chaos frequently found in this time of the year as a recipe to force consumers into making mistakes regarding their personal information.

Over 12 million Americans were victims of identity theft in 2012 (approximately 1 in 20 people), and that number has risen steadily since 2009. Unfortunately for these people, it can take anywhere from several weeks to several years to repair the damage that identity theft imposes on your life; and in the meantime, it will be difficult to apply for loans or even get hired. We, here at Martinson & Beason, want to give you a few tips to significantly reduce your chances of a thief making off with your credit card information or your SSN.

1. Monitor credit card bills often. You should thoroughly look over any bank statements that you receive and be able to identify which purchases you made. If you have online access to your accounts, check them once a week. Consider switching all your holiday purchases to a single credit card so that if anything is wrong, you only have to cancel one card. Remember that the sooner you catch a thief in action, the less long-term damage you have to deal with later.
2. Be wary of information you give out. A wary customer is a safe customer, which is why holiday identity theft is more dangerous; people are more concerned with getting the best deals than with security of their information. Question why a retailer might need your

mother's maiden name to complete a transaction or sign up for an account. While this might not seem threatening, someone listening in could write that information down and use it to crack your security questions later.

3. Use a different password for all sites. We all know it's a pain to keep up with 100 different username and passwords, but most of us also know that it's dangerous to use the same one for each and every site. While your Amazon password might be secure, the IT protocols at a smaller site might not be – it's only a matter of time before they get broken into, and if you use the same password for every site, you better believe they'll simply log into your Amazon account. Consider using free software such as KeePass or LastPass that centralize all your passwords into one location. You need a master password to access the rest of them, but in the meantime, they are kept encrypted and in a much more secure manner than the sticky note you have below your computer.
4. Cancel pre-approved credit card offers and magazines. Are you receiving mail from banking institutions congratulating you on your credit and offering you a credit card? How about those shopping catalogs that you never signed up for and that you throw away, but show up in your mailbox anyway? Cancel them! You can opt out of the credit offers at [www.optoutprescreen.com](http://www.optoutprescreen.com), and you can call the catalog owner to cancel them. It is extraordinarily easy for a thief to scavenge your mailbox and then open up a credit card in your name using the personal identification found in the catalogs.

## It's Not Too Late: BP Oil Spill Claims

A contract is a contract is a contract. When the parties to a dispute sign a contract and a federal judge signs an order approving a contract, the contract is a very valid, enforceable contract.

After the BP Oil Spill settlement contract was approved by the federal judge, BP has spent tens of millions of dollars in advertising and marketing attempting to show BP is a good corporate citizen. At the same time BP is spending tens of millions of dollars trying to renege on the contract. The last ruling by the Federal Judge stated he was surprised the same attorneys for BP who negotiated the settlement

contract were now attempting to void the contract.

Martinson and Beason has over \$3,200,000 in claims approved and over \$8,200,000 in claims pending for its clients. It is not too late for you to file a claim for your business. Contact Margaret at [Margaret@martinsonandbeason.com](mailto:Margaret@martinsonandbeason.com) or 256-327-5504 and she will send you information, a representative agreement, and a client profile to begin work on your claim. An attorney will be in contact with you soon.

There is no out of pocket expense to your business throughout the entire claims process, but we need to begin work immediately to process your claim. Deadline for filing claims is April 22, 2014.

## Service Above Self: 3 Martinson & Beason Attorneys Give Back

Rotary International, an organization known across the world for its civic involvement and community outreach, can boast of several outstanding Rotarians (members of the club): FDR, JFK, Neil Armstrong, Orville Wright, Walt Disney, and Sir Winston Churchill, to name but a few. Well, the club can add three members to that list from the Martinson & Beason family. Three attorneys here, Doug C. Martinson, II, Morris Lilienthal, and Andrew Sieja, are each involved in their respective communities with three different branches of Rotary International in the Huntsville and Madison area.

Doug Martinson, II claims membership in the Huntsville Rotary Club, where he served as President from 2006-2007. Out of the 34,282 clubs in existence, the Downtown Club, as it is commonly known, is ranked in the top 50 in terms of membership. Doug is particularly involved with one of their community outreach programs, a mentorship program with several of the lower-performing schools in the area. Each Rotarian that so desires is paired with a student selected by the school's guidance counselors, and a mentor-mentee relationship is formed between the two. This branch meets Tuesdays, at 11:45 a.m. for lunch at the Von Braun Center.

Morris Lilienthal is a proud member of the Madison Rotary Club, a branch that deals with civic issues in Madison, Alabama. They recently awarded their Veteran of the Year to retired Maj. Gen. Al Sullivan and donated money to Wounded Warriors in his name. This year, Morris led the club's Thanksgiving civic project where the Madison club donated all the essentials for 18 needy area families to have a full Thanksgiving dinner. The Madison branch meets Thursdays, at 7:00 a.m. for breakfast at the Hogan Family YMCA.

Andrew Sieja sports membership with the Rotary Club of Greater Huntsville, a smaller branch than the Huntsville Club, but no less effective at reaching out. The Greater Huntsville Club was instrumental in providing textbooks to Ugandan schools when Huntsville City Schools adopted digital media as a means to teach students. Noticing the need in African countries, Andrew's club was able to contact Huntsville City Schools to obtain the now unused textbooks and send them to developing schools in Uganda. The Greater Huntsville club meets Wednesdays, at 12:00 p.m. for lunch at the Redstone Federal Credit Union on Wynn Drive.

As Rotary's motto goes, "Service above Self." Our attorneys are certainly following that example with their daily lives and their activity in the community.

## DIY Estate Planning Hazards: Why You Shouldn't Go it Alone

*By Doug Martinson, II*

It can be tempting to go about your estate planning alone. The process may seem easy enough, and you can save money by just downloading a few forms online and doing it yourself. We get it. But you should know that it's not as easy as it looks, and even the tiniest mistake can cause problems of epic proportions down the road.

Unconvinced? A U.S. News article "The Dangers of DIY Estate Planning" details why you shouldn't go it alone. The more complicated your estate is, the more likely it is that you need the help of an attorney. While a DIY estate planning document can sometimes be, at the very least, better than nothing at all, it's worth it for yourself and your family to consider getting an attorney.

Here's why:

- **People tend to make mistakes completing these forms:** Estate planning forms can be complicated. And one question answered incorrectly or one aspect overlooked can cause major problems in the future. A survey by LegalZoom, provider of DIY documents, found that a staggering 75% of married couples "lack a legal document that names a guardian for their children." This means that, if the couple passes away before their children reach adult age, a court—not the family—will have the power to appoint a guardian for their children.
- **The documents are filled with legal mumbo-jumbo.** This can be confusing for many people and can cause them to do something they hadn't intended. The article gives the example of "durable power of attorney," a document that gives another person the power to handle your finances if you are unable to do so yourself. The person you make your power of attorney could steal from you if they aren't trustworthy.
- **Documents need to be executed correctly.** The requirements for executing documents can vary from state to state, which makes it harder for individuals to do it themselves. Certain documents may need to only be signed; others may need to have one or more witnesses to your signature. If the documents aren't executed properly, they may be rendered invalid—thus undoing all of your planning.
- **Wills and other documents can have holes.** A lawyer can help you realistically plan for circumstances you might not have considered had you written the will by yourself. What happens if your children die before you? What happens if you get a divorce? What happens if you get more grandchildren? If you don't consider these factors, your will could have holes that can cause errors or disputes later.

In order to save money when planning your estate, make sure that you discuss the costs in advance with an attorney and determine which services you truly need.

In the end, no matter which route you go with, it's important that you update your estate plan every couple of years, or at least after major life events like getting married, having children, a divorce, buying a home, etc.

To get your estate planning questions answered by an experienced and understanding estate planning attorney, contact Martinson & Beason, P.C. today.

## Referrals

**We want you to think of us as your law firm.** If you have a legal matter that needs attention, let us know. If we can't handle the matter, we will refer you to a firm that can. Please feel free to refer us to your friends and family for their legal needs. A referral from a former client or friend is the greatest compliment our firm can receive. We welcome the opportunity to help. Thank you!



**This October a group of kids came to Martinson & Beason to trick-or-treat for Halloween. We loved seeing all of their cute & creative costumes!**



## RECIPE OF THE MONTH LOADED POTATO CASSEROLE RECIPE

*by Sylvia Tiggs*

### INGREDIENTS:

- 2 to 3 lbs of potatoes- peeled and cut into quarters
- ½ cup cream cheese
- ¼ cup butter
- ¼ cup milk
- ½ cup sour cream
- 1 teaspoon of salt
- ½ teaspoon of black pepper
- 1 ½ cups of cheddar cheese
- 8 slices of bacon, cooked and chopped
- ½ bunch green onions, sliced



### DIRECTIONS:

1. Boil potatoes in salted water until tender, then drain well.
2. Preheat your oven to 375 degrees.
3. After you have drained your potatoes mash until almost smooth. Add cream cheese, sour cream, butter, milk, salt and pepper. Stir in half the cheese and half the bacon.
4. Lightly grease your casserole dish and spoon mixture into dish.
5. Bake for 20 minutes.
6. Take out of oven and top with remaining cheese, bacon and green onions.
7. Put dish back in the oven and bake for 5 more minutes until cheese melts.

## Employee Spotlight on Doug Martinson, II

Doug Martinson, II is a Huntsville native and recently celebrated his 50th birthday with friends and family. He has had a thoroughly interesting life so far, and we are happy to showcase him in this month's Employee Spotlight!

When Doug graduated from the University of Alabama in 1986, he walked out with a degree in Finance and had several prestigious



*L to R: Reed, Doug, Clay & Lauren*

leadership positions under his belt. He was President of the College of Commerce and Business Administration, and served as a member of the student government, the Dean Search Committee, Jason's Society, Anderson's Society, and his own fraternity, Phi Gamma Delta.

Doug followed the family tradition of legal practice when he attended Washington and Lee University School of Law. In 1989, he passed the Bar Exam and received the American Jurisprudence Award for Legal Research. He then went to Tax Law School at Boston University and received an LL.M. from there. 1990 marked his entrance into the Martinson & Beason law firm. Doug has expanded his practice areas and now takes pleasure in practicing Estate Planning, Probate, Elder Law, Elder Abuse, Guardianship, Wills, and Trusts.

In addition to helping people plan for the future from a legal standpoint, Doug is actively involved with Huntsville affairs through the Rotary Club, where he served as President from 2006-2007 and the Huntsville Young Lawyers, where he also served as past President. Most notable, however, is his involvement with the Huntsville City School Board. He was elected to two four-year terms as a member of the board and spent 5 of those 8 years as President of the Board. As President, he was instrumental in the gain of over \$82 million to finance new buildings for four schools and construction and additions to several others.

Doug takes great pride in his family. He is married to Lauren Martinson, and they have two sons: Clay, 15, and Reed, 11. Clay is actively involved in football, basketball, and baseball at Huntsville High School, and upon graduation in 2016, will mark the fourth generation of Martinsons to leave HHS. In his spare time, Doug referees Division I hockey for the UAH Chargers, a passion he has been participating in since 8th grade. He also mentors younger referees and is a member of the Western Collegiate Hockey Association.

## Client's Bill of Rights

Lawyers will tell you that it is impossible to offer a guarantee in the legal business. **WRONG!** We say that law firm clients should settle for nothing less! Remember, your attorney works for you – not the other way around.

At Martinson & Beason we believe we can promise our clients quality service with personal attention. We believe that as our client you are entitled to have the:

1. Right to loyalty to you and your cause.
2. Right to be updated regularly and in a timely manner as to the progress of your case.
3. Right to our respect.
4. Right to expect competence from our firm and all who work here.
5. Right to know the truth about your case.
6. Right to prompt attention from us.
7. Right to have your legal rights and options explained in plain English without legal mumbo jumbo.
8. Right to a fair written fee agreement with our firm.
9. Right to a fair fee for the work we do.
10. Right to make the ultimate decision on your case.



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## George Beason Inducted into the Blossomwood Hall of Fame

In recognition for his accomplishments and dedication to the students of Blossomwood Elementary School, George Beason was inducted into the school's Hall of Fame on November 2, 2013. He began reading to the kindergarteners of Blossomwood Elementary in 2001, when his first grandson started school, and has done so ever since. George's grandson is now 16 and attends Huntsville High School. His youngest grandchild is now a kindergartener at Blossomwood Elementary, so he believes the next few years might be his last at reading. However, George will continue to donate his energy, time, and money to the school that has so successfully started the education of his six grandchildren.

Judge Billy Bell influenced George to begin working with the students; not only has George loved reading to the students, the young children have loved George's presence in their lives. His kind-hearted nature drew them in and he enraptured them with stories every week. Judge Bell was inducted along with George into the Hall of Fame.

When asked about the most memorable student he ever read to, George responded, "In my first year reading, there was a little boy whose parents were illiterate. It meant a lot to me to see his progress through the year. To see him pick up a book and do something his mother couldn't." I am sure that George meant as much to that boy as that boy did to George. Congratulations, George!

## Alabama Real Estate Closing Checklist:

**Prior to the Closing, the closing attorney will need the following information:**

1. Copy of the signed contract, including any and all addendums
2. Contact information for the Buyers, Sellers and Realtors (name, email, phone numbers, and addresses)
3. Name and contact information for the Buyer's Mortgage Lender/Broker/Banker (name, email, phone numbers and address).
4. Homeowners Association contact information, including contact name, address and telephone number, if any.
5. A Copy of the Termite Letter, if needed.
6. All loan payoff information for the Seller, including contact information for each loan, account numbers and Social Security numbers for all parties on the loan
7. Is a survey needed?
8. Home Warranty Information, if applicable
9. Copies of the Deeds, Mortgages, Wills, Trusts, Powers of Attorney or Corporate Documents related to the parties
10. Buyer's hazard insurance agent information (company, name, email, and phone number)
11. A list of any repairs and invoices, if any
12. If a Power of Attorney is to be used by any party, then it must be approved by the closing attorney and the Borrower's lender, prior to the closing

**Please bring the following to the Closing:**

1. Current driver's license for identification
2. Social Security number or tax identification number for Seller and Buyer
3. Certified Funds or Bank Wire for all closing funds from Buyer
4. Original approved Power of Attorney, which has been notarized

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