

# Trafficking In Convenience

**INTERNET:** GetDismissed's app connects users with obscure process to avoid paying tickets.

By **CAROL LAWRENCE** Staff Reporter

Got a traffic ticket? There's an app for that. Developed by Westlake Village's **Ticket Advocate**, the GetDismissed mobile application and website utilize a little-known legal process to help users get traffic tickets dismissed without going to court or hiring a lawyer.

**Steve Miller**, who co-founded the company last year and launched the service in February, promotes the service as a painless way to deal with the most common traffic tickets that can otherwise cost people a day off work, money and plenty of hassle.

Miller said he started the company with traffic attorney **Alexis Vega**, several angel investors and about \$400,000. He previously ran another business with a relative doing the same thing for clients, but decided to take the service online with a free app and the GetDismissed.com site.

"We realized an opportunity there in that people really don't know about it," Miller said. "We've been doing this for 11 years. GetDismissed is an outgrowth of our other services, and we just put together a database of proper legal defenses to tickets."

## Possible dismissal

GetDismissed uses a little-known California procedure known as trial by written declaration. It allows violators to contest their infraction by filing documents available online and sending them to the appropriate court rather than making a court appearance. Violators can also pay their fine, hire a lawyer or go to traffic school. GetDismissed provides another alternative, Miller said.

"A trial by declaration is an advantage," Miller said. "If you get dismissed, it's off your record, but if you do not get dismissed, you are back to where you started and able to have your day in court. You get two bites at the apple."

First, customers answer questions on the

app to determine which documents will best present an argument for a dismissal. Vega, the lawyer, has prepared a series of explanations, depending on details of the case. GetDismissed sends the documents to the customer electronically within 48 hours, or one of GetDismissed's seven employees fills it out with the client on the phone. Clients also take photos of their driver's license and ticket, mail everything to the appropriate court and wait for a judge's decision. The service costs \$79.

The information has to arrive by the deadline on the ticket, and customers must pay the fine upfront, which will be held in escrow by the court, Miller said. GetDismissed tells users that it's not a law firm and doesn't provide legal advice. Also, there is no guarantee the \$79 fee will result in a dismissal.

The app is most effective countering infractions such as speeding, turning on a red light, turns on red lights caught on camera, driving while using a cellphone and infractions relating to road signs – about 80 percent of the most common tickets, Miller said. It cannot be used for misdemeanors or infractions that don't allow trial by declaration.

**James Cardenas** of Sanger, near Fresno, said he used GetDismissed for a nearly \$500 ticket he received after his son made an illegal turn at a red light that was caught on camera while driving Cardenas' car. The ticket was mailed to Cardenas because it was his car.

One of Miller's employees walked him through each step of the app process, asked him questions and sent him documents the next day, he said. That calmed his initial apprehension of the service.

"He didn't tell me it was 100 percent guaranteed (that I would get my money back) but that there was a really good chance," Cardenas said. "I was willing to take that risk because I was very comfortable with him."

Three weeks later, Cardenas said the court notified him the ticket was being dismissed because he couldn't be identified as the driver.

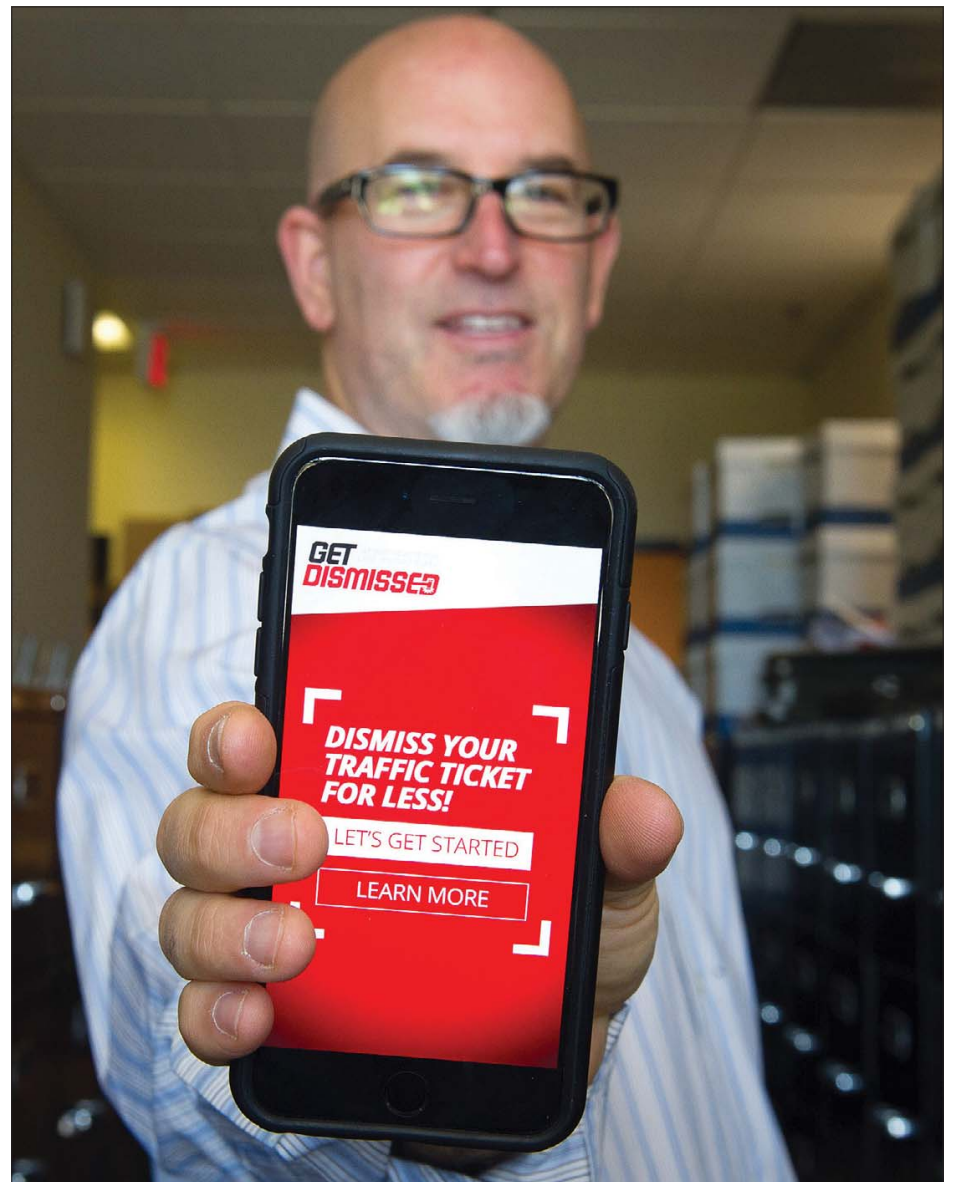


PHOTO BY MIKE BAKER

**Wired:** Steve Miller checks the app at GetDismissed offices in Westlake Village.

"I was really relieved," he said. "Not only would I have had to pay the (fine) but my insurance would have skyrocketed for sure."

## Low-cost option

**Gregory Ogden**, a law professor at **Pepperdine University's** law school in Malibu, said trial by written declaration has been around since 1999.

"What these people have added is assistance in preparing the documents," Ogden said. "There's minimal risk because the process already exists. All this guy is doing is making it convenient for people to carry it out."

Legally, users are admitting to the traffic infraction when they use the service, Ogden noted, and they need to understand the questions for the service to provide the best defense.

He said GetDismissed operates like other self-help services that supply legal docu-

ments online. A number of such firms, including **LegalZoom.com Inc.** in Glendale and **CorpNet.com** in Westlake Village, have found success with consumers.

"Those kinds of companies are going to continue to develop because many lawyers have priced themselves out of the market for what middle-class customers are able to pay," Ogden said.

Since the service went live, Miller has raised the price of the service to \$79 from the original \$49 and plans to raise it to \$99 next year. About 500 customers have used the service so far, but Miller doesn't know the success rate because he doesn't track cases once the documents are sent to users.

"We've heard from many who've said their tickets have been dismissed, and some that haven't," he said. "Every month it gets better, and we are seeing business improve."

# Biotech: Slow Sales for Inhalable Insulin Afrezza

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According to the deal, MannKind will sell discounted shares for up to \$56.9 million and issue \$27.7 million in new debt for the refinancing. The offer started July 29 and will last through Aug. 11.

During that period, the price for the new shares will be set by a formula but the amount will be deeply discounted from the share's trading price. A floor price also will be determined.

The new \$27.7 million in senior notes will carry the same 5.75 percent interest rate, but they won't have to be paid off until mid-August 2018.

Deals that cause more stock to enter the market at reduced prices are sometimes referred to as "death-spiral financing" because a compa-

ny is selling stock when the price is low. In the case of MannKind, the deal has a limited time span and a price floor, limiting damage.

However, there's no question the deal dilutes the investment of current shareholders, said **Mick Swartz**, associate professor of finance at the USC Marshall School of Business, who reviewed the deal for the Business Journal.

"In the conversion, you're creating more and more shares of stock," Swartz said. "Whoever put money in before is discounted; new money is more valuable."

Markets have reacted accordingly. After the deal was announced, shares lost 15 percent of their value, closing Aug. 5 at \$4.19.

But the slide also stems from slow sales of Afrezza, an inhalable insulin that is MannKind's only commercial product. The

company, founded in 1991 by billionaire entrepreneur **Alfred Mann**, has never been profitable, and has been sustained by investments from Mann and other shareholders who are betting that diabetics would prefer to inhale their medication rather than take injections.

Afrezza gained regulatory approval last year and U.S. sales began in February, with Sanofi U.S., the domestic subsidiary of French drug firm **Sanofi S.A.**, handling sales and marketing.

But so far, sales have been underwhelming. The drug generated only \$7 million in revenue for MannKind in the first quarter. MannKind did not respond to requests for comment.

"Afrezza is well-received by patients who are able to get it, but access is a limiting step," Dr. **Joshua Schimmer**, an analyst at investment firm **Piper Jaffray**, wrote in a note to

investors May 8. "MannKind is optimistic that measures to improve access and initiating therapy without hassle will lead to an acceleration of uptake."

Despite Afrezza's lackluster sales, MannKind seems optimistic about potential sales. The company announced July 31 that it is expanding capacity to make Afrezza. MannKind will fill more than 300 million insulin cartridges a year, an increase over its previous capacity of 100 to 120 million cartridges.

Swartz said he was hesitant to categorize MannKind's situation as a death spiral because if sales improve, the arrangement could prove inconsequential.

"If you have a good product and it's selling, a company might be able to get out of a death spiral," Swartz said.