

MATTHIESEN, WICKERT & LEHRER, S.C.

ATTORNEYS AT LAW

OCTOBER 2018 SUBROGATION NEWSLETTER

WHY DID THE PLAINTIFF CROSS THE ROAD? Understanding Pedestrian and Crosswalk Laws in All 50 States

Pedestrian deaths now make up 16% of the total traffic deaths in the U.S. In an effort to address this growing public safety concern, state legislatures are scrambling to pass new laws that regulate and define who is at fault when a pedestrian is struck. To effectively handle personal injury and workers' compensation subrogation claims you must be familiar with the laws that govern the liability of motorists and the duties of pedestrians when crossing the street. This article contains a link to our *Pedestrian and Crosswalk Laws In All 50 States* chart that covers the laws that regulate the relationship between and the duties of motor vehicles and pedestrians crossing the street for all 50 states. [Read More...](#)



Subrogation Magic and Created Coverages: A Detailed Introduction to MCS-90

The federal government mandates that trucking companies operating interstate comply with their financial responsibility obligations by having an insurance policy that includes a MCS-90 Endorsement, a qualifying surety bond, or a sufficient business operation for self-insurance. By far, the most common mode of compliance is the MCS-90 Endorsement. This endorsement requires the issuing insurance carrier to pay a claim when an injured party obtains a judgment against their insured, in situations where coverage is denied or not otherwise warranted. This endorsement shifts the risk of loss away from the public by guaranteeing that an injured party will be compensated, even if the insurance carrier has a valid defense based upon a condition in the policy. [Read More....](#)

Iowa Workers' Compensation Subrogation: Simple Steps To Avoid Subrogation Traps

Subrogation in the Hawkeye State appears to be as simple and routine as driving through Iowa itself. But, applying the statute is more akin to driving through a cyclone. Simply stated, the simplicity of subrogating workers' compensation benefits in Iowa is an illusion riddled with confusing traps and pitfalls that can destroy a workers' compensation carrier's subrogation rights. Fortunately, these landmines can be easily side-stepped and avoided by instituting a few simple procedures. In this article, we will address three of biggest traps you need to avoid to obtain a successful recovery in Iowa. [Read More....](#)

Verdicts and Settlements

Attorney **Aaron Plamann**, with the assistance of Paralegal Erica Karch, recently received a complete liability verdict against Watts Plumbing Technologies in arbitration, related to a manufacturing defect in a dishwasher supply line. Watts both contested the products liability claim and contented that there was a spoliation of evidence defense that should prohibit recovery. The arbitrator did not find merit with either defense and awarded our client the full amount of damages sought.



Time Travel For The Insurance Industry

See [HERE](#) for a provocative 60-second video explaining why Matthiesen, Wickert & Lehrer views the handling of your subrogation claims - large and small - as time travel for the insurance industry. We help turn back the hands of time and attack the enemy of our industry - claims - utilizing our experience and expertise. Check it out!



Matthiesen, Wickert & Lehrer, S.C. Launches A Subrogation Support Network Group In LinkedIn!

We welcome you to join our LinkedIn **Subrogation Support Network** Group! It is a community managed by Matthiesen, Wickert & Lehrer, S.C., that offers insurance professionals a place to interact, discuss subrogation insurance-related topics and issues, ask subrogation questions, and keep abreast of new developments and/or changes in the subrogation law for all 50 states. If you would like to join this LinkedIn group, please click [HERE](#).

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We are asking our clients and friends to help us expand our social media presence by following our firm's **LinkedIn**, **Facebook**, **Twitter**, and **YouTube** pages. The legal face of insurance litigation in our industry seems to change almost daily. Following our social media pages will assist you in keeping up-to-date and informed on developments and changes in the law that effect the industry, which is key to obtaining the best results.

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