

MATTHIESEN, WICKERT & LEHRER, S.C.

ATTORNEYS AT LAW

MAY 2019 SUBROGATION NEWSLETTER

Sidewalk Defects And Municipal Liability: In Most States, Size Matters

Insurance claim files are overflowing with losses involving individuals injured when they trip and fall over cracked, broken, or uneven municipal sidewalks. Most often, the injury is a direct result of a municipality failing to institute and/or follow its own policies regarding inspection, maintenance, and repair of miles of sidewalks. Whether a municipality can be held liable for sidewalk defects depends heavily on the state you are in and, in many cases, the specific city or municipality you are dealing with. [Read More....](#)



Arizona Becomes 48th State To Prohibit Cell Phone Use While Driving

On April 19, 2019, Arizona joined 47 other states who have passed laws governing the use of handheld phones and/or texting while driving. Under the new law, drivers are prohibited from any kind of cell phone use while driving, including talking, texting, typing, or browsing internet or social-media sites, unless they are using a hands-free mode. [Read More....](#)



Citing MWL Chart, New Jersey Judge Prohibits Lawyer From Asking Client At Trial If Vehicle Is Totaled

A New Jersey Superior Court judge recently issued a written ruling, holding that it was inappropriate for a lawyer to question his client during trial as to whether his vehicle was “totaled” as a result of an accident with the defendant’s vehicle. The judge relied entirely on a MWL’s **Automobile Total Loss Thresholds In All 50 States** chart and a *Claims Journal* article entitled “**When is a Vehicle Considered a Total Loss.**” It was the first ruling of this sort made in a New Jersey state court. [Read More....](#)



Gary Wickert To Present A NASP Webinar on June 4, 2019

Gary Wickert will present a webinar for the National Association of Subrogation Professionals (NASP) on "*The Top 10 Subrogation Mistakes Carriers Keep Making*" on June 4, 2019 at 1 p.m. (EDT). Across all lines of insurance, our mistakes and failures are guideposts in our learning and growth as insurance industry members but, we can only take advantage of them if we recognize them. Join us as we discuss ways to avoid repeating the ten mistakes most costly and commonly committed in the fast-growing and demanding world of insurance subrogation. For info on this webinar or to register for it, click [HERE](#).



Join MWL For A Complimentary Webinar on "Iowa Workers' Compensation: Simple Steps to Avoid Subrogation Traps"

Stephen Smith will present a live MWL webinar on "*Iowa Workers' Compensation Subrogation: Simple Steps To Avoid Subrogation Traps*" on June 12, 2019 at 10:00-11:00 a.m. (CDT). Iowa's workers' comp statute is perhaps one of the most complicated in the country. This webinar will give an overview of the rights, duties, and deadlines pertinent to securing recovery in Iowa, and provide a road map to avoid common pitfalls along the way. This webinar is free to attend for anyone interested in maximizing their subrogation recoveries in Iowa. [Read More...](#)

Join MWL For A Webinar On Texas Automobile Subrogation

On May 1, 2019, MWL celebrated the opening of its Austin, Texas office. To commemorate the opening our Texas office, we are offering a special one-hour webinar focusing on the nuances and details of Texas automobile subrogation. Whether you are sharpening your subrogation tools or new to the industry, this is a webinar you won't want to miss. It will be presented July 16, 2019 by Attorney **Lee Wickert** of our new Austin office beginning at 10:00 a.m. (CDT). [Read More...](#)

Verdicts and Settlements

Pursuing ERISA subrogation claims for health plans can be tricky. It is further complicated when a plan member is injured abroad. Firm partner, **Ryan Woody**, successfully navigated French law to secure a 100%, six-figure, direct subrogation recovery against French insurer, Mutuelle Assurance des Commerçants et Industriels de France et des Cadres ("MACIF") after a plan member was seriously injured in a motor vehicle accident in Lyon. By studying French insurance laws and procedures (and some help via Google Translate), Mr. Woody was able to present and successfully secure a full recovery for the plan.



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](#).

Follow Matthiesen, Wickert & Lehrer, S.C. on Facebook, LinkedIn, Twitter, and YouTube!

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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