

About Us Attorneys Reference Charts Laws by State Webinars Blog Practice Areas Contact

DECEMBER 2019 SUBROGATION NEWSLETTER

Florida PIP Subrogation And The Mysterious "Commercial Vehicle" Exception

Let's just say it. Florida PIP subrogation is a pain in the butt. The PIP carrier isn't subrogated to or has a lien on any tort recovery against the "vehicle" owner, subject to two exceptions: (1) where the thirdparty tortfeasor is uninsured, and (2) where a commercial vehicle which is not required to have PIP coverage is one of the vehicles involved in the accident. The former is straightforward; but the latter exception is where all the confusion arises.. Read More....



Idaho Joins Minority of States Recognizing Third-Party **Independent Tort of Spoliation**



For many years, Idaho courts had discussed this tort but never formally recognized it. On October 18, 2019, however, the Idaho Supreme Court finally adopted third-party spoliation as an independent tort, which now allows an action for spoliation damages against third parties who are not part of the underlying civil lawsuit. Read more....

Employer Immunity and Other Urban Legends

Maryland Court Confuses Wisconsin Exclusive Remedy Rule. For years, lawyers, judges, and state courts have been confused over the Exclusive Remedy Rule that exists in Wisconsin. The confusion is because prior to 1978, the Exclusive Remedy Rule didn't apply to actions brought against co-employees, but in 1978 the Act was amended to make the Exclusive Remedy Rule applicable to an action against "any other employee of the same employer." Read More....



Attorneys In The Claims Handling **Process**

In Texas, there are no formal rules, policies, or

Webinar | Ethics For Adjusters And

professional conduct standards formalized for licensed insurance adjusters. This course seeks to teach the basics ethics that attorneys are expected to be held to and how to apply those standards to a licensed insurance adjuster. It will focus on the duty of good faith, unfair settlement practices, and implications of failing to pursue subrogation on auto losses in Texas. This webinar will benefit claims professionals in all levels of experience.



Time: 10:00 - 11:00 a.m. (CST) Presenter: Mark A. Solomon **Cost:** Complimentary

Date: January 22, 2020

Register Now

Matthiesen, Wickert & Lehrer would like to thank our clients and local

counsel for a wonderful year and wish you all a Merry Christmas,

Merry Christmas and Happy New Year!!!

Happy Hanukkah, and a blessed Holiday Season. Regardless of what Christmas means to you, we hope your Christmas is full of holiday cheer shared with family and friends. For us at Matthiesen, Wickert & Lehrer, S.C., Christmas is just the beginning – a simple, yet wonderful reminder of Christ's humble beginning as a human child in this world. It's only a beginning because His birth merely set the stage for the power, glory, and salvation that would be revealed in His life, death, and resurrection come Easter morning. An important part of the holiday season is remembering those who make the holidays meaningful to us. We would like to wish you and your family all the happiness and prosperity this Season can bring and may it follow you throughout the coming

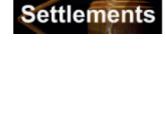


year! **Verdicts and Settlements**

Stephen Smith recently settled a complex case in Ohio for more than \$200,000 involving a large loss that occurred while our client's insured

confronted with a gas pocket that ignited causing extensive property damage. We retained a niche expert to offer an initial opinion and engaged in extensive prelitigation discussions on liability and eventually settlement. Ultimately, we secured the recovery without the client expending additional resources on litigation or expert costs. Time Travel For The Insurance Industry

was drilling on a large construction site. While drilling the insured was



video explaining why Matthiesen, Wickert & Lehrer views the handling of your

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!

would like to join this LinkedIn group, please click HERE.

See HERE for a provocative 60-second

subrogation claims - large and small - as



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

We Are Social | Follow Us 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

MATTHIESEN, WICKERT & LEHRER, S.C. Hartford ❖ New Orleans ❖ Los Angeles ❖ Austin Phone: (800) 637-9176

www.mwl-law.com

View online

key to obtaining the best results.

