

## January 2020 Subrogation Newsletter

### Watson Grinding Explosion in Houston

On January 24, 2020, a massive explosion ripped through the Watson Grinding and Manufacturing facility in northwest Houston. The blast damaged 450 structures in the area surrounding the facility. MWL's Texas office heard the news a few hours after the explosion and took immediate action on behalf of its clients and retained a fire and explosion team of experts to begin investigation into the root cause of the explosion. MWL will be at the forefront of the investigation actively pursuing subrogation recoveries on behalf of our clients who pay out losses to their insureds as a result of this explosion. If you have claims related to this loss that require subrogation recovery or if you have any questions, please feel free to contact Mark Solomon at [msolomon@mwllaw.com](mailto:msolomon@mwllaw.com) or Gary Wickert at [gwickert@mwllaw.com](mailto:gwickert@mwllaw.com). They can also be reached at 800-637-9176.



### Massachusetts Weighs In On Third-Party Liability For Diminished Value Damages



A Massachusetts federal district court has ruled that tort law does not provide for recovery of "inherent diminution in value" damages by a third-party claimant. The decision is being appealed but appears to clearly place Massachusetts in the group of states that don't allow for recovery of such damages from a third-party tortfeasor. [Read More....](#)

### Recent Decisions Slowly Restoring Made Whole Sanity In Montana

Montana remains one of the toughest states to subrogate in because it has a very strict made whole policy. It is the rule in Montana that an insured must be totally reimbursed for all losses as well as costs, including attorney fees involved in recovering those losses, before the insurer can exercise any right of subrogation, regardless of contract language to the contrary. [Read More....](#)



### Matthiesen, Wickert & Lehrer, S.C. Welcomes Zahra Aziz To The Firm



MWL is pleased to announce that Zahra Aziz has joined our insurance litigation team as a senior associate attorney in our California branch office. Zahra's litigation experience adds to a wealth of experience at MWL's Santa Ana office. Zahra's practice focuses on insurance litigation, especially nationwide insurance subrogation involving workers' compensation, automobile, health insurance and ERISA, property and casualty, premises liability, insurance coverage, and civil litigation. Zahra is also fluent in Farsi and conversational in Spanish. We look forward to utilizing Zahra's extensive experience handling subrogation litigation across California. [Read More....](#)

### Verdicts and Settlements

**Eric J. Goelz** recently settled a slip and fall case for \$225,000. A truck driver, while making a delivery to a company in north central Wisconsin, slipped and fell on their ice-covered lot causing injury to his left hip resulting in surgery and complications. The company initially denied the claim based upon their ice and snow removal efforts under the conditions as well as the claim of contributory negligence on the driver's part. The driver wasn't represented but we were able to pursue the case for the carrier to encompass all damages.



### 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!



### Join MWL's LinkedIn Subrogation Support Network Group!

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](#).

### 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 key to obtaining the best results.