

## MAY 2020 SUBROGATION NEWSLETTER

### Beware Of The COVID-19 Statute Of Limitations Trap

It's safe to say that millions of subrogation claims have statutes of limitations or statutes of repose which were set to expire during the last few months. Many states are now lifting the suspension of the statutes of limitations, and our industry will undoubtedly see many statutes expiring before practitioners ever knew the tolling had been lifted. Subrogation professionals must pay close attention to the applicable state order or court rulings when determining the effect of the order on computing time for a statute of limitations. [Read More....](#)



### California Governor's Order Creates Presumption COVID-19 Contracted At Work



On May 6, Governor Newsom signed Executive Order N-62-60 stating it will be presumed the employee contracted COVID-19 on the job if they test positive for or are diagnosed with COVID-19 within 14 days after the employee performed labor at their place of employment. Employers have 30 days from the date of claim to reject and/or rebut the claim, leaving little time to review the claim. It opens up insurers to possibly having to pay workers' comp benefits for an employee who may not have contracted COVID-19 at the workplace. [Read More....](#)

### Historic Changes To Michigan No-Fault Law Effective July 1, 2020

On May 20, 2019, Michigan took baby steps toward ridding itself of its dysfunctional no-fault system by eliminating core features of its no-fault law that were in place for nearly 50 years, including doing away with Michigan's lifetime, unlimited no-fault medical expenses, and giving drivers the choice of opting out of the No-fault Act altogether. This historic change in Michigan law presents new potential subrogation opportunities in a state that has otherwise been all but abandoned by subrogation professionals. [Read More....](#)



### Ashton T. Kirsch Becomes Partner of Matthiesen, Wickert & Lehrer, S.C.



Matthiesen, Wickert & Lehrer, S.C. (MWL) is pleased to announce that on June 1, 2020, **Ashton Kirsch** will be made a partner of the firm. Ashton has been with MWL since 2015, concentrating his practice on large loss casualty, commercial auto, and cargo subrogation. He has built the MWL commercial auto and cargo/transportation group into a thriving sector of our firm's subrogation practice. MWL is very proud and privileged to have Ashton become partner in what our clients recognize as one of the premier insurance litigation law firms in the nation. If you have not yet asked Ashton how he can help on your most important claims, or just wish to congratulate him, he can be reached at [akirsch@mw-law.com](mailto:akirsch@mw-law.com). [Read More....](#)

### Verdicts and Settlements

**Eric Goelz** recently settled a Wisconsin workers' comp case involving a slip-and-fall on ice during an ice storm. The employee was unrepresented but he pursued the worker's comp lien together with the employee's rights in the lawsuit. There was more than \$115,000 in medicals and \$44,000 in wage loss. Despite the very difficult liability issues, Attorney Goelz was able to secure a settlement of \$225,000.



### 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.

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