

JANUARY 2022 SUBROGATION NEWSLETTER

MWL Launches New Boston Branch Office

Boston Office Opened January 1

MWL is proud to announce the opening of its new subrogation branch office in Boston, Massachusetts. For years, MWL has represented workers' compensation carriers, auto carriers, self-insured companies, third-party adjusting companies, and subrogation vendors throughout the New England area. The increased need for subrogation representation of our New England clients has long pointed to this exciting expansion into this state. MWL is also pleased to welcome back Attorney **Catherine Dowie**, who will be litigating out of and managing the new Boston office. The new branch office gives us the ability to better serve our clients as we handle their subrogation matters in Massachusetts, New York, New Jersey, Pennsylvania, Vermont, Maryland, and across the northeastern U.S. Boston joins Jacksonville, Los Angeles, Austin, New Orleans, and Hartford as the latest MWL branch office.



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Seeking PIP Reimbursement From Health Insurers In New Jersey



New Jersey is a confusing state when it comes to auto insurance and PIP benefits. Auto insurance is governed by the PIP statutes. New Jersey residents are permitted to choose, on new or renewing auto policies, whether primary coverage for medical expenses will be provided by the auto insurer through the auto policy's PIP provisions ("traditional coverage"), or by a health insurer through one or more health benefits plans ("alternative coverage"). New administrative rules have been enacted to address: (1) the order of benefit determination under either the traditional or alternative coverage option selections; (2) the provision of benefits for the insured when a dispute exists on the issue of primacy of coverage; and (3) the calculation of benefits payable by the auto insurer and health benefits provider under either the traditional or alternative coverage option selection.

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Massachusetts' High Court Declares Third-Party Inherent Diminution In Value Auto Damages Are Now Recoverable

The new rule on third-party IDV claims in Massachusetts not only presents new subrogation opportunities, but it also makes the smaller collision subrogation claims easier to settle. If a third-party liability carrier denies a small auto property subrogation claim because it knows filing suit will be costly, you can now defeat this liability claim tactic by advising that if they do not pay the subrogation property damage, you will get the insured involved along with their IDV claim. Suddenly, paying the smaller collision claim might be the smart choice.



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Webinar | Subrogating California Wildfire Claims



Wildfire loss subrogation involves protecting the rights of insurance carriers whose insureds suffered property damage or even bodily injury as a result of a wildfire that was caused by the negligence or recklessness of a third party. This webinar will take you through the steps to handling fire loss subrogation from the beginning. It will help identify who the typical insureds and defendants are in wildfire loss claims, what experts you should consult with when investigating the scene of the fire, what inverse condemnation is and what it means for your case, what the potential causes of action are in a complaint, how to handle motions to remove the action to federal court, how to conduct discovery, and how to protect the insured's subrogation rights. This course will benefit claims professionals of all levels of expertise.

Date: February 10, 2022
Time: 11:00 - 12:00 p.m. (CST)
Presenter: Katherine Sandoval
Presenter: Zahra Aziz
Cost: Complimentary

[Click HERE](#)
 To Register For This Webinar

Verdicts and Settlements

Richard Schuster recently settled a product liability claim against LG for an allegedly defective dehumidifier for \$350,000 for a woman whose home was uninsured. Though the home was appraised in the low \$200,000 range, inclusive of the land, we were able to resolve the matter for \$350,000, including contents, before written discovery was exchanged in litigation. If you have questions or need assistance with your product liability claims, contact Attorney Rich Schuster at 800-637-9176 or via e-mail at rschuster@mw-law.com.



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 new developments insurance-related topics and subrogation, 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](#), [Instagram](#), 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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