

## MARCH 2021 SUBROGATION NEWSLETTER

### The Hard Work of Successful Subrogation

Our subrogation decisions affect more than our own bottom line. Risk managers know that the premiums they will pay three years from now depend on how aggressive and successful we are in subrogating large losses. Whether we value and invest in subrogation is the true test of our desire to optimize the recoveries we make and the lengths we will go to fulfill the service – and in some states the “duty” – we owe to our insureds, for it is often our insured which pays the price for missed subrogation opportunities. [Read More....](#)



### THE BUCK STOPS THERE: Health Plan Lien Reimbursement From Workers’ Comp Claims



Health insurance subrogation involves more than making demands on negligent tortfeasors. Coordination of Benefits (COB) is a subset of health Plan subrogation. It primarily concerns itself with situations where two different health Plans, or a health Plan and a no-fault auto carrier, cover the same person or loss. With two sources of coverage, the question becomes: Who pays what? The answer lies in the COB clauses contained in the competing insurance Plans. [Read More....](#)

### UNINSURED MOTORIST SUBROGATION: Pursuing the Uninsured At-Fault Driver

Carriers and adjusters are all too familiar with the “judgment-proof uninsured at-fault motorist.” Unless your insured happened to be driving in the Tampa area and was t-boned by Tom Brady, the same day his auto coverage lapsed, the question always becomes “is it worth pursuing subrogation?” Initiating subrogation against uninsured and judgment-proof drivers is often nothing more than an exercise in futility. However, it can be a lucrative and rewarding subrogation endeavor if handled appropriately and with the right tools. [Read More....](#)



### Matthiesen, Wickert & Lehrer, S.C. Welcomes Timothy D. Edwards To The Firm



Matthiesen, Wickert & Lehrer, S.C. is pleased to welcome **Timothy D. Edwards** as senior counsel to the firm’s Wisconsin office. Tim is an experienced litigation lawyer who brings with him a wealth of insurance and complex litigation experience to MWL’s subrogation arsenal. Tim is licensed in Wisconsin, Arizona, and Florida, and has extensive experience in State and Federal court litigation and appeals, including the preparation of pleadings, dispositive motions, and complex electronic discovery plans. He has served as lead counsel in complex federal class action lawsuits. We look forward to the vast amount of experience and insight Tim brings to the firm, and eagerly welcome him to our growing family of subrogation professionals here at MWL. [Read More....](#)

### Matthiesen, Wickert & Lehrer, S.C. Wishes Everyone A Blessed Easter!

Matthiesen, Wickert & Lehrer, S.C. would like to wish all of our clients and friends a very blessed Easter. While Easter means different things to different people, we celebrate the Good News which Easter represents. It is the fulfillment of the greatest Promise ever made – the celebration of the resurrection of Jesus Christ, the Son of God. To over two billion Christians around the world, this is the greatest event in history – an event which proclaims the greatest story that’s ever been told. While we understand that not all of our readers recognize Easter in the same way and some not at all, we join in rejoicing with those who also recognize that there is no better news than the Resurrection. It is a promise of hope and a guarantee of a new life. We wish God’s blessings on everyone during this Easter celebration.



### Webinar | Introduction to California Workers' Comp Subrogation

California is one of the most complicated states when it comes to workers’ comp subrogation. In California, workers’ comp is mandatory for all employers, even if the company has one employee. We will discuss the many nuances of California workers’ comp subrogation, including statutory rights, who can bring a third-party action, notice requirements, when to intervene, allocation of third-party recovery, how employer negligence affects allocation, the Exclusive Remedy Rule, and many other issues affecting subrogation. This webinar will be beneficial to claims professional in all levels of experience who have subrogation responsibilities in the Golden State.



**Date:** April 14, 2021  
**Time:** 11:00 - 12:30 p.m. (CDT)  
**Presenter:** [Katherine Sandoval](#)  
**Cost:** Complimentary

[Click HERE To Register For Webinar](#)

### New Client Introduction to Matthiesen, Wickert & Lehrer, S.C.



**Ashton Kirsch** will be presenting a brief introduction to MWL and an outline of the premier services that we provide to our clients on April 13, 2021 at 10:00 to 10:30 a.m. (CDT). If you or your company are new to MWL and have considered working with our firm, then this will be a great opportunity for you to get to know more about us. The presentation will introduce you to our national recovery program and explain why our unique practice will allow you to maximize subrogation recoveries. Ashton will be available for a brief Q/A following the presentation. You can register to join this presentation by clicking [HERE](#).

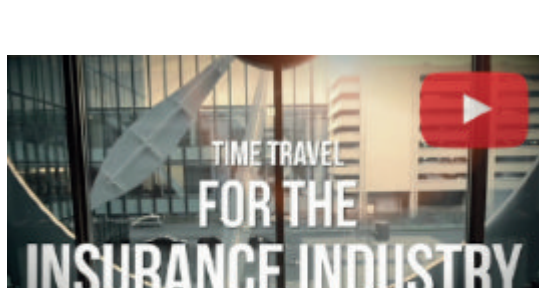
### Verdicts and Settlements

**Matthew Spolsky** recently settled two workers’ comp lien claims on behalf of a healthcare service plan against the State Compensation Insurance Fund for 93.84% of the \$319,662.54 lien total for both claims. Since we can now attend workers’ comp lien conferences in California over the phone, Matthew filed numerous hearings on his cases and the filings finally wore the opponent down. The adverse adjuster agreed to submit for authority without doing their normal review and we were able to settle the claims after the scheduled hearing was continued based on the potential settlement. Should you have any Workers’ Comp Appeals Board lien claims you want to refer to MWL, feel free to contact Matthew Spolsky at [mspolsky@mw-law.com](mailto:mspolsky@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 in 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 the 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.

**MATTHIESEN, WICKERT & LEHRER, S.C.**  
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