

OCTOBER SUBROGATION NEWSLETTER

Juris Publishers Releases MWL Livestock Litigation Book

For the last ten years MWL has self-published and distributed its book entitled "Where's The Beef?: Subrogating Livestock/Vehicle Collisions in All 50 States." Recently, the firm has partnered with its legal treatise publisher, Juris Publishers, Inc. in New York, to publish, market, and distribute the latest edition of the book. It has been retitled "Where's The Beef: Litigating Livestock/Vehicle Collisions in All 50 States."



Whereas the book has, for the last decade, been produced and printed in soft cover, Juris has taken the book to new levels and now joins MWL's other subrogation and insurance litigation treatises in hard cover: [Automobile Insurance Subrogation In All 50 States](#), [Workers' Compensation Subrogation In All 50 States](#), [ERISA and Health Insurance Subrogation In All 50 States](#) and [Fundamentals of Insurance Coverage In All 50 States](#). [Read more...](#)

Making Subrogation While the Hay Shines



Texas is by far the biggest producer of hay in the United States; with Missouri and Nebraska a distant second and third. Feeding livestock is the number one use of hay, as almost any animal on a farm or ranch (horses, cattle, sheep, goats, etc.) will eat hay. It is usually fed to livestock when they cannot graze or be in a pasture because of winter or a drought. Last year, Texas suffered the 11th driest year in the past 128 years, and 2023 is on pace to beat that. As you can imagine, there is a lot of hay currently being harvested and stored in Texas. Every year in North America insurers pay out tens of millions of claim dollars resulting from fires and feed damage caused by the spontaneous combustion and heating of hay mow – a pile of hay stored in or near a barn. [Read more...](#)

INDIANA EXPANDS THIRD-PARTY TORT OF SPOILIATION

Safeco Ins. Co. of Indiana v. Blue Sky Innovation Group, Inc., 211 N.E.3d 564, 568 (Ind. App. 2023)

Understanding spoliation has become an increasingly integral and important aspect of effective subrogation efforts. Without the necessary evidence and investigation required for a subrogated insurance company to meet its burden of proving the origin and cause of a fire or that a product was defective, subrogation will fail. Spoliation has become one of the most common causes of failed subrogation efforts. It is a second cousin to a lack of timely and thorough subrogation investigations—which itself is the third-deadliest subrogation killer as reported on a few years ago in one of our most popular subrogation articles, "[Ten Subrogation Mistakes Insurance Companies Keep Making](#)." [Read more...](#)



The Subrogation Support Network Podcast



Tune in to the latest episode on the [Subrogation Support Network Podcsat](#) as host, [Ashton Kirsch](#) is joined by Jim Frerking, Vice Presidnet, Sales at [Paradigm](#), to discuss high acuity, catastrophic workers compensation claims.

Host Ashton T. Kirsch

Ashton T. Kirsch is an insurance litigation attorney and shareholder with the law firm of Matthiesen, Wickert & Lehrer, S.C. Ashton has been with MWL's Hartford office since 2015, concentrating his practice on litigation of subrogation cases involving large loss casualty, commercial auto, transportation and cargo, and workers' compensation. He has built and grown the MWL commercial auto and cargo/transportation group into the thriving sector of our firm's subrogation practice.



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Special Guest Jim Frerking

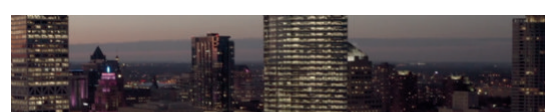
[Paradigm](#) is an accountable specialty care management organization focused on improving the lives of people with catastrophic injuries and diagnoses. Deep clinical expertise is the foundation for every part of Paradigm's business, including its risk-based clinical solutions, case management services, and payment integrity programs. Jim manages the sales team in Paradigm's Risk Products group helping injured workers achieve the best possible outcomes from catastrophic Workers' Compensation injuries.



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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!



MATTHIESEN, WICKERT & LEHRER, S.C.
 America's Subrogation Law Firm



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](#), [Instagram](#), [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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