

## From Jerry Maschka

### Insurance Coverage Key



It is a good idea to review your automobile coverages to determine precisely what coverage you do have. I generally recommend people seriously consider stacking their No-Fault coverage and

suggest that in addition to stacking No-Fault coverage, purchase at least \$250,000 per claim and \$500,000 per accident for liability, uninsured and underinsured coverage. It is also a good idea to consider umbrella coverage, which affords significantly more protection.

Uninsured and underinsured coverage is extremely important because if you are a good driver, the probability of needing access to your uninsured and underinsured coverage is greater than the likelihood your insurer will be obligated under the liability portion of your policy. If you add umbrella coverage, be sure that your umbrella coverage also includes the same limit for uninsured and underinsured.

Injuries of any sort, including but not limited to injuries arising from automobile accidents, are very disruptive to your life and are a source of great expense. Should you find yourself in such an unfortunate set of circumstances, you will at least be thankful you took the time to understand and be certain you have suitable and adequate automobile coverages.

## About Maschka, Riedy & Ries

### Complex Civil Litigation

The work of this firm focuses on cases that require complex civil litigation or mediation. Our team of 10 lawyers and 20 support staff work for clients who have suffered personal injury, wrongful death, or loss in a construction dispute or other civil issue. Our firm's full legal resources are a formidable force for balance and justice when a wrong has been suffered.

### Compassionate Client Service

People and the healthy continuation of their lives are the reason for our work. Our clients, jarred by an unexpected event, deserve the compassion, respect, clear communication and direction we provide. We are united in our commitment to help them navigate troubled times and resolve issues so life can be resumed with self-respect intact.

### Professional Achievement

Together, our attorneys bring 252 years of legal experience to client cases. This depth of experience, specialized knowledge and a collaborative approach produce consistently successful client outcomes. Publicly, Maschka, Riedy & Ries has earned the highest rating available from Martindale-Hubbell. Partner Jerry Maschka is among Minnesota's "Top 40 Personal Injury Lawyers" (MN Law & Politics), and for the 17th consecutive year is counted among

Best Lawyers in America, a Best Lawyers® referral guide respected for stringent peer-review selection.



Complex case? Ask us to lead.

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CURRENT OCCUPANT OR RESIDENT

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# Maschka, Riedy & Ries News

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Volume 4, Number 1, Spring 2011

## Injury's Impact Softened By Settlement

At a city intersection, a preoccupied driver failed to yield right-of-way to another car and hit it broad side. As a result, the other driver—our client—received injuries to his neck and right arm. The accident also aggravated his spine, which had been compromised years earlier by transverse myelitis, an inflammation of the spinal cord.



### Pain and Low Offer Prompt Call

Hoping that he could recover enough to enjoy outdoor activities again with his children, our client sought and received treatment for his neck injury following the accident. After

a decompressive laminectomy and fusion, his neck pain eased and he could use his right arm. But lower back pain and a limp from the previous illness grew worse. Months after the accident, losing hope that his condition would improve and refusing to accept a \$1,200 settlement from the other driver's insurance company, he called Maschka, Riedy & Ries.

### The Firm's Role

Because there was no question about liability in the accident, our firm's primary responsibility was to make clear that the client's health conditions were caused by the collision and not the result of his previous condition. To accomplish this, MRR attorney

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## Compounded Needs Require Attention

Marc Christianson reviewed hundreds of pages of medical records and met with the client's neurosurgeon, who confirmed that the accident had not only caused injuries, but worsened his previous condition.

Christianson and paralegal Alicia More met many times with our client during the months the case was active. Each of his medical conditions was fully evaluated and monitored. A pronounced foot drag, caused initially by the infected spinal cord, showed visible degeneration in a series of videos recorded by More during the course of the case.

Maschka, Riedy & Ries provided both legal and personal consultation to this client. As the primary earner in his family, he continued to work full time throughout his recovery. Because a chronic medical condition limited his wife's activity, he also shouldered home tasks and most of the responsibility for their children. To ease the stress, More took responsibility for all contacts with insurance providers who questioned him or needed information while the case was pending. Says More, "He had a lot of stamina and never complained. We wanted to help, and we became an outlet for him. We could validate what he was dealing with."

### Financial Need

In addition to these personal challenges, our client's single-income family felt the financial impact of more than \$100,000 in medical bills and high co-pays, despite his professional success. Understanding this, and forecasting the impact the injuries could have on his future earning power and financial situation, Christianson worked to maximize settlement.



### Resolution

Extensive negotiation and understanding of the rates at which insurers settle injuries such as our client's led to a settlement of \$240,000. In addition, MRR worked through the complications of subrogation; \$39,000 of the \$83,000 claimed by the client's health insurer for medical expenses stayed with the client.

**tip** Ask for support when you need it. This client realized more than a year after the collision that he needed help to resolve his legal situation and properly care for his family. The settlement negotiated by MRR didn't eliminate the physical challenges caused by the accident, but other aspects of his life are easier because he moved through a hard time with support and was compensated for the injury as the law provides.

**MRR: Partnering with outside attorneys**

**Complex problem? We litigate, mediate.**

If your client is faced with a personal injury case that requires mediation or complex litigation, we are ready to assist. As partners, we respectfully, purposefully move your client from crisis to justice and resolution. Call Jerry Maschka to discuss specific case details and client needs. 507.625.6600

### Other Areas of Expertise:

## Commitment to National Guard Service

MRR lawyer Nick Maxwell was deployed to Kuwait with the Minnesota Army National Guard in March 2011. He is serving in support of Operation New Dawn, the draw down phase of Operation Iraqi Freedom. His unit, HHC 1-194th AR (CAB), First Brigade Combat Team (BCT), 34th Infantry Division "Red Bulls" is conducting route security in support of United States forces in Iraq.



Captain Maxwell is Officer in Charge, S-1 section of the battalion commander's staff and is responsible for administrative and personnel actions for 600 soldiers. He enlisted 14 years ago to earn money for college. "The Guard's invested a lot in training me so I can serve these soldiers, so it would be hard to walk away," says Maxwell.

Maschka, Riedy & Ries proudly supports Nick's service and he appreciates that his family has peace of mind from knowing Nick has a job waiting when he returns. In his daily work with the Guard, Maxwell ensures people are medically ready to deploy; resolves family and legal issues; manages pay, promotions and awards; plans and executes battalion ceremonies; and manages postal operations.

### Nicholas J. Maxwell, J.D.

Nick Maxwell graduated from the University of Minnesota Law School where he was Student Director in the University's Civil Practice Clinic, Judicial Extern in the 1st Judicial District, Streetlaw instructor, and Public Service Program Honoree. Prior to law school Nick was a Citizen Assistance Analyst, Consumer Division, Minnesota Attorney General's Office.



**Marc Christianson** has been selected for inclusion in the Super Lawyer, Corporate Counsel Edition for Personal Injury Defense: General.

**Jack Riedy** was accepted for membership in the American Board of Trial Advocates.

**Jerry Maschka** is listed in Best Lawyers in America for the 17th consecutive year. Best Lawyers is respected for rigorous peer-review selection.

**Becca L. Peterson**, a 2010, graduate of Hamline University School of Law, joins the litigation department of Maschka, Riedy & Ries Law Firm. Peterson's practice will concentrate in the areas of Criminal Defense, Personal Injury and other Civil Litigation.



While in law school, Ms. Peterson was a Dean's Scholarship Recipient and Justice James Otis Public Service Scholarship Recipient. She also worked as a Certified Student Attorney for the Minnesota Attorney General's Office. Peterson earned the CALI Excellence for the Future Award in litigation practice, was a Minnesota Justice Foundation Street Law Volunteer, and a Judge for the high school mock trial competition. She is currently a member of the Minnesota State Bar Association and Minnesota Women Lawyers.

**Chuck Ries** has been selected for inclusion in the Super Lawyer, Corporate Counsel Edition for Bankruptcy & Creditor/Debtor Rights.

MRR represented a creditor who filed a proof of claim seeking to recover \$1.6 million in a bankruptcy case. Another creditor objected to the proof of claim and attempted to dismiss the claim based upon the insider relationship between the debtor and MRR's client.

**Jennifer Lurken** successfully argued that the objecting creditor had failed to provide sufficient evidence and the Court dismissed the objection.

complex problems resolved