

**From Jerry Maschka**



For a while we have wondered about how best to stay in contact with our clients, former clients and those of you who refer work to us. This newsletter is the first in an effort to maintain such contact. In this edition we announce the addition of the former Fifth District Chief Public

Defender Jim Fleming to our firm and share with you the story of the very gratifying and rewarding representation of a young woman needlessly injured in a carnival ride. It is one of many stories we will share with you in upcoming issues.

When we spend time with you and your families in these challenging representations, it is as if we are “still connected” even though the representation is complete. In part, this newsletter is an effort to let those of you know that we still wonder about how you are doing. We hope that you still feel the time you spent with us in some measure made your life easier than it otherwise might have been.

We continue to strive to provide thoughtful and compassionate attention to detail for those we represent. That you thought enough of us to retain us in the past and would do so in the future is greatly appreciated by all of us.

Jerry Maschka

**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 9 lawyers and 14 legal 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 204 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 13th 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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**Early Call Benefits Client**

**Carnival Fun Turns Serious**

A few years ago, an innocent summer afternoon at the carnival turned unexpectedly dangerous for a young female MRR client. Riding in a spaceship-like “tub” suspended from a long steel arm, she circled until a

cracking noise was heard and the tub fell, flipped and pinned her to the ground. Freed by carnival employees from the 100-pound weight, she was transferred to two hospitals and treated for lacerations and severe bruising.



**Quick Call Makes Fact-Finding Possible**

Our client’s parents believed the carnival should take responsibility for the unsafe ride and the injuries it caused. They also wondered why the carnival’s insurance company did not contact them. So once their daughter was safe, they contacted an attorney who immediately called our office. Because the par-

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## Personal Injury Impacts Family Life

ents and referring lawyer acted quickly, we were able to locate the damaged tub, secure it, retain an expert metals engineer who determined the cause of the accident, and further document facts that were a benefit to resolution.

### Making the Case

Our investigation revealed that the accident was not reported to the insurance company, so we initiated the report. As healing progressed for our client, it was documented. Special medical expenses were tracked and projected, scarring and healing potential were evaluated, and the cost of future surgeries was anticipated. The facts told the story and made a case for fair settlement.

### MRR Supports Family

While MRR attorneys sought financial resolution, MRR staff supported the family on other fronts. In frequent conversations we encouraged them to seek appropriate health care, pursue treatments, track expenses and attend to the emotional and physical needs of the

family. We helped them understand their rights and how to manage communications with insurers.

### Resolution

Total unreimbursed medical expenses exceeded \$36,000. Because the family asked for help directly after the incident, those expenses were covered. Final settlement of \$200,000 covered future treatment of persistent back discomfort, future scar revision treatment and projected medical costs, creating the balance of justice in the manner allowed by law.

## tip

An early call to a personal injury attorney is a **POSITIVE** choice when an injury occurs.

**Few who call are vindictive—in fact, most minimize their situations. Still, families face changed daily lives and unexpected expenses. Our work is to investigate, assess and clarify, then advocate for justice. If a claim is pursued, we seek settlement that allows the family to recover expenses and regroup. We help clients manage their day-to-day realities and take action where the law provides—action that helps them move on with life.**

**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

### Construction Litigation & Mediation

Detailed contracts, complex law and industry dynamics make resolution of construction disputes cost-intensive. “I turn away more cases than I take because litigation OR mediation would cost more than the claim would recover,” says MRR’s Jack Riedy. Riedy works compassionately for homeowners, businesses and institutions that have incurred unnecessary costs due to poor workmanship, unclear contracts or irregular project schedules. In a 34-year-career he has resolved construction disputes of all sizes, including multi-million dollar claims.

### Jack Riedy Recommends

- Meet with an attorney before you build. Ask: “What do I need to know?” One hour with an attorney who knows the construction industry can save headaches and worries further into the process.
- Hire a reputable contractor and subcontractors.
- Obtain a written contract. Understand terms.
- If a dispute arises during construction, immediately involve an attorney. Choose mediation. Save money, achieve justice, and move forward.
- Choose a mediator who knows construction.

### John M. (Jack) Riedy, J.D. Managing Partner

Jack Riedy is a certified MSBA Civil Trial Specialist, an arbitrator with the American Arbitration Association, and a Qualified Neutral for Mediation and Arbitration (Minnesota Supreme Court Roster). A 1973 graduate of the University of North Dakota Law School, Riedy has resolved construction disputes through litigation and mediation for more than 30 years.



### Jack Riedy resolved a **personal injury case early** in 2007.

A factory employee, injured when a ladder mounted on a semitrailer broke, was left dangling by his arms. Two back surgeries and disability followed. Settlement: \$500,000.

### Renee Rubish resolved a **personal injury case**. An elderly woman

sustained a fractured femur when she fell outside her apartment building. Two surgeries followed. Damages awarded: \$191,000.

### Jerry Maschka is among Minnesota’s “**Top 40 Personal Injury**

**Lawyers,”** named by MN Law & Politics.

### For the 13th consecutive year,

Jerry Maschka is listed in Best Lawyers in America. Best Lawyers® is respected for rigorous peer-review selection.

### Chuck Peterson aids **Mankato’s municipal Home Stretch**

**Program.** Home Stretch teaches home purchasing process and reduces foreclosures among participants. Peterson, regarded by program managers as a compassionate teacher who explains each point so first-time home buyers understand and follow through, **also teaches estate planning** for VINE, a nonprofit providing assistance to elderly and disabled persons.

### Marcus Christianson was appointed by Governor

**Pawlenty** to the Fifth Judicial District Commission on Judicial Selection.

### Jim Fleming joined Maschka, Riedy & Ries’

litigation department in April. Previously Chief Public Defender, Minnesota Fifth Judicial District; Assistant County Attorney, Kandiyohi County, Minn.; and in practice with Caswell & Associates and Gilsdorf & Jacobberger, St. Paul, Jim’s career includes more than 100 trial-to-verdict jury cases.

# complex problems resolved