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D&H Digest

Diehl & Hubbell, LLC

**Volume XVII
Issue 1**

A note from Tom . . .



Attorney Thomas J. Diehl

Happy New Year

Dear Readers,

Hope this finds you well recovered from the holidays and rejuvenated with the beginning of a New Year and that you have found a way to still be sticking to at least one New Year's Resolution! Regardless, I would like to add one more for you—make it a priority to call your automobile insurance agent and make sure that you have excellent Uninsured Motorists Coverage and Under-Insured Motorist's Coverage (UM/UIM)!

I hope you never have to use it, but if you read the article inside, it illustrates how important this is—and how cheap it is to have it—if you or a loved one is ever injured at the fault of another driver. In handling car accident cases for over 30 years, I have seen this be an issue over and over and over again—and most people are completely unaware of the fact that they have so little coverage for this and also how many other drivers on the road are either uninsured or underinsured! Please don't let this be an issue for you.

Read inside for more details and, as always, if you have questions, please don't hesitate to give me a call.

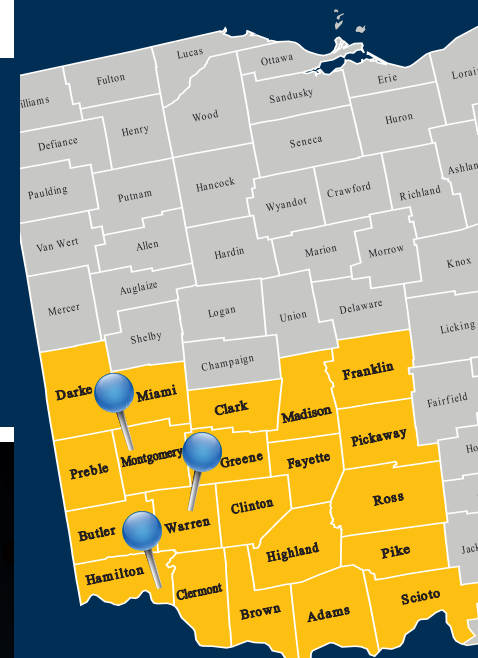
Tom

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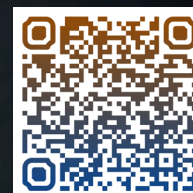
Congratulations to Donovan Elementary's Spanish Immersion teachers, Sra. Isabel Delvalle and Ms. Jennifer Francis on being selected as the Diehl & Hubbell Teachers of the Month for November and December 2022!



Pictured are (L to R) Donovan Elementary teachers Jennifer Francis, Isabel DelValle, and Principal Cliff Franz.

The best part of this presentation was the excitement of all the students who literally were jumping up and down and mobbing these awesome teachers! It is clear that these two truly "do not only help students to learn Spanish but also to LOVE learning Spanish!" as one parent told us. The Law Firm of Diehl & Hubbell was pleased to present each of them with a \$500 check and a commemorative plaque in recognition their honors! Congratulations again!

If you have an outstanding teacher who you think deserves some special recognition, please visit:
www.diehlhubbell.com/monthly-teacher-appreciation-contest,
or scan the QR code at the right with your phone's camera and tell us why your favorite teacher stands out! Maybe he or she will be our next winner!



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JOKES AND PUNS

Why did the lawyer have so much trouble fighting Santa’s case?
He came with a clause.

The lawyer won the luggage lawsuit in less than 6 hours. It turned out to be a brief case.



“And now I’d like to introduce my main witness, who saw it all from outer space.”

WORDS: A LAWYER’S STOCK IN TRADE

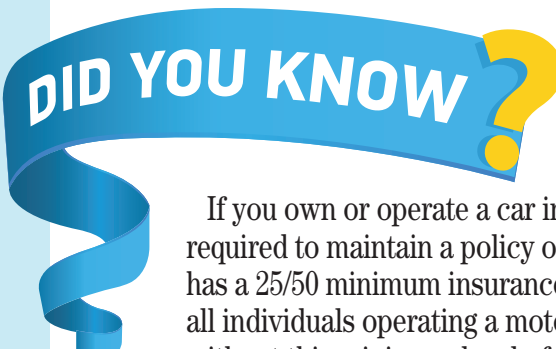
“READ THE RIOT ACT”

When I used to get in trouble as a kid, my parents would “Read the Riot Act” to me. When you read someone the Riot Act you are giving a stern warning. But where did this phrase originate? The “Riot Act” was a British law passed in 1714 to prevent riots. It went into effect only when read out loud by an official. If too many people were gathering and looking ready for trouble an officer would read the “Riot Act” to them and let them know if they didn’t disburse, they would face punishment.

**WHAT WE HAVE BEEN UP TO:
A Case Study on Underinsurance Coverage**

We had the privilege of representing a young man who was seriously injured in a motor vehicle accident. Our client was working at the time of this accident. He was out in the country working for a company that was pruning trees along the roadway. His job was to follow behind a pickup truck that was pulling a shredding device and to put the cut branches and limbs into this shredding device. Unfortunately, an elderly person was not paying enough attention, came upon these workers at too high of a rate of speed to stop and crashed into our client. Our client sustained serious injuries. Compounding the damages, the elderly driver was operating a motor vehicle with the state minimum insurance coverage. (See the related article about insurance coverage, which points out that less than 50% of all Ohio drivers have insurance coverage in excess of \$25,000.)

Our client faced catastrophic injuries and we were tasked with the job of finding a way to obtain recovery for this young man. Unfortunately, our client did not have uninsured coverage. Seeing that our client was uninsured and the negligent driver was underinsured, we embarked on trying to obtain coverage under the automobile coverage on the pickup truck pulling the shredder. The insurance company that issued the policy on the pickup truck refused to provide a copy of the insurance policy. This insurance company sent a letter advising us that there was no coverage and that providing the insurance policy was “unnecessary”. We filed suit and the court required the insurance company to provide a copy of the insurance policy for our review. The policy provided a high level of underinsured motorist coverage. The policy indicated underinsured coverage would apply to anyone who was occupying the motor vehicle. The insurance company argued that our client was not occupying the pickup truck because he was behind the pickup truck putting trees and brush into the shredder. Our review of Ohio case law as well as the specific wording in this particular policy led us to believe that he met the technical definition of occupying this motor vehicle. The trial court agreed finding that our client was insured under this policy. The insurance company appealed to 4th District Court of Appeals of Ohio. The 4th District Court of Ohio also agreed that there was insurance coverage. The insurance company appealed to the Ohio Supreme Court. The Ohio Supreme Court refused to overrule the Court of Appeals. This meant that we were able to establish that our client was entitled to coverage under the truck underinsured coverage, and we were able to provide our client with sizeable compensation for his damages and injuries in this case.



If you own or operate a car in the state of Ohio, you are required to maintain a policy of liability insurance. Ohio has a 25/50 minimum insurance standard that applies to all individuals operating a motor vehicle in Ohio. Driving without this minimum level of insurance is prohibited. This means you must have \$25,000 per person injury coverage and \$50,000 per accident injury coverage.



Though some form of car insurance is required in nearly every state, a significant percentage of drivers do not follow that law. Approximately thirteen percent of drivers nationally are driving uninsured. Depending on the state, this rate might be as high 29.4% (Mississippi) or as low as 3.1% (New Jersey). The rate of drivers driving without insurance in Ohio is 16%. Some drivers do not have any car insurance. Some drivers have very low limits. In Ohio, approximately 1 in 3 drivers is operating a motor vehicle under the state minimum levels of coverage.

When you consider the statistics regarding insurance coverage, we can reasonably assume that less than half of all drivers operating in Ohio have liability coverage in excess of \$25,000. If you or a loved one is even moderately injured in a motor vehicle accident, your claim is likely in excess of \$25,000.

**WHAT TO KNOW WHEN BUYING
AUTOMOBILE INSURANCE**

How can someone protect themselves and their family considering that a high percentage of Ohio drivers are operating their cars without enough insurance to pay for damages that they might cause? Uninsured/Underinsured motorist coverage! When you purchase your car insurance, make sure that you obtain a high level of uninsured motorist coverage. Uninsured/uninsured motorist coverage will compensate you for damages and injuries that you or your household family members sustain if they are injured in a motor vehicle accident caused by someone without enough insurance.

Make sure you purchase enough uninsured motorist coverage. The chart on the right is an actual rate sheet from an actual car insurance company for an actual Ohio driver. The rates will vary for each driver and for the company that is issuing the policy. But as you can see, the semiannual premiums for uninsured motorist coverage are quite affordable. For instance, the semiannual premium for uninsured motorists coverage under this rate sheet at \$100,000 is just \$27. If someone were to bump that up by \$900,000, the increased coverage would result in an increase of their premiums of only \$32 per year.

I obtained this rate sheet on a case where our client sustained catastrophic injuries as a result of someone who was operating a vehicle with state minimum coverage. Our client clearly has a claim in excess of \$1,000,000. Unfortunately, our client only opted to pay the \$20.86 premium bi-annually and therefore only received \$50,000 in uninsured motorist coverage. Had our client made the decision to pay \$23 more every six months or about \$4 per month, there would have been an additional \$950,000 available in uninsured coverage.

Candied Bacon Crackers!

Contributed by Tom Diehl

Wow!! SO SO SO good! And just in time for your Super Bowl Party—they will literally fly off the plate! I recommend you make a BUNCH! So on our Traditions Day with the kids (gingerbread house decorating, make your own pizzas and paddle tennis), Tom announced he had a snack he was going to make for everyone. Just needed Club crackers, brown sugar, bacon, red pepper flakes and some kind of a rub. He had seen a video of this that morning. Here's how to do it.

- | | |
|---------------------|------------------------------|
| Ingredients: | |
| Club crackers | Brown Sugar—maybe 1/2 cup |
| One pound of bacon | Rib Rub (We used St. Elmo's) |
| | Red Pepper Flakes |

Place as many Club crackers face down as you can fit on a cooling rack or tray with holes in it above a rimmed baking sheet covered with foil. Cut a pound of bacon into thirds. Place one of those mini pieces of bacon atop each cracker. Sprinkle brown sugar(maybe 1/2 cup) over all the entire tray. Sprinkle your rub on top of that(we used St. Elmo's Rub Seasoning) And a bit of red pepper flakes to your taste.

Place in a pre-heated 350 degree oven for 25 minutes or until the bacon looks nice and crisp. Let cool for a minute or 2 and serve—might as well stay in the kitchen to make the next batch because these will be devoured before you know it!



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