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Digest

Diehl & Hubbell, LLC

**Volume XVI
Issue 8**

A note from Tom . . .

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Since 1988 located at:

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HOURS
Mon-Fri 8am - 5pm

HAPPY
Thanks Giving

I think this issue of the Digest has some particularly interesting articles--I hope you agree! From the origin of "bury the hatchet", to who goes to the front of the line to receive monies in a recovery (you may find this shocking!) to a current case involving an 18-wheeler, I'm sure you will find something new or interesting!



Attorney Thomas J. Diehl

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**DID YOU
KNOW?**

**We Handle All of These
Types of Cases?**

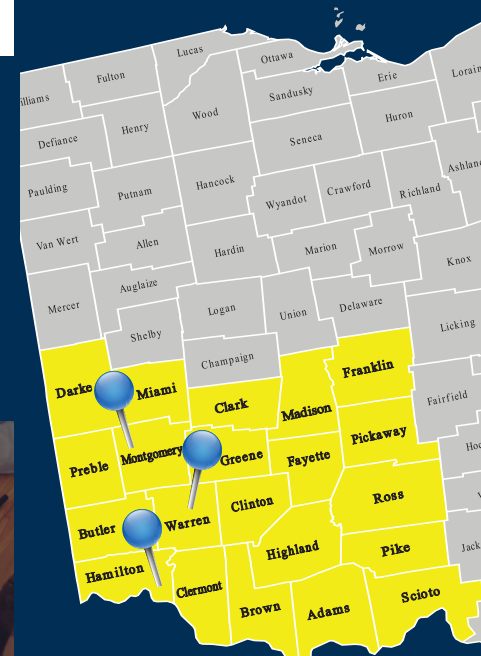
Vehicle, Truck & Bus Accidents
Motorcycle & Bicycle Accidents
Pedestrian Collisions
Slip & Fall Accidents
Wrongful Death

**We also have additional
locations to meet with
clients including:**

30 Garfield Place
Cincinnati, OH 45202

2121 Miamisburg-Centerville Rd.
Dayton, OH 45459

We will also come to you!
diehlhubbell.com



Pictured above are Marty Hubbell and myself presenting the proceeds from our Diehl & Hubbell Hamburger Wagon event to Lebanon Food Pantry's Kristin Davenport and Jerry Harrod. Thank you to all who supported this!

Please enjoy--and be sure to share the Digest with others you know! They'll thank you and so will we!

I hope you had a wonderful Thanksgiving shared with friends and family and many of your favorite traditions!

Tom

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LIKE US?**



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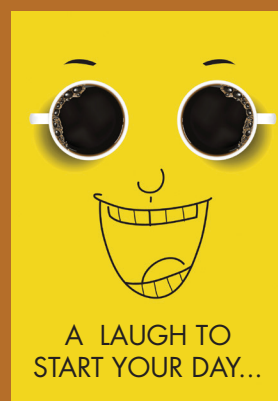


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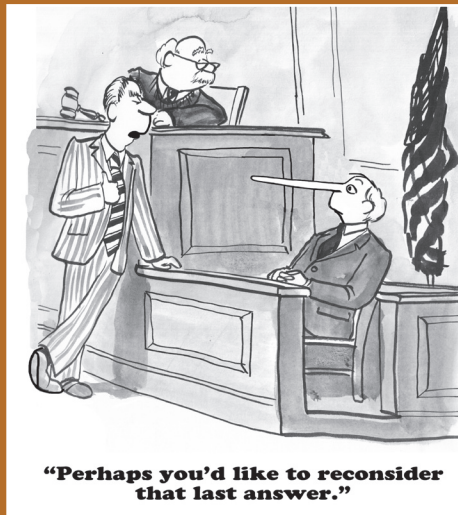
JURY DUTY

Judge: Is there any reason you could not serve as a juror in this case?

Juror: I don't want to be away from my job that long.

Judge: Can't they do without you at work?

Juror: Yes, but I don't want them to know it.



WORDS: A LAWYER'S STOCK IN TRADE "BURY THE HATCHET"

When we use the phrase "bury the hatchet," we are referring to stopping a conflict and making peace. How did this phrase develop its meaning as we use it today? This one dates back to the early times in North America when the Puritans were in conflict with the Native Americans. When negotiating peace, the Native Americans would bury all of their hatchets, knives, clubs and tomahawks. The weapons were literally buried and made inaccessible.



YOU MAY NOT BE THE FIRST PERSON IN LINE TO RECEIVE THE RECOVERY PAID BY THE DEFENDANT

Someone injured in a serious car accident is entitled to compensation for loss of pay, medical bills and pain and suffering. Unfortunately, in many circumstances, the person causing the accident does not have sufficient insurance coverage to fully compensate the injured party.

What happens if your health insurance paid some of your medical bills and is claiming a right of subrogation (or reimbursement), and the defendant does not have enough insurance to cover all of your losses and health insurance claims for repayment? Unfortunately, the Ohio Supreme Court issued a decision, Northern Buckeye Edge v. Lawson (2004), 203 Ohio St. 3d 181, which seems to provide that your health insurance might be entitled to compensation before you are.

Take the following facts, for example: You were injured in a serious car accident, and your medical bills are \$150,000. You lost \$100,000 in wages. Your pain and suffering might be \$500,000. Thus, one could argue that you are entitled to \$750,000 from the person who caused the accident. But, the person who caused the accident only has \$100,000 worth of insurance coverage. Your health insurance has paid over \$150,000 and has a subroga-

tion/reimbursement agreement, requiring you to repay any recovery you make from the negligent party. Your health insurance claims it is entitled to the first \$100,000 received.

In Ohio, the law used to be that your health insurance was not entitled to be compensated until you were "made whole." In other words, you first had to receive compensation for your lost wages and pain and suffering and, if then, there were additional monies left over, your health insurance would have a right of reimbursement until it was modified per the Ohio Supreme Court decision in the aforementioned case such that if your health insurance policy provides that your right to be made whole is eliminated (known as "anti-make whole language"), then your insurance company will get paid first, even if this leaves you with nothing.

This is an example of how you might not be first in line to receive compensation. The important word is might. While your insurance company may claim it has a right to be first reimbursed, there are many avenues and angles for an experienced injury attorney to fight this confiscation, so as to help you increase your net recovery.

WHAT WE HAVE BEEN UP TO:

We are representing a man who sustained serious injuries from a car accident that happened when he was traveling late at night. He was driving on a dark country road headed for home after his shift and it was just starting to snow. He collided with an 18-wheeler that was backing up from a side street onto the road. There is a dispute regarding liability. We were able to pull the "black box" from our client's vehicle. When we retrieved and analyzed the data from this electronic module it establishes, in our opinion, that our client was driving at a safe speed at all times, never exceeded the speed limit, and based on the braking pattern, was unable to see the 18-wheeler that had backed across the roadway. Obtaining this data is expensive because it requires the work and services of qualified experts, but we think this investment will be very helpful as this case proceeds.



Cream Cheese Chutney

Mix and spread on the serving plate:

- 8 oz. cream cheese
- 4 oz. grated cheddar cheese
- 1/2 tsp. curry powder

Serve with TownHouse crackers or other butter crackers

Top in Layers with:

- 6 oz. mango chutney
- 1/4 C. toasted slivered almonds
- 1 T. green onion chopped
- 2 T. currants(or dried cranberries)



Congratulations Amanda Szeghi, 5th grade teacher at Lebanon Christian on being selected as the Diehl & Hubbell Teacher of the Month for October 2022!



Pictured are: Lebanon Christian Elementary Principal Kimberly Cope(L) and Teacher of the Month Amanda Szeghi(R)

We recently had the opportunity to surprise Amanda Szeghi, 5th grade teacher at Lebanon Christian, in front of the whole school and announce that she was selected as the Diehl & Hubbell Teacher of the Month for October 2022! In every industry, there are those people who are the cream of the crop and we want to recognize those outstanding teachers in our community! Making students who are not interested in school into engaged learners and turning "C" students into "A" and "B" students are the marks of a great teacher! The nomination letters we received told us Amanda does just that! Well done, Mrs. Szeghi! The Law Firm of Diehl & Hubbell was pleased to present her with a nice check and a plaque!

If you have an outstanding teacher who you think deserves some special recognition, please visit Diehlhubbell.com and click on our Teacher Appreciation tab at the upper right of the home screen, or scan the QR code at the right with your phone's camera and tell us who you are nominating and why he/she deserves some special recognition!

