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D&H Digest

Diehl & Hubbell, LLC

**Volume XIV
Issue 2**

A note from Tom . . .

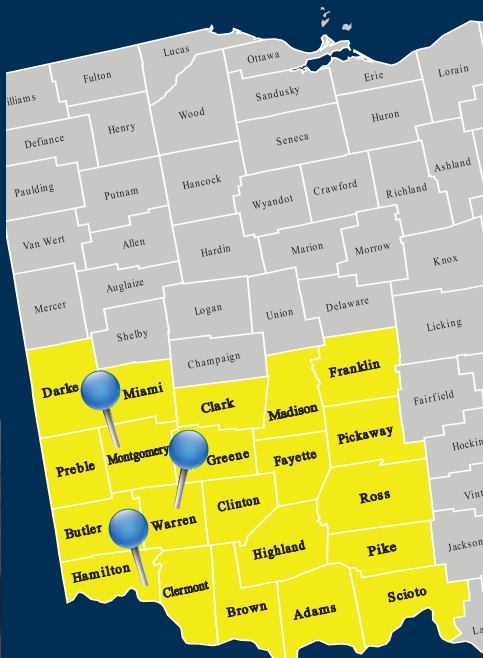
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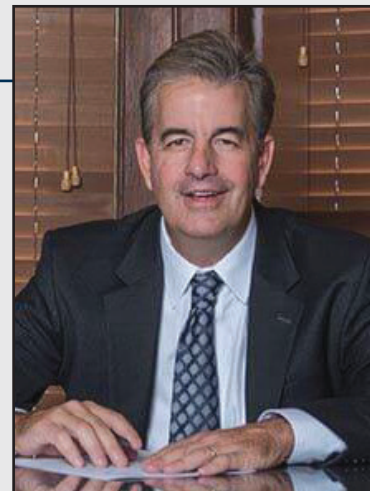
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We will also come to you!

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What to Do if You're in an Accident While Riding in an Uber?

Claims involving accidents that occur from trips arranged through ride-sharing apps are new and the rules in the courtroom are evolving. If you should ever find yourself in an accident while using a ride-sharing app like Uber or Lyft, there are certain rules you should follow:



Attorney Thomas J. Diehl

1. MAKE SURE THE POLICE ARE CALLED. For protection, make sure an official report is filed. It is hard to be compensated for any damages, injuries or losses if there is no official record of the accident.

2. IF YOU ARE HURT – GET CHECKED OUT. Whether by requesting EMS or going to the emergency room, it is important to have a professional medical record of any injuries you may have sustained from the accident.

3. GET AS MUCH INFORMATION AT THE SCENE AS POSSIBLE. Use your phone and take photos. Try to obtain the names and the pertinent information for all drivers involved in the accident, such as phone numbers, insurance information, license plate numbers, etc. If you did not get the information at the scene (maybe you were seriously hurt), it might be possible to get information from the Uber/Lyft app. Most of these apps have information about the trip, the route that was taken, the make and model of your driver's vehicle, the license plate number and the name of your driver. All Uber and Lyft drivers are required to have insurance policies provided through Uber and Lyft.

Tom

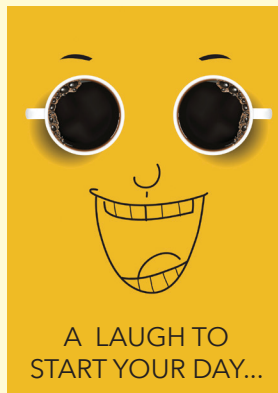


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Thank you For Your Referrals

Most of our business comes from word of mouth. We are so appreciative of you sharing your good experience with the people you know!



Three Questions...

A new client had just come in to see a famous lawyer.

"Can you tell me how much you charge?", asked the client.

"Of course", the lawyer replied, "I charge \$200 to answer three questions!"

"Well that's a bit steep, isn't it?"

"Yes it is", said the lawyer, "And what's your third question?"

Motor Vehicle Accidents - What to do - Tip #3

DON'T OVERLOOK POTENTIAL COVERAGE.

In handling Ohio motor vehicle accident cases for over 32 years, we have often been contacted by someone who was seriously injured in a motor vehicle accident. This person may have been told by friends or family, or even in some cases by an attorney, that a claim could not be successfully pursued because the negligent party did not have insurance coverage. While this can be accurate, on several occasions, we assisted individuals who were told by other attorneys that recovery was unavailable when, in fact, recovery was possible. For instance, we were able to obtain coverage under an employer's automobile policy and under our client's parents' policy (even though the client was not on the clock at the time of the accident nor was he living with his parents at that time).

If you or someone you know has been told that recovery is not possible, give us a call to get a second opinion and to make sure that all possible sources of recovery have been pursued.



Creme Brûlée French Toast

INGREDIENTS

1 stick unsalted butter
1 cup packed brown sugar
2 Tablespoons corn syrup
6 1" thick slices (or as many as needed to stuff baking dish) of French bread, Challah or Hawaiian bread

5 eggs
1 1/2 cups half & half cream
1 teaspoon vanilla extract
1 teaspoon Grand Marnier or other brandy-based orange liqueur
1/4 teaspoon salt

DIRECTIONS

- Melt butter in a small saucepan over medium heat. Mix in brown sugar & corn syrup, stirring until sugar is dissolved. Pour into a 9x13 inch baking dish.
- Remove crusts from bread, & arrange in the baking dish in a single layer. In a small bowl, whisk together eggs, half & half, vanilla extract, orange brandy, & salt. Pour over the bread. Cover, & chill at least 8 hours, or overnight.
- Preheat oven to 350° F (175° C). Remove the dish from the refrigerator, & bring to room temperature.
- Bake uncovered 35 to 40 minutes in the preheated oven, until puffed & lightly browned.
- Flip pieces over when serving so that the delicious sugary syrup is on top. No maple syrup needed!



"We'll solve the conflict with a water pistol fight."

Slip and Fall Outside Work Offices

Our client had an administrative job in an office located in a Southwestern Ohio strip mall. As part of our client's duties, she was required to collect the day's paper trash and take it to the outside dumpster. On one sunny summer day, in completing that task, as she approached the dumpster she fell in a rather significant depression in the asphalt. Her injuries were extensive.

She retained our firm to potentially bring a claim against the owner of the strip mall for defective maintenance and upkeep. In order to obtain a recovery, we had to establish that the owner of the property failed to maintain the site.

It was not sufficient to merely show that the injury occurred at the office location. Ohio law also requires that we prove that the injury occurred because the premises were in a defective condition.

We immediately obtained the services of a commercial photographer who documented in crisp detail the depressions and defects in the asphalt. This is an important step as, without this evidence, it is nearly impossible to pursue such a claim. (Frequently the defective condition is corrected and remedied by the landlord before the documentation can be archived.) We then submitted the photograph to a noted premises expert and, with his testimony, we were able to establish that the landlord failed to keep the premises safe. We obtained a very large recovery for our client.



Large Recovery from Dog Bite Attack

We obtained a rather large recovery for an elderly woman who sustained serious facial injuries when she was attacked by her neighbor's dog. The circumstances of the attack were somewhat unique. Our client was home and received a call from the neighbor, that the neighbor was at work and asking our client to go inside the neighbor's house and check on the dog. As a courtesy, our client did just that. Our client had checked on the dog several times over the years. However, on this particular occasion, for whatever reason, the dog reacted angrily, attacked our client, and caused significant facial injuries.

Ohio law provides that the owner, keeper or harbinger of a dog is automatically liable for the damages and injuries sustained in a dog bite attack. However, the insurance company and the defense lawyers argued that

our client was not able to recover, by arguing that when she entered into the home to look after the dog, she became the keeper of the dog. This may appear to be a rather obnoxious defense, but some Ohio appellate courts had actually upheld that doctrine. In any event, we were able to overcome that defense and obtain a ruling from the Court that our client was entitled to recovery. Through the use of expert witnesses establishing the likely future scar revision surgery costs and other resources, we were able to obtain a large recovery for our client.





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When do you need to stop for a school bus?

When approaching a stopped school bus from either direction on a two-lane street, drivers are required to stop at least ten feet away from the front or back of the bus until it resumes motion or until the bus driver gives a signal to the driver to proceed.

If a road is divided into four or more lanes, a driver approaching a stopped school bus from the opposite direction does not need to stop. Only drivers on the same side of the roadway need to stop.

In Ohio, you can be fined up to \$500 and/or have your license suspended for not complying. Because disobedience of this law has been problematic, some school districts have added cameras to buses so as to capture license plate information of offenders.



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We Handle All of These Types of Cases?

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