



Ohio Motorcycle Accidents:

The Attorney You Choose Impacts the Settlement or Verdict
of Your Motorcycle Accident Case



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History Of Success Makes a Difference

It's pretty simple: a successful attorney brings about successful results. And successful results come about with experience.

If the attorney has either won numerous verdicts or negotiated many favorable settlements for his or her clients, the attorney has demonstrated he or she has what it takes to continue being successful. This quality in an attorney is extremely important.

Opposing lawyers know a fierce advocate when they see one. And opposing lawyers are not going to back down to an attorney who lacks a strong history of success. On the flip side, opposing lawyers offer the top value for claims when working with an attorney with a strong track record of success.

Further, insurance adjusters know who is strong in the courtroom and which attorneys have been successful in the past. They know who is willing to take cases to trial and who is willing to try cases tooth and nail in order to achieve the best outcome for the client. They know which attorneys will take a quick and cheap settlement and those attorneys who will demand fair compensation. And when insurance companies learn that a claimant is represented by a lawyer with a strong track record of success, they often find that settling the claim out of court is the most attractive option.



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Rittgers & Rittgers: A History of Success

Motorcycle Accident

A grandfather was driving the speed limit and following all the safety laws while driving his motorcycle with his granddaughter. Another driver rolled a stop sign and pulled in front of the motorcycle killing the granddaughter and severely injuring the grandfather. **Rittgers & Rittgers represented the grandfather and settled his case for \$350,000, the granddaughter's case settled for \$1,100,000.**

Motorcycle Accident

A man was injured as a result of a motorcycle crash when the driver of an SUV failed to yield to the motorcycle. **The case settled for the maximum recovery under the at-fault driver's auto insurance, \$250,000.**

Drunk Driver Strikes Motorcyclist

Our client was riding his motorcycle on I-71 when a female driver who was impaired as a result of pain medications rear-ended his motorcycle. Our client suffered serious road rash and other injuries. He returned to work quickly despite the pain and other than scarring from road rash he has recovered from his injuries. **We settled his case for \$240,000.**



Rittgers & Rittgers: A History of Success

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Married Couple Injured on Motorcycle

A husband and wife were traveling on a motorcycle in South Carolina when a negligent motorist struck their bike from the rear. Both husband and wife suffered medical expenses, lost wages, and injuries. Thankfully, both have returned to work and recovered from their injuries. The man who was at-fault had a maximum recovery under his insurance policy of \$100,000 per injured person. **We recovery \$100,000 for the wife and another \$75,000 for the husband.**

Teen Driver; Motorcycle Accident

A man was injured while riding his motorcycle when a young driver pulled out in front of him. Our client suffered a broken arm. **The case settled for \$100,000.**



Attorney Location is Important

If you are injured in Ohio, you do not want to hire an out-of-state attorney to represent you in your personal injury case.

This sounds like common sense, but frequently, injured persons will hire an attorney based on a television or billboard advertisement. Just because the attorney advertised in Ohio does not mean he or she is located in Ohio. This goes for online advertisements as well. Many national advertisers get paid a lot of money to transfer cases and case leads to local lawyers. However, these referral systems do not choose a lawyer because of merit—they choose a particular lawyer because that lawyer pays those referral services to be a part of the wheel, so to speak.

If you are injured in Ohio, hire a local attorney.

The local attorney knows how the personal injury process works. The local attorney knows the insurance claim process, the litigation process, and importantly, the law. Further, the local attorney is in a better position to handle the case more effectively as court hearings, depositions, and even the trial itself all take place in the state in which the accident occurred.



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We at Rittgers & Rittgers are proud to serve as *the* motorcycle injury firm for southern Ohio.

We handle Ohio motorcycle injury cases from Cincinnati to Columbus as [our main office is located between the cities of Dayton and Cincinnati in Lebanon, Ohio.](#)

We also have satellite offices in [West Chester](#), [Blue Ash](#), [Hyde Park](#), [downtown Cincinnati](#), and [Florence, KY](#).

[Click here to see a video of Attorney Charlie H. Rittgers discussing motorcycle accidents.](#)



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Client Testimonials Matter

What past clients say about the representation they received from the attorney or law firm they used is a good indication of how you will feel regarding your experience with that same attorney or law firm. If a past client is extremely pleased with and feels very comfortable about his or her experience with the attorney or law firm he or she hired, chances are, you will feel the same way about that attorney or firm.

Unlike most businesses, attorneys and law firms **cannot pay for client testimonials.** Testimonials indicate the various positive aspects of the client's experience with the attorney or law firm and the high-quality representation that client received throughout the process. Testimonials may mention, amongst other things, the following:

- how well the attorney put the client's interests ahead of his or her own;
- how well the attorney explained the facts and the law to the client;
- how well the attorney communicated with the client throughout the process;
- how rigorous the attorney advocated for the client;
- how good an outcome the attorney obtained for the client;
- how well the overall experience was



Below are a few [testimonials](#) regarding our firm written by former clients.

*A year after being permanently disabled due to a horrific accident, I contacted several law firms in the Cincinnati area...I spoke to Charles Rittgers. I could tell right away that this firm had an integrity that I had not found in the others. My case was not an easy one to prove on the surface. The Rittgers firm took the case on my word of the events that happened...The **courtesy and care** of those people were **beyond my expectations**. Charles M. Rittgers, son of Charles H. was introduced to me early on. After all the evidence was gathered, it was clear to see the defendants were at fault, we tried to settle with them. That was futile. Not only were they unwilling to pay for my medical bills, \$500K, but also refused to accept any responsibility. We had no choice but to take them to court. Both son and father worked on my case. Both were there to represent me at the trial. Charlie M. Rittgers presented my case during the summary jury trial. His articulation was brilliant, concise, and thorough. Although a summary trial is non-binding, it encourages both sides (in this case the defense) to come closer to settle. **The jury came back with a \$15 million dollar award. This got the defense to settle within a day.** Intelligent, professional, personable, knowledgeable, and caring are all words that come to mind when I think of my experience with the Rittgers firm. Anyone would be hard pressed to find an attorney or staff that could fill the shoes of the Rittgers firm.*

- Darrell Rich



“He gave me my life back. I can think of no higher praise. He knows the law and he listens and fights for his client. His advice is sound and in the client's best interest. Thank you Mr. Rittgers.”

- Bill

*The best lawyers. I know three lawyers at this firm. **This is THE local law firm to contact if you need a lawyer.** The attorneys at this firm care about their clients and have earned their reputation through hard work and years of experience. Thank you Rittgers and Rittgers. If I ever need help in the future, you are my only call.*

- Brian



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A Good Attorney Can Help Find Ways to Collect Against Insurance Policies

Many people believe they can 'go it alone' (i.e., represent themselves 'pro-se') in handling their motorcycle injury claim. These individuals may believe hiring an attorney is unnecessary or a waste of time and money. Or perhaps they handle the claim themselves in an effort to receive a quick payout and avoid attorney's fees.

These individuals fail to see that without an experienced lawyer, many legal issues will likely arise, which the individual is not equipped to handle. On the other hand, an experienced and skilled lawyer can quickly spot these legal issues and address them accordingly. For instance, the statute of limitations governs the amount of time within which an individual can file a lawsuit against the negligent party. If the injured person waits too long to collect anything or hire an attorney, it could be too late—the injured person may be forever prevented from collecting anything to compensate him or her for the injuries sustained as a result of another driver's carelessness. This why hiring an experienced and skilled advocate to handle motorcycle injury cases is of the utmost importance.

Additionally, many injured individuals who wish to represent themselves fail to see that a strong attorney will help them collect more money than he or she would have collected without the attorney. In fact, a study by the Insurance Research Council (IRC) concluded payouts in auto accident cases were 40% higher when the injured victim was represented by an attorney. Another IRC study concluded out-of-court settlements were 3.5 times greater for injured victims who hired a lawyer to represent them on the claim.



Why is this?

First, a strong legal advocate has the necessary skill and experience to be in a position to negotiate persuasively, tactfully, and advantageously. The skilled advocate uses these qualities to convince insurance companies that the injured individuals have truly suffered much harm for which adequate compensation is demanded.

Second, the strong legal advocate understands the complex insurance issues associated with most injury cases. Here are some common insurance issues that many people—and in fact, even some attorneys—do not understand.

Uninsured/Underinsured Motorist Coverage (“UM/UIM Coverage”)

Many auto insurance policies have UM/UIM coverage, which will compensate up to a certain amount, an insured party who was injured by an uninsured driver or an underinsured driver—i.e., a driver without sufficient liability coverage to fully compensate the injured party’s damages.

For example, if you are hit and injured by an at-fault driver who is uninsured, you can make a claim under your UM coverage to collect money for the damages you sustained as a result of your injuries (i.e., medical bills, lost wages, pain and suffering, etc.). If the at-fault driver who injured you did not have enough liability insurance to cover all of your damages—i.e., he was underinsured—you can make a claim under your UIM policy that will compensate you (up to a certain amount) to the extent to which you were not made whole by the at-fault party’s liability coverage. For instance, if the at-fault party’s liability coverage will cover only \$20,000 of your damages but you sustained \$50,000, your UIM coverage would compensate you the remaining \$30,000 to make you whole.

Importantly, UM/UIM coverage can be partially or wholly lost if the injured party settles a claim against the at-fault party without permission from his or her UM/UIM policy. Why? Because if your UM/UIM policy compensates you for damages caused by an uninsured or underinsured driver, your UM/UIM policy has the right to reimbursement from the at-fault party. However, if you have already resolved your claim against the at-fault driver, the at-fault driver or his or her liability policy will not reimburse your UM/UIM policy if a settlement of the claims has already been reached. In this case, you have effectively stripped away your UM/UIM policy’s right to reimbursement.



Umbrella Policies and Company Policies

Under certain circumstances, the negligent party's insurance company may deny some or all of the coverage by arguing your coverage is limited, when in reality, there exists an umbrella policy that should provide you with additional, excess coverage. An experienced injury attorney can read through the complicated language the applicable policies to ascertain whether you, the injured victim, can obtain additional or excess coverage beyond the ordinary policy limits. If so, you may be entitled to receive much more money than you otherwise would have had you not known about the umbrella policy.

In other circumstances, you may be victimized by a negligent party who was working on the job at the time he or she hit you. Perhaps the negligent party was operating a company vehicle at the time of the crash. Finding out whether a commercial policy—as opposed to an individual policy—exists that would provide you with greater coverage is imperative. If there is no commercial policy, you may be limited in collecting from a much smaller individual liability policy. Again, a skilled advocate who is well-versed in injury law can determine whether more coverage applies in an effort to maximize your injury claim.



Motorcycle Passengers Can Usually Collect Insurance Money Against the Motorcycle Driver in Addition to the Other At-Fault Party.

Sometimes, both, the motorcycle driver and the other party involved in the accident are at fault.

Under this scenario, the motorcycle passenger can collect against both, the motorcycle driver and the other at-fault party. If the motorcycle driver and other at-fault party are equally at fault, then the motorcycle passenger can collect half of his damages from the motorcycle driver, and half of his damages from the other at-fault party. In other scenarios where both, the motorcycle driver and the other at-fault party are at fault, but not equally at fault, the motorcycle passenger can collect from each at-fault party the proportionate share of each party's negligence. To illustrate, assume a motorcycle passenger sustains \$100,000 in damages from a crash, the motorcycle driver was 30% in causing the accident, and a truck driver was 70% in causing the crash. Under this scenario, the motorcycle passenger can collect \$30,000 from the motorcycle driver (or the applicable insurance company) and \$70,000 from the truck driver.

If the other party is 100% at fault, then the passenger cannot collect against the motorcycle driver but only from the at-fault party. On the flip side, if the motorcycle driver is 100% at fault, the motorcycle passenger cannot collect anything from the other party involved in the accident.

Who determines which party or parties are at fault? First, it is important to understand the question of who is at fault is a question of fact. The answer to this question is therefore determined by the factfinder after the factfinder hears all relevant facts of the case and applies them to the law.

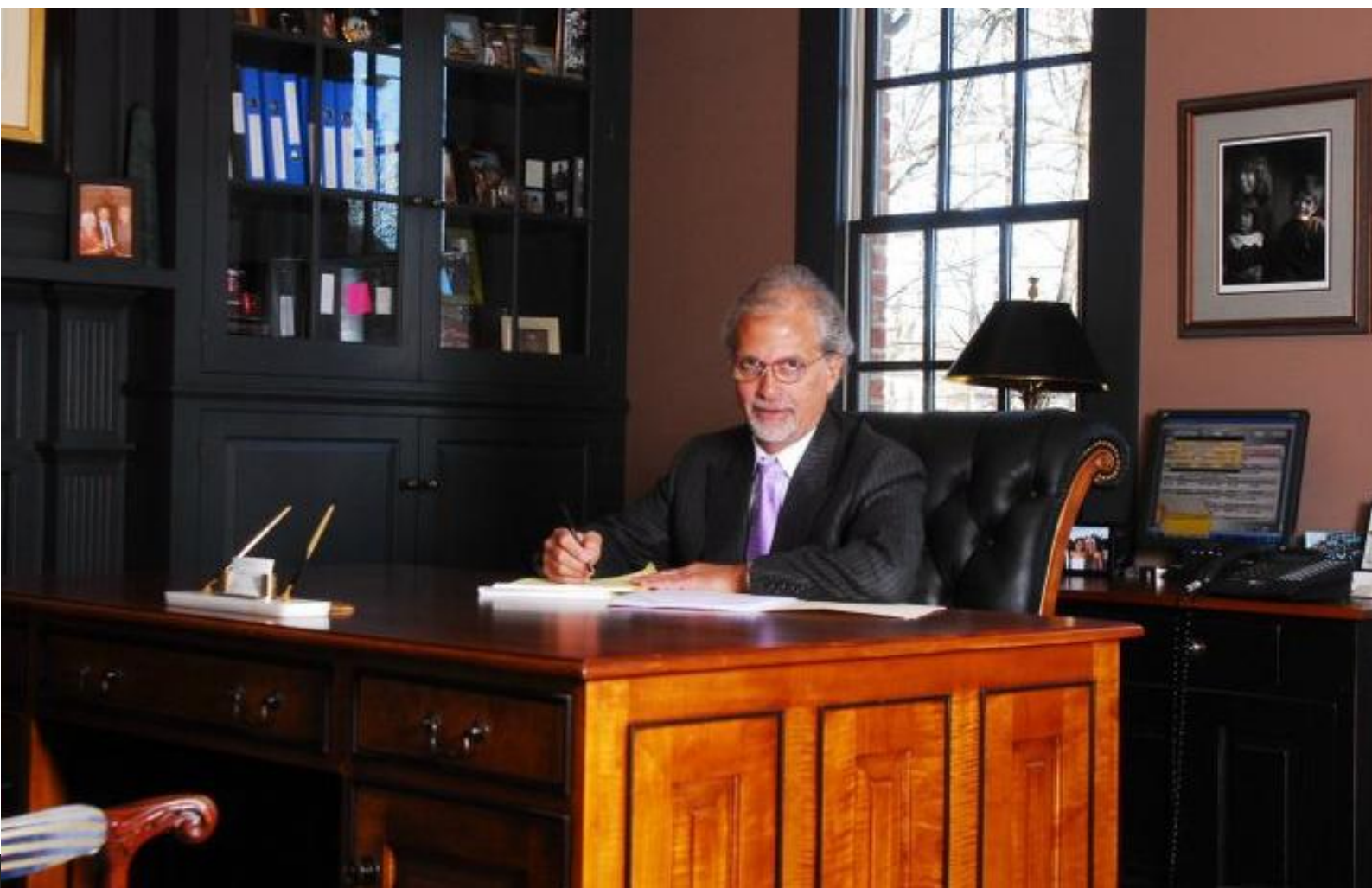
In a jury trial, the jury is the factfinder. The jury is essentially a panel of 8 randomly selected citizens of the community will hear the evidence and determine, amongst other things, who is ultimately at fault.

In a bench trial, the judge is the factfinder. The judge will hear all of the evidence, make evidentiary and legal rulings throughout the trial, and ultimately, determine who is at fault.



What if the case settles out of court? If there is no trial, there is no factfinder. So, who determines which party or parties are at fault when the case does not go to trial?

When cases settle, the parties can get creative about how they want to resolve the case. They can make assumptions based on what they anticipate would happen at a trial, and resolve the case accordingly. So, as in the example above, perhaps a motorcycle passenger is injured in a collision involving another truck. Suppose the parties, after much investigation, legal analysis, and negotiations, anticipate the motorcycle driver would be found 30% at fault if the case went to trial. Further, suppose they anticipate after much investigation, legal analysis, and negotiations, the truck driver would be found 70% at fault if the case went to trial. The parties will likely settle the case based ultimately on what the likely outcome would be should the case go to a trial. Note too, the question of damages is also a question of fact for the factfinder. Therefore, not only will the question of fault be determined by the jury in a jury trial or a judge in a bench trial, the question of how much damages should be awarded to the injured party will be determined by the jury or judge as well.



Medical Payments and Subrogation

Sometimes when injured individuals represent themselves, they decide to accept a quick payout from the insurance company, believing they will make out well by resolving their case soon without an attorney. However, these scenarios are very troublesome and usually leave the unrepresented individuals with little to nothing.

Once an insurance company cuts the injured individual a check, the case is settled. The insurance company will not issue a payout to the injured individual if he or she does not agree to give up his or her right to sue the negligent party. Therefore, once the injured individual accepts a check from the insurance company and signs papers, he or she is forever barred from collecting anything in addition to that one check.

And it gets worse. Most of these people do not realize their health insurance company has paid for their treatment since the date of the accident. And as a result, their health insurance company has subrogation rights. What are subrogation rights? Subrogation rights are essentially reimbursement rights that create liens. If your health insurance company pays your medical providers \$10,000 for your medical bills you incurred as a result of the accident, your health insurance company automatically stands in your shoes, so to speak, to collect that much from the pot of money you receive at the end of the case from the at-fault party or his or her insurance company. Your insurance company who has given you benefits while the case is pending is entitled to all benefits it furnished to you or on your behalf, and therefore is entitled to 100% of the money it paid for you.



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So, imagine this horror story:

You are injured in a motorcycle accident. Your medical bills are \$10,000. You have good health insurance, which pays for all of your treatment for your injuries. You have lost \$5,000 in lost wages. You decide hiring an attorney is a waste of time and money. So what do you do? You decide to handle the claim without an attorney. You accept a nice \$8,000 check from the insurance company to settle your claim. You are happy to profit \$3,000 (\$8,000 given to you minus the \$5,000 you are out for lost wages) and are relieved to have resolved the case on your own without having to give an attorney one-third of your check. Everything is good and well, right? Wrong. Because of its subrogation rights, your health insurance company has a lien on your settlement amount for \$10,000 for the benefits it paid on your behalf for medical treatment. Rather than profiting \$3,000 as you initially believed, you now owe your health insurance company \$10,000. Instead of profiting, you have lost. You are left with nothing. And, you cannot go back to the insurance company begging for more money as you have settled your claim. You are done. Game over.

However, these horror stories are virtually non-existent when you hire an experienced and skilled attorney or legal team to handle your injury claim. A competent legal advocate recognizes the many issues that can likely arise and can handle your claim to your advantage.

In sum, the reality is an injured person needs a skillful and experienced lawyer to help navigate him or her through their case in an effort to maximize his or her claim so he or she is not short-changed. Therefore, selecting the right attorney to handle your injury claim is crucial.

If you have any questions, please contact a personal injury attorney at Rittgers & Rittgers in Lebanon, Ohio at 513-932-2115. You can also learn more at our website: www.rittgers.com.





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