

Watch Out For Motorcycles!

The Importance of Witnesses

Given the nature of motorcycle accidents and related injuries, bikers can be at disadvantage early on. Often times the cage driver says they never saw the biker, the biker was speeding or they argue other reasons to avoid accountability and responsibility for a crash. Making matters worse, the motorcyclist is likely to have serious injuries, they are unconscious or they cannot move, requiring immediate first aid and emergency transport to a trauma center; and as a result, *crash reports sometimes lack accuracy or completeness*, leaving an unclear picture as to how the crash happened or who is responsible, giving the cage driver's insurance company reason to deny or pay less settlement monies.

Immediately after any crash, like medical care, it is critically important to call an experienced motorcycle attorney after the crash as soon as possible. Calling an attorney is one of the biker's *highest priorities* and the initial consultation often begins at the hospital or at the biker's home the next day. This meeting includes a full interview with the injured biker to understand how the accident happened and all related details. Likewise, insurance companies themselves hearing first report of an accident from their insured (the other driver), *make the same immediate efforts* (regardless of the day or the time) to obtain their insured's description of how the crash happened, to order copy of the crash report and to obtain additional information, including statements of all eyewitnesses. Likewise, such information is considered *power* in such claims. *The injured biker needs someone working just as early and just as hard from the very beginning*, obtaining and preserving as much evidence in his or her favor as possible, to have the same or more information, to have the very best claim and recovery possible.

With 23 years experience, and as a life-long biker myself, I know and understand the value of ordering things in a timely manner. *The crash report itself is just one piece of the picture*. As shown by a few examples below, it is sometimes necessary to *go the extra mile* to obtain more information not

contained within the crash report; and, such information can make a *critical difference* in the biker's claim for injuries and compensation. *Witnesses can make or break a case*; and the same can make a *huge difference* to the outcome or recovery in a personal injury claim, especially in motorcycle accidents.

In May of this year, a cage driver entered a center turn lane, abruptly changed her mind without warning, causing the biker to brake and steer off the road, causing him to lose control, landing in a ditch. His injuries included lacerations to his face; loss of teeth; severe road rash to both arms; and a fractured right leg/ankle, including fractures to his tibia and fibula, resulting in immediate admission and surgery at the hospital. Back at the accident scene, the cage driver had stopped, blamed a third driver and denied fault. The investigating officer noted there was no contact between the vehicles and the crash report did not even list her as a driver involved in the crash, but only as a witness to the accident. Within a day after the accident, my investigator obtained a statement of the at fault driver herself, canvassed nearby businesses for other witnesses; and in the end, we obtained enough information to make the demand against the bad driver's insurance company, obtaining a very high settlement for injured biker. *Had the biker not called an attorney quickly, such supplemental investigation to the crash report may have never occurred; and as a result, he might not have had the same claim or such a great settlement.*

Just last month, another biker was involved in a crash at a convenience store parking lot, resulting in a fractured ankle and leg. This cage driver also denied fault and *the crash report itself failed to attribute any fault to either driver*. Very soon afterwards, the biker called my office, I hired a private investigator, obtained statements of eyewitnesses within days after the crash; and as a result, we were able to *prove* the other driver was 100% at fault. Additionally, we obtained such statements on a timely basis, long before my client's interview with his own insurance company, giving my client (the injured biker) more information about how the accident happened, giving us a very distinct advantage in the case. As a result,

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this biker's financial recovery is going to be much better than initially expected.

For the injured biker, as shown by the examples above, *it is critical to hire an attorney after an accident, as soon as possible.* A good motorcycle attorney, having years of experience, is trained to look beyond the four corners of the crash report and to gather information from all possible sources. This includes obtaining facts not only from the injured biker and the crash report; but also, knowing when to hire a good investigator, having a great investigator on *speed dial*, to obtain the best witness statements possible, in a professional and economic manner. *Such evidence can be of critical importance to the biker; and by going the extra mile, we can truly make a difference, getting the injured biker the compensation and justice he or she truly deserves!*

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