

The **BOYK** BULLETIN

A Great Way To Find Insurance Coverage For Your Injury

Boyk Law receives phone calls on lots of cases. A common problem is that the defendant is often not collectible. Our firm has a history of finding coverage for what initially presented as a bad case.

Homeowner's and renter's insurance policies are a fantastic way to find "a deep pocket" to cover an individual's personal liability for negligence. This coverage follows the named insured or a family member both on and off their personal residence.

Charles Boyk Law has been very successful in these instances. Often, we have to file a lawsuit and fight for coverage. These are some examples of unusual cases where we have found coverage:

- **\$300,000 Policy limit recovery for dog biting off client's nose at the defendant's mother's house.**
- **Large confidential settlement for a dog chasing client on a public street and the client falling resulting in several shoulder surgeries.**
- **A large number of gun-related settlements. Policy limits for cousin on the first day of hunting dropping the shotgun and shooting our client in the leg resulting in numerous surgeries. The defendant mishandled a gun killing our client. The defendant dropped a gun on the floor and the shot went**

through the wall injuring our client sleeping in bed in the apartment next door.

- **\$300,00 policy limits for teenagers playing with a BB gun inside the house shooting and blinding our client in one eye.**
- **Policy limits for Grandpa failing to supervise young grandson. Grandson walks away and ends up drowning in a neighbor's pool.**
- **Policy limits for antique cannon blowing up in the backyard causing traumatic brain injury to our client guest.**
- **Horseplay in a bar. The defendant put swizzle sticks next to our client's ears. Our client moves puncturing an eardrum resulting in permanent hearing loss.**
- **Confidential settlement for client**

run over by friend's golf cart during a round of golf resulting in multiple surgeries.

- **Teenagers playing with a knife and poking holes in cardboard. Our client gets all of the tendons in his right hand cut resulting in surgery.**
- **Policy limits for a client suffering serious traumatic brain injury and ankle fracture resulting in multiple surgeries. The client is a passenger in a homemade cart on a homemade track being pulled up a steep hill by a pulley. The pulley system fails and the cart reverses down the hill.**

As long as you have some form of insurance coverage, negligence of an individual, and some creativity a no value case can potentially become a policy limits case.



CONTACT US TODAY!

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Our Newest Location!

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BOWLING GREEN

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Suite 100
Bowling Green, OH 43402

DOWNTOWN TOLEDO

405 Madison Ave.
Suite 1200
Toledo, OH 43604

DEFIANCE

1012 Ralston Ave.
Defiance, OH 43512

FREMONT

219 S. Front St.
Suite 105
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FINDLAY

612 S. Main St.
Suite 107
Findlay, OH 45840

LIMA

114 N. West St.
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Lima, OH 45801

SWANTON

10725 Airport Hwy.
Swanton, OH 43558

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123 E. Jackson St.
West Unity, OH 43570

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1683 Lance Pointe Rd
Suite 104 B
Maumee, OH 43537

AUTO ACCIDENTS • MEDICAL MALPRACTICE
WORKERS' COMPENSATION • DOG BITES
WRONGFUL DEATH • ATV & MOTORCYCLE ACCIDENTS



Boyk Law is Giving Away Bikes for Kids this Summer



Nominations for Charles Boyk Law's Bikes for Kids contest are now open. Parents, teachers, family members, and friends are encouraged to enter a

child into the Bikes for Kids contest by visiting www.bikesforkidstoledo.com and telling us why they deserve a new bike. You can nominate a child for overcoming adversity, positively impacting their community, or any other reason. We will choose ten nominees to receive a bike compliments of Charles Boyk Law.

A winner will be announced each week for the rest of the summer starting in mid-June. Bikes for Kids winner videos will be featured on YouTube and shared on Boyk Law's social media.

Charles Boyk Law always purchases bikes from Wersell's, Toledo's oldest bike shop. They will custom-fit the bikes and provide a helmet and a bike lock for each of our Bikes for Kids winners.

Boyk Law is also partnering with Brightz, a local company that produces LED lighting for bicycles and recreational equipment. All 2024 Bikes for Kids winners will also receive Brightz LED lighting products to ride safely after dark.

You can nominate a deserving child to win a bike from Charles Boyk Law Offices through June 16, 2024 at www.bikesforkidstoledo.com



Ohio Law Protects Landowners From Recreational Accidents On Their Property



As the seasons change, opportunities for outdoor activities become increasingly abundant. After all, recreational activities, regardless of the season, are meant to spark joy and pleasure for the community. However, these activities also present opportunities for injuries. When this happens, it is important to know what your rights are.

Ohio's Recreational User Statute protects landowners from liability when a person engaging in recreational activities is injured on their property, but only when certain conditions are present.

The immunity provided through the Recreational User Statute was created to encourage landowners to open their property for recreational activities, such as hunting, fishing, snowmobiling, and other recreational activities.

As an incentive to open their property to such uses, Ohio provided three limitations on a landowner's liability. First, landowners do not have any duty to a recreational user to keep the property safe, for entry or use. Second, granting permission to use the property is not a guarantee that the property is safe. Third, the landowner is not liable for injuries or damages sustained by a recreational user.

While this immunity may seem like a blessing for landowners when injuries happen, it is only available in certain situations.

To be protected by the Ohio statute, the injured person must qualify as a recreational user who:

- *Has permission to enter or use the property;*
- *Was not required to pay a fee or other consideration to the owner; and*
- *Participates in a recreational activity while on the property.*

It is important to remember that permission does not have to be explicit or written. For example, if you enter a park to hike on a trail, you have permission to be there but do not need to be expressly told by a park ranger or anyone else that you are allowed to hike there. In this example, since you entered the park without paying to hike, you would be a recreational user and the state or the owner of the park would not be liable for your injuries.

Recreational activities include hunting, fishing, trapping, camping, hiking, swimming, or operating all-terrain vehicles or snowmobiles, but in Ohio, a recreational activity is potentially any activity that involves nature or the "true outdoors". The activity itself is not the determining factor, but rather the underlying character of the land in which the activity takes place is what matters.

Ohio's Recreational User Statute is extremely technical and depends on the facts of each case. The protections provided under this statute can make or break your case, so it is very important to speak with an attorney before it is too late.

Boyk Attorney Moderates Ohio Bar's Sixth Annual Solo and Small Firm Institute



The Ohio Bar Association is hosting its Sixth Annual Solo and Small Firm Institute on June 7, 2024. This interactive webinar is intended to help solo lawyers and smaller firms plan for their future. Participants will hear from industry experts on succession planning best practices, ethics and professionalism, form automation, and practice area hot topics.

Attorney Andrea Young of Charles Boyk Law Offices is a member of the Ohio State Bar Association and will serve as the moderator of the Professionalism and Ethics (Professional Conduct) session. She says "The annual symposium provides vital assistance and support to solo practitioners and small firms who play a very important role in the legal system, especially in smaller communities and rural areas".

THE BOYK BRIEF

HOT OFF THE MIC!

New Boyk Brief Podcasts

Two new episodes of the Boyk Brief podcast are now available. Episode 51 features Amanda Held, founder and Executive Director of H.O.O.V.E.S. a program that utilizes horses to help veterans and first responders cope with PTSD and service-related stress. Attorneys Chuck Boyk and Andrea Young talk with Amanda to discover how the program works, and how it began. They learn about some of the lives they've helped save and discuss a new award-winning documentary project currently making the rounds of film festivals across the country.

Episode 52 features a conversation with Remax realtor Eddie Campos. If you are considering buying or selling a home, know someone who is, or are interested in the housing market, you don't want to miss this podcast. Eddie Campos is a very successful realtor with great insight and experience in the northwest Ohio region and nationally.

The Boyk Brief is available to download on most podcast platforms including, Spotify, iHeart, Apple Music, Amazon, and TuneIn. You can view video versions of The Boyk Brief podcasts on YouTube and discover more episodes of The Boyk Brief podcast on our website at www.charlesboyk-law.com/the-boyk-brief-podcast/.

RECIPE:

Cynthia's Family Favorite - Green Tomato Pie

Boyk Law's Legal Assistant Cynthia Walborn says you can enjoy this recipe in springtime and again in the fall to take advantage of your green tomatoes, but don't try it with the red ones. This can be put together, frozen, and then baked if you want to make it ahead of time. It tastes like a mincemeat pie.

INGREDIENTS:

- Pie Pastry for 8" pie
- 1 cup of chopped and drained green tomatoes. (Approximately 1 lb.)
- Grated rind and juice of 1 lemon
- 1 cup sugar
- 2 white crackers, rolled fine
- ¼ teaspoon salt
- 1 slightly beaten egg
- 1 tablespoon butter or margarine
- 1/2 teaspoon grated nutmeg
- 1/4 cup seedless raisins

INSTRUCTIONS:

1. Add sugar to tomatoes and fold in other ingredients.
2. Pour into an 8" pie shell, and top with crust.
3. Bake at 400 degrees for about 40 minutes.



Photo credit: www.tasteofhome.com

CASES OF INTEREST: Makeshift Transport Cart Causes Devastating Injuries at Lake House

Our client planned a relaxing weekend with her sister at a Tennessee lake house. She had a recent hip replacement surgery, so after a day on the lake, the sisters had to ascend a large hill to get back to the house.

The homeowner ran a track from the lake to the house and had a makeshift cart on the track being pulled by a cable.

The sisters rode up the hill until the half-way point when the cart stopped. After a few minutes, they were instructed to return to the cart by other members of the party. At that point, the cable failed, and the sisters plunged to the bottom and sustained devastating injuries.

Our client was life-flighted to the hospital where she was diagnosed with a traumatic

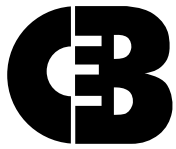
brain injury, fractured ankle, and other injuries. She required multiple surgeries and a later stay in a rehab facility, not to mention a significant income loss. We brought in local counsel to file a lawsuit, but our claim against the homeowner was still met with resistance. The insurer argued our client was negligent, suggesting she should have stayed off the cart when it stopped midway up the hill. It also argued that the client's brother-in-law and daughter shared legal responsibility for running the controls at the top of the hill.

We were able to overcome these obstacles by stressing that the ultimate liability rested on the homeowner for failing to properly

maintain the makeshift rail cart and pulley. We ultimately prevailed upon the insurer to pay its full liability and umbrella coverage to settle all claims.



CASE FILE



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Attorney Andrea Young - Candidate for the Toledo Bar Association Board

Boyk Law Attorney Andrea Young is a candidate for the 2024-25 Toledo Bar Association Board of Directors. She attended the University of Toledo College of Law and was admitted to the bar in 2017. She has been an active member of the TBA for 7 years.



Andrea says she'd like to serve on the board of directors because she wants to "make a difference within the Toledo community. I was born and raised in Toledo and would love to make a positive impact in the community alongside my legal peers." Good Luck Andrea, you have our vote.

May's Raving Fan of the Month

"I had a great experience with Chuck Boyk and his team! They were very efficient in communication throughout the entire process and everything was made very easy for me to understand. I would 10/10 recommend this firm to anyone."
-Alyssa T.

Have a positive review to share? Go to boykreviews.com to tell us about your experience!

INTRODUCING LYND SAY HAYDEN

Lyndsay Hayden is Boyk Law's new Subrogation & Medical Legal Assistant. She comes to Boyk Law with work experience at another personal injury firm, where she advanced from receptionist to legal assistant, before accepting a position in the billing department of another company outside the legal field.

Lyndsay says she came to Charles Boyk Law "looking for a new challenge", and because she "missed the feeling of helping clients navigate the healing process."

Her daily tasks involve talking with clients and assuring that their medical needs are taken care of, and requesting medical records from healthcare providers to make sure they are paid. She also coordinates with Insurers to confirm that the medical bills are properly itemized and correlated to our clients' treatment. Lyndsay enjoys communicating with our clients and working with her new team in the Boyk Offices. She also takes great delight in seeing the dogs in the Boyk Law Holland office and says, "I love seeing them run down the hallway past my door."

She grew up in Toledo and attended Notre Dame Academy before earning her Bachelor of Business

Administration degree in Business Management and Marketing from the University of Toledo.

Lyndsay enjoys baking in her spare time and playing video games with her boyfriend. They recently worked together to build a gaming PC. She also loves exploring the Metroparks and indulging in a cozy movie night with her Tuxedo cat Remy.

Lyndsay brings a refreshing energy to our office. She embodies the team spirit at Charles Boyk Law and finds joy in supporting both clients and colleagues. With her dedication to learning and her commitment to excellence, Lyndsay is sure to make a valuable addition to our team. Welcome, Lyndsay - we're thrilled to have you on board!



Lyndsay Hayden

New address or phone number? Help us stay current by letting us know!

Call (419) 241-1395 or e-mail marketing@charlesboyk-law.com