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Who is at Fault in a Multi-vehicle Accident?

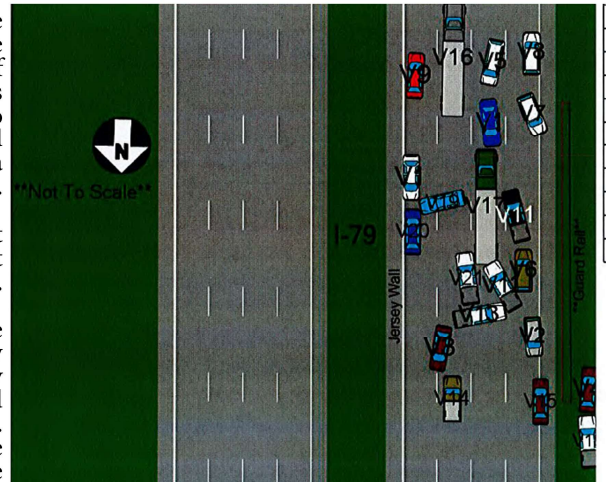
It is common to hear about multi-car pileups in the news, the most recent in our region being a 58-vehicle pileup on Interstate 68. The increased number of vehicles on the road smart phones and other things that distract drivers, vehicle pileups are more likely to occur. Throw highway speeds and a bit of bad weather or dense fog, and it is almost guaranteed a pileup will happen on any stretch of highway.

But who is responsible for the accident after it happens? Whose insurance company is going to foot the bill? **This is where it gets complicated.**

Once the seriously injured are taken from the scene and as the wreckage is removed by tow trucks, the responding law enforcement agency begins to take notes, interview witnesses and hopefully snap some pictures or grab some video. Reconstruction of the accident starts with the investigation and generally ends with a police report. (The picture to the right is a sampling of what is contained in such a report.)

In West Virginia, determining who started the chain reaction will be based on the information gathered on the police report. Some multi-car pileups end with a few drivers that share some of the responsibility and some of the blame. But how does that translate to insurance claims, and who is going to pay for the damage? Law enforcement compiles all of the information into one comprehensive report that is then reviewed by the interested parties. It is not uncommon for the responding officer to not officially declare one driver to be at fault, especially if the weather was a factor in the accident.

Insurance companies love multi-car pileups, primarily when the party responsible can not be



determined. We see time and again, insurance companies immediately denying liability either claiming someone else was at fault or that, at a minimum, their driver did not cause the accident and therefore shares no responsibility. At this point, an attorney must review the claim to help determine who should be held accountable, and it generally turns out to be one of those insurance companies that immediately denies any liability.

Hiring an attorney if you are involved in a multi-vehicle pileup is essential. Everyone knows that it is hard enough to get fairly compensated for injuries when we know precisely who was at fault, let alone in a situation where it is up in the air, or the blame lies with multiple people.



The Miley Legal Group would like to thank everyone that provided referrals to our office this past month:

**Erika T.
Ben G.
Jennifer B.
Teresa C.
Terri L.
Sam H.
Deanna C.**

UCI Law Students Organize Hearing on Impact of Artificial Intelligence

University of California, Irvine School of Law student, Jordin Wilcher and her fellow classmates are studying the impact artificial intelligence in the legal field. More specifically, how artificial intelligence is changing the way law is practiced across the country.

As part of the course, "Pushing AI Frontier: It's Impact on Law, Policy and the Legal Profession," students were tasked with setting up a hearing in conjunction with the California State Senate Select Committee on the Growing Impact of Artificial Intelligence. The hearing focused on the use of AI in law enforcement and judicial activities, looking towards the question of both risks and benefits.



Left: Jordin Wilcher in front of Anaheim City Hall

Below: Hearing taking place, Anaheim City Hall



Above (left): Judge Kirk Nakamura, Jordin Wilcher '21, Cassie Douthett '20 and Sen. Joe Dunn (ret.)

With two offices to serve you:

229 W. Main Street, Suite 400, Clarksburg, WV 26301

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MLG and WBOY Celebrating Volunteers Jillian Sole with the Pierpont Pride Food Pantry



Jillian Sole's dedication to the students through the food pantry in addition to her position at Pierpont, is why she was selected as this month's Celebrating Volunteers award winner.

"Most people do not realize the amount of hungry families we have across our region. Whether it be families with young children and college students or families where parents are struggling to work and go to school to better themselves, hunger is a real issue," stated Tim Miley, owner of The Miley Legal Group. "I applaud Jillian and Pierpont for recognizing the need on their campus and taking action. The work that Jillian and the other volunteers do will help for generations to come."

To learn more about the Pierpont Pride Food Pantry or to donate, visit pierpont.edu/current-students/student-services/food. To learn more about our Celebrating Volunteer Program, visit our website, www.MileyLegal.com and click on the logo.

Hunger in the education system is an issue at all ages and levels. From kindergartners up through some college students, having a bite to eat can be the difference between getting a good grade on an exam or even focussing on the lessons of that day.

At Pierpont Community and Technical College, Jillian Sole saw a need among the students she works with everyday. Whether it be a college student who is hungry between classes and has no money to buy a snack or it be older students that have full families at home they are trying to support while they attend school, the Pierpont Pride Food Pantry works to assist them all.

Being in the midst of the holidays and the winter months, now is the time to ensure students and their families across our region have the means to combat hunger and give students a fighting chance to be successful.

Recent Wins!

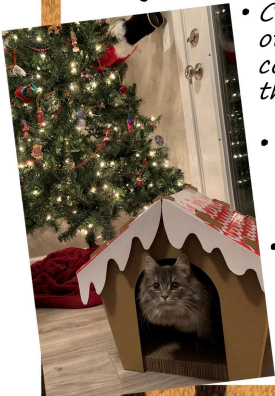
We successfully negotiated with a local government agency to cover the cost of repairs for the extensive damages to our client's property due to malfunctioning equipment

Our client received great news right before the holidays. An insurance company finally admitted that their insured was liable for the head-on collision that resulted in significant injuries to our client. After our firm worked diligently to produce evidence that the insurance company was responsible, our client will have a more relaxing holiday.

★★★★★ "The MLG handled my case in a timely manner and made sure all of my needs were taken care of and all questions I had were answered. I would refer my attorney to others."
-Xenia Y.

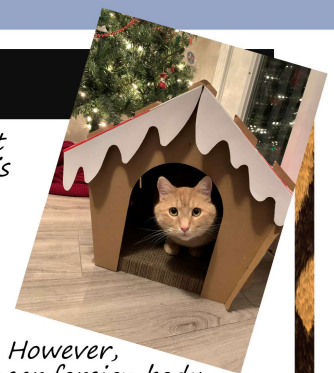
Pet Peeves: Holiday Season Safety

Theodore & Magnolia here! Can you believe it's already December? Christmas is just days away and we wanted to share some tips to help keep all our feline friends safe this holiday season.



- **Christmas Trees:** Trees can contain pesticides, fertilizer, even aspirin or other chemicals. Drinking this water can poison us! Keep tree water covered to prevent drinking; aluminum foil is a good option... we hate that stuff!
- **Ribbons & Tinsel:** We simply cannot resist something shiny or sparkly! However, the danger in this is that string-like materials can cause dangerous linear foreign body obstruction that requires surgery.
- **Flowers & Plants:** Poinsettias, holly, mistletoe, lilies and amaryllis are known for their toxicity to cats. Nibbling plants and flowers could result in a road-trip to the emergency vet! Choose non-toxic plants or use silk flowers instead.

Stay safe furry friends! Meowwy Christmas!



XOXO, Theo & Maggie Grace

Recipe of the Month: **Pork Roast, Sauerkraut and Kielbasa**

Ingredients:

1 (2 pound) boneless pork loin roast
2 Tbsp olive oil
2 sprigs fresh thyme leaves
salt and pepper to taste
4 pounds sauerkraut
1 pound keilbasa, cut into 3 inch pieces



Directions:

1. Preheat the oven broiler. Place the roast in a roasting pan, brush with olive oil, sprinkle with thyme leaves, and season with salt and pepper. Place under the broiler for 10 minutes, until lightly browned in several places.
2. Place 2 pounds sauerkraut in a slow cooker. Arrange keilbasa pieces around the edges of the slow cooker pot and place the roast in the center. Cover with remaining sauerkraut.
3. Cover slow cooker and cook roast 6 hours on high.
4. Remove roast from pan and cut into slices and plate with both the sauerkraut and the keilbasa for an awesome New Year's Dinner celebration.

Recipe & Picture Courtesy of Allrecipes.com. Submit recipes to mlg@mileylegal.com

Words of Encouragement

"Today in the town of David a savior has been born to you; he is the Messiah, the Lord."
- Luke 2:11

"For God so loved the world that he gave his one and only Son, that whoever believes in him shall not perish but have eternal life."
- John 3:16

"A generous person will prosper; whoever refreshes others will be refreshed."
- Proverbs 11:25

"The best way to spread Christmas cheer is singing loud for all to hear."
- Will Ferrell, Elf

December's Cases of Interest

Multi-Car Accident on I-79 Leads to Injuries!

Our client was driving south on interstate 79 near the Meadowbrook Mall exit when he was struck from behind by a large truck that was attempting to merge into his lane. This small collision caused a chain reaction that caught two more cars in its wake. Of the four drivers, our client received the most injuries as his vehicle was struck a number of times.



After receiving treatment at the scene of the accident, our client was then taken to UHC's ER where he underwent multiple x-rays. He was diagnosed with a broken leg, fractured clavical and bruised ribs. The driver of the truck who caused the accident, denied any liability and currently his insurance company is siding with him. We will continue to investigate the accident while our client recovers to ensure that he is treated fairly and the driver of the truck takes responsibility for his actions.

Assisted Living Passenger Injured Heading to Doctor

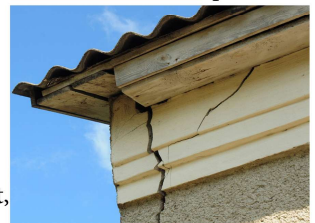
We were hired by the family of an assisted living patient that was injured while being taken to a medical appointment by the person charged with her care.

Upon entering the parking lot of the doctor's office, the caretaker ran right into an oncoming vehicle causing damage to the front passenger side of the car. Our client received multiple injuries in the accident including a broken ankle, a strained back and a number of bumps and bruises. With her ailing age, she will be recovering for a long time.

"The greatest compliment we can receive is the referral of your family and friends."

Another House in Our Area Struck by a Car

Once again we were hired by a client who was injured when a vehicle struck the side of his home. The impact of the vehicle into the house was so severe that it not only knocked the home off its foundation, it also cracked the wall on the other side of the home.



Unfortunately for our client, he was watching the evening news and was completely unaware of what was about to occur before the car slammed into the house knocking him and his dog off his recliner and onto the floor with the car stopping inches from where he was seated. His injuries, besides the mental trauma, included a sprained wrist, strained knee and additional bumps and bruises. Fortunately, his dog was uninjured.



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*Check out our blog at
MileyLegalBlog.com*



*Merry Christmas
& Happy New Year!*

Give this newsletter to a friend. They will thank you for it and so will I.

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