



## How To Handle Your “Property Damage Only” Claim!

We are frequently contacted by individuals who are involved in motor vehicle collisions and are fortunate to not have sustained any injuries. Nevertheless, these individuals want to retain our services to resolve their property damage claims because they feel that they are not getting treated fairly by either the at-fault driver's auto insurance carrier or by their own insurance carrier. Because we handle automobile collision claims that result in personal injury only, we tell these individuals that we cannot be of assistance. With the following information in hand, however, you can handle your own property damage claims without the assistance of an attorney.

**STEP ONE—TO WHOM SHOULD I MAKE THE CLAIM?** You must first determine whether the at-fault driver has insurance. If so, you need to contact that insurance carrier and give them access to your vehicle so they can send an appraiser to inspect the damage. Remember, the other driver's insurer has no fiduciary duty to respond efficiently to your inquiries because they are not **your** insurance carrier. As such, they may fail to return your phone calls, delay the process, or become uncooperative. If presented with any of these circumstances, the better option is to go through your own insurance company—that is, assuming that you purchased “**collision**” coverage. While your insurance company will reduce any property damage payoff by your deductible, they will subsequently seek reimbursement from the at-fault driver's insurance carrier through a process called inter-insurance arbitration. If and when they obtain reimbursement, your insurance company will reimburse your deductible. Therefore, while going through your own insurance company may sound counter-intuitive because the damage was someone else's fault, you should get better service from your own insurance company because they have a contractual duty to respond efficiently and treat you fairly throughout the process.

**STEP TWO—IS THE CAR REPAIRABLE?** After inspection, the insurance company will determine whether your car is repairable or whether it is a total loss. (A vehicle is usually considered a total loss if the repair cost plus salvage value exceeds the fair market value of the vehicle or if the damages exceed a specific threshold of the vehicle's value, e.g. 70%.) If it is repairable, the insurance company will pay for all reasonable and necessary repairs. While you can choose the auto body shop, do not begin any repairs until the insurance company has inspected the vehicle. Furthermore, you should determine whether the auto body shop you choose will perform the repairs using aftermarket parts or Original Equipment Manufacturer (OEM) car parts. (For an analysis on the pros and cons of each type of car part, visit [www.edmunds.com/car-care/aftermarket-versus-manufacturer-car-parts.html](http://www.edmunds.com/car-care/aftermarket-versus-manufacturer-car-parts.html).)

If the car is determined to be a total loss, the insurance company will pay the fair market value (FMV) of the vehicle. Factors that go into determining the FMV include the year, make, model, mileage, previous damage, and general overall condition of the vehicle. When attempting to establish the FMV, service receipts, repair receipts and/or maintenance records may be useful. Other sources that may be helpful include: Kelly Blue Book ([www.kbb.com](http://www.kbb.com)); Edmunds ([www.edmunds.com](http://www.edmunds.com)); the NADA Used Car Guide ([www.nada.com](http://www.nada.com)), and AutoTrader ([www.autotrader.com](http://www.autotrader.com)). Advertisements for the sale of similar vehicles at local dealerships can also be utilized to help establish FMV. If the vehicle is considered a total loss, you will then have two options: (1) sign over title of the vehicle

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# My Favorite Ski Destinations

*By Anthony J. Skemp*

Winter is here. It is during these cold, blustery winter days that we Wisconsinites often wonder why we have made the conscious decision to live in what sometimes feels like a God-forsaken climate. After complaining, however, many of us pack our bags and head to warmer climes: perhaps the Caribbean, Florida, Arizona or sunny Southern California. Not me. After complaining about the climate, I make the decision to flee the cold by going—you guessed it—to the cold! When I turned 40 years old, I discovered a passion that I thought was only reserved for the young; the sport of downhill skiing. Consequently, over the past 6 years I have had the good fortune to travel to Colorado, California and Utah and experience the fresh mountain air, the thrill of traversing the slopes at high speeds and the vitality and pulse of several of America's best ski resorts. While there are so many more that I want to experience (Aspen, Telluride, Whistler, etc.), here is a list of my favorite ski destinations that I have visited so far:

1. Breckenridge, Colorado;
2. Park City, Utah;
3. Beaver Creek, Colorado;
4. Steamboat Springs, Colorado;
5. Vail, Colorado;
6. Deer Valley, Utah;
7. Keystone, Colorado;
8. Mammoth Mountain, California.



**Tony in Steamboat Springs**

Not only is the skiing magnificent but each of these destinations offers other activities, like snowmobiling, sleigh rides, snow shoeing and cross-country skiing. Plus, the quaint villages/towns attached to these resorts offer an abundance of restaurants (fine dining and casual fare), nightlife and shopping for singles and families alike. Therefore, I encourage you to reconsider packing your swimsuit and heading south or to the desert this winter and, instead, pack your ski boots and head west to the mountains! ●

## Health Tip—Take More Epsom Salt Baths!

According to a recent article posted by Dr. Joseph Mercola on his website, [www.mercola.com](http://www.mercola.com), Magnesium is a vitally important mineral used by every organ in our bodies; especially our heart, muscles and kidneys. Magnesium plays an important role in our body's detoxification processes; slows the progression from pre-diabetes to diabetes in middle-aged Americans; and can even lower one's risk of colorectal cancer. Sadly, however, by some estimates up to 80% of Americans are not getting enough magnesium. If you suffer from unexplained fatigue or weakness, abnormal heart rhythms or even muscle spasms and eye twitches, low levels of magnesium could be to blame. While seaweed and green leafy vegetables, like spinach and Swiss chard, can be excellent sources of Magnesium; as are some beans, nuts and seeds, like pumpkin, sunflower, and sesame seeds, most foods today are grown in nutrient depleted soil deficient in magnesium and other minerals. While organic foods may have more magnesium if grown in nutrient rich soils, it is very difficult to make this determination.

Consequently, while juicing your greens and taking a magnesium supplement (avoid any supplement containing magnesium stearate, a common but potentially hazardous additive) may be considered good strategies to increase your magnesium intake, one of the best ways to improve your magnesium levels is simply to take regular Epsom salt baths or foot baths. Epsom salt is a magnesium sulfate that can absorb directly into your body through your skin while you are doing nothing more than chillaxin' in your tub. So do yourself a favor—buy some Epsom Salt, run yourself a nice bath, pour some Epsom salt into the water, dim the lights, put on some classical music or jazz and let the feel-good take over! ●







# Employee Spotlight— Corinne Dulak

Corinne Dulak has been a paralegal with Domnitz & Skemp, S.C. since its inception in October of 2004. For more than 15 years, she has been primarily involved in the areas of personal injury, wrongful death and medical malpractice and has come

to identify and empathize with Plaintiffs who have been injured or lost loved ones. She is not only deeply involved in every case, from initial intake through trial support to final jury verdict, but she is also directly involved in all aspects of the administration of the firm. Corinne understands the unique stresses experienced by many of our clients, and she is often a source of comfort to them and their families. In addition, she is an active member of the Wisconsin Association for Justice and the American Association for Justice.

“Corinne has been my paralegal for more than 15 years and I would be lost without her,” said founder and President, Ric Domnitz. “She has been an integral part of D&S from the very first day. The quality of her work, her passion for our clients and her concern for every aspect of our firm cannot be overstated. Thank you, Corinne, for your dedication and hard work!”

Corinne is a life-long resident of Wisconsin. She has been happily married to Darrell for 15 years and has two boys, Carsen and Connor, ages 9 and 12. In her free time, she likes to watch her sons play baseball, spend time with family and friends, read and just enjoy life. •

## Korean Salad

In conjunction with our spotlight on Corinne, below you will find one of her favorite recipes. While the recipe calls for vegetable oil, olive oil—which is rich in HDL lipids—is certainly a healthier option. Another suggestion is to make the dressing separately and provide it on the side in order to allow each individual to add their preferred amount to the salad.

### INGREDIENTS

#### Dressing:

1 cup salad oil (vegetable oil)  
1/4 cup vinegar  
1/3 cup ketchup  
3/4 cup sugar  
2 Tbls spoon Worcestershire  
1 medium onion chopped

#### Salad:

Bean sprouts (2-3 handfuls)  
10 oz. bag spinach  
1 lb bacon (fried x-tra crispy and broken into smaller pieces)  
Water chestnuts (cut in half or fourths)  
1-2 Hard-boiled eggs (for decor on top)



Mix all dressing ingredients together and place in the refrigerator to cool; preferably overnight, if possible. Add salt and pepper to taste. Fry the bacon, drain and crumble into smaller pieces. Cut the water chestnuts into halves or fourths. Boil the eggs, let them cool. Shortly before starting dinner, mix the bean sprouts, spinach, bacon and water chestnuts together. Slice up the eggs and place them on top of the salad OR mix the eggs directly into the salad. Add the dressing or provide on the side. Serves 4. •

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to the insurance company in exchange for payment, which will include tax, title and license; or (2) retain ownership of the vehicle in exchange for payment of the agreed upon FMV minus the salvage value. While the vast majority of individuals choose option one, if you are mechanically inclined and want to repair the vehicle yourself, you may want to consider option two.

While there are other aspects to the property damage claim, such as damage to personal items in the vehicle, obtaining a rental or, if not, obtaining payment for the loss of use of your vehicle, remember that everything is negotiable. While you certainly are not entitled to recover the value of a Porsche if you own a Jalopy, if you have **evidence** to substantiate that your car is worth more than the insurance adjuster is offering, do not hesitate to provide that information to the adjuster. Usually the initial offer is not a “take it or leave it” offer. The question is whether the offer is reasonable. Remember, if you have even the slightest injury, make sure that any Release the insurance company asks you sign pertains to property damage claims ONLY. You do not want to sign a document that releases your personal injury claim when it is your intention to resolve only the property damage claim. Thus, if you sustained any injuries whatsoever, it is usually best to consult an attorney to make certain the insurance company is not taking advantage of you. While their ads profess that you are “In Good Hands With Allstate,” and that State Farm is “The Friendly Next Door Neighbor,” and “Responsibility” is Liberty Mutual’s policy, nothing is further from the truth—it is our position that if they can take advantage of you, they will take advantage of you. One last piece of advice: when purchasing a new car, ALWAYS pay for the Gap Insurance. It is cheap and can be an enormous cost-saver if you get into an accident shortly after purchasing a vehicle •

March Holidays and Important Dates

- March 5 Purim
- March 6 Employee Appreciation Day
- March 8 Daylight Saving Time Begins
- March 14 National Pi Day
- March 17 St. Patrick’s Day
- March 20 Spring Begins
- March 29 Palm Sunday



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# Enter Our March Sweepstakes Give-Away!

## "Like Us" on Facebook And You Could Win Primo Brewers Tickets!

On April 6th, the Boys of Summer return to Milwaukee when the Brewers open the season at home against the Colorado Rockies! While the roof will likely be closed, the return of baseball means that warmer weather is right around the corner. "Like" us on Facebook and post a guess as to the correct number of regular season games the Brewers will win during the month of April (there are 22 games scheduled) in order to win 2 front row, loge level tickets and a Gold Parking Pass to the Brewers/Diamondbacks game on Saturday, May 30th. If no one guesses correctly, the closest guess wins the tickets. Ties will be decided by a drawing. Second place also receives 2 front row, loge levels tickets to the same game, without a parking pass. Entries must be posted to our Facebook page by Noon on Monday, April 6th. If you have already liked us on Facebook, go ahead and post a guess and you will automatically be entered. Good luck and GO CREW! •

