

Motorcycle Attorney Tip by Russ Brown and Chuck Koro

Save your Damaged Gear

Insurance companies will sometimes deny that a rider's injury was caused in the accident. In one such case, a motorcyclist was rear-ended and thrown over his handlebars into the intersection, slamming and scraping both elbows.

Approximately one month after the accident, the rider was diagnosed with ulnar nerve damage (the nerve that goes across the elbow) and he required surgery to move the nerve. Several months later, the same procedure had to be done to the other elbow.

The offending driver's insurance company claimed that the elbow injuries were not related to the accident. Although the motorcyclist had been advised to keep all his gear and clothing, he disposed of his leather jacket, which had been ripped at the elbows. This evidence was crucial to connect the elbow injuries to the accident.

Ultimately, a witness confirmed that, at the scene, he noticed that the elbows of the jacket were torn. A salesperson at a bike shop where the rider went to see if the jacket could be repaired, also confirmed the tears. Ultimately, the case was resolved satisfactorily. Without these witnesses the case may not have resolved, but for the fact the jacket was not available.

Not only can the motorcyclist's damaged property be crucial evidence, but reimbursement can usually be obtained for the damaged property. The bottom line is -- if you have been involved in a motorcycle accident and there is the potential for a claim by any party, do not throw anything out.

Russ Brown has been riding for over forty years, and Chuck Koro over thirty. Together they own six motorcycles — a Harley Custom V-Rod Anniversary Edition, a Honda CBR 1100XX, a T-Rex (reverse trike), a Custom Trike, a Yamaha FJR 1300 and a 1984 Harley with a sidecar.

Russ and Chuck specialize in motorcycle law and can be reached at
1-800-4-BIKERS.

**See their Ad on page 48 & 49 and Tell'em
Kimmy & Kelly Sent Ya**

