



The  
**CZACK  
LAW FIRM**  
*Right Firm • Right Time • Right Result*



*Friends of the Firm*  
**Newsletter**

Being the best advocate possible oftentimes requires a lawyer to think “outside the box” to help a client with a complicated legal situation. We will be sharing some of these very gratifying instances with you in our Friends of the Firm Newsletter in a column we call **Outside the Box**.

## **OUTSIDE THE BOX**



**Michael W. Czack, Esq.**

While on the job, our client suffered horrible injuries on a machine he was working on. The injuries were such that the client passed away shortly after the incident. We were retained by the decedent’s spouse, who also had two young children, to do an investigation to learn how and why the incident happened.

From the OSHA investigation we learned the employer claimed they never had another employee injured on this machine and claimed it was just a freak accident. After we filed our civil suit, the employer of course stuck with their story, and it was not looking good finding a prior, similar incident on this machine that would help our case. One thing we did learn was that the employer had somewhat of a history of getting sued by ex-employees for wrongful-discharge claims. So we went “outside the box” and scoured the court dockets for names and addresses of former employees.

With the help of our investigator, we tracked down and spoke to ex-employees of our defendant. Our “outside the box” efforts led us to someone who had a similar incident with the machine about five years prior, narrowly escaping injury. Needless to say, you know the rest of the story.

**Super Lawyers**

## **Michael Czack Receives Eighth Consecutive Ohio Super Lawyer Award**

Congratulations to Michael Czack for being honored with the prestigious 2019 Ohio Super Lawyer Award in the area of plaintiff personal injury law in Cleveland.

Super Lawyers chooses Ohio’s top attorneys using a rigorous nomination process, independent research models, and peer evaluations.

The Super Lawyers affiliation is by invitation only and is awarded to just 5 percent of active attorneys nationwide. Mr. Czack has received this honor yearly since 2012.



**Winter 2019**



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#### **OFFICE HOURS**

Monday-Friday  
8:00 a.m.-5:00 p.m.  
and by appointment.



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The Czack Law Firm, LLC

*We take your  
family's safety  
and security  
personally.*

# Thinking of Waving Through That Other Driver?

You may want to reconsider. If you wave someone ahead of you when you have the right of way and that person gets in an accident, they can sue you—and we're seeing more insurance companies taking this position.

**Here are just a couple of scenarios in which you could be blamed for an accident:**

- You're stopped in a line of traffic and someone is pulling out of a parking lot, hoping to turn across traffic. You leave space and wave them through. They then get hit by a vehicle traveling in the lane next to you who never saw them coming through.
- You're stopped but have the right of way at an intersection with a two-way stop. You wave the vehicle at the other stop sign across from you to turn first. That person pulls out into their turn and gets hit by a vehicle coming through the intersection.

In either case, you could be held liable. By waving a vehicle through, it can be argued that you implied that it was safe for them to go. You may have meant to convey only that it was okay for them to go ahead of you; however, a person could reasonably assume that you meant it was safe to do so.

Of course, every situation is different based upon the facts and circumstances. Best advice—follow all traffic rules and worry about your safety first and foremost. Have a question about an accident you or a loved one were in? **Call *The Czack Law Firm* at (216) 696-9216 for a free consultation.**



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**Super Lawyers**



*Thanks for the referrals!*

## Chain-Reaction Auto Accidents

You're sitting in traffic and suddenly you get hit from behind; your car slams into the vehicle in front of you. Who is at fault? Can you be held liable for damage to the car in front of you?

In most cases, fault lies with the first car that caused the chain reaction. But every accident is a little different, and determining fault (who precipitated the accident and who contributed to it) can be difficult. For example, if you are slowing down for a traffic jam and get hit from behind, you may assume you aren't at fault, but you could be found fully or partially at fault if your brake lights are out.

Likewise, if you are in stop-and-go traffic and hit the vehicle in front of you in a chain reaction, it may be determined that you are partially at fault because you were traveling too close to the car in front of you. Weather conditions can make it more difficult to stop your vehicle during the winter. Keep in mind that you take on the responsibility of driving safely regardless of road conditions or weather.

If you are in a chain-reaction accident, be sure to get personal and insurance information from all drivers involved, take photos of the damage to all vehicles, and be sure to photograph skid marks. Also try to get names and contact information from any witnesses to the crash. As every case is different, we encourage you to call our office at **(216) 696-9216** immediately if you have been involved in a chain-reaction accident.

