

## Motor Vehicle and Trucking

### Attorneys

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Motorized vehicles epitomize life in America. Unfortunately, this means motor vehicle accidents and injuries occur. For more than thirty years, O'Meara Wagner has provided the highest quality skilled, ethical, and professional representation to our clients and cost-effective solutions for all motor vehicle related claims, arbitrations, and lawsuits.

Our Motor Vehicle and Transportation attorneys focuses on the defense of motor vehicle accident claims arising under direct liability, No-Fault, Uninsured (UM), Underinsured (UIM), and property damage coverages in personal and commercial insurance policies. In addition to representing insurers and their insureds, we also represent major car rental companies, trucking companies, transportation companies, municipalities, public utilities, and school districts in traditional auto accident cases.

Transportation-related accidents require the extra dedication, service and expertise that is the hallmark of our litigation team. Injuries are sometimes catastrophic and even companies with well-developed policies and mechanisms to track their employees' regulatory compliance can face significant exposure due to the complexities and uncontrollable circumstances in operating a successful trucking company.. The days when transportation litigation involved only an application of the facts to the law are sadly gone. Plaintiffs now attempt to magnify and distort violations of the Federal Motor Carrier Regulations, whether violations are directly related to the accident or not. The tricky doctrine of Spoliation, record retention, electronic data retention, and post-accident record management policies and procedures have become rich targets for determined plaintiffs. Punitive damage and negligent retention and hiring claims are often asserted.

We understand the paramount importance of conducting immediate investigation and evidence preservation efforts following a motor vehicle collision and are accordingly available 24 hours per day, 7 days a week to assist in emergency situations. One of our experienced attorneys can be at the scene of any accident within hours. Our constant availability allows us to establish an early attorney-client relationship which enables us to work closely with investigators and re-constructionists to conduct and protect a thorough initial investigation.

We focus our defense efforts on individuals and companies in Minnesota, Iowa and Western Wisconsin. However, we are also connected to a national network of like-minded attorneys, so we can assist with litigation needs nationwide. Our Motor Vehicle and Transportation team has well over 100 years of litigation experience,

and are capable of handling all aspects of an injury claim from the initial investigative stages through trial. We place a premium on providing responsive and reliable advice. Regardless of the nature of the accident, upon receiving the assignment, we work with client and insurance representatives to jointly develop strategies to achieve desired results for all involved. Because issues of coverage and fraud can affect ultimate liability issues, we offer assistance with pre-litigation analysis in those vital areas as well. We are also happy to provide clients with seminars and loss prevention education.

Our Motor Vehicle and Transportation attorneys possess extensive experience representing clients in state, federal trials, and administrative proceedings, as well as various forms of alternative dispute resolution, including mediations and arbitrations. Many of our attorneys are selected as mediators and arbitrators due to their experience and reputation. Several of our attorneys began their professional careers in the insurance industry; their

understanding of the claims process brings a unique and valuable perspective to your case. Outside of the courtroom, our attorneys regularly provide seminars for insurance professionals and other attorneys on liability defenses, the Minnesota Automobile No-Fault Insurance Act, Uninsured and Underinsured Motorist Coverage, Car Rental Liability, Fraud Prevention, and the Fair Claims Practices Act.