

# Legal Briefs

A LEGAL NEWSLETTER FOR  
FRIENDS AND FAMILY



Graham Lundberg & Peschel Founded 1979

**We Appreciate Referrals**  
Please feel free to refer any family members or friends should they need any legal services. A referral from you is one of the best compliments our office can receive. Consultations are complimentary.

## WINTER ACTIVITIES AND INSURANCE COVERAGE

With winter rapidly approaching, many will be enjoying some the best that our area offers: skiing, snowboarding, winter cycling or shopping for the holidays. Others may choose to travel to dryer, warmer areas, and may rent a car while on vacation. Whatever your choice, chances are you might not give much thought to your insurance. Here are a few tips about common injury-causing events during the winter, and some general legal principles if you do have the misfortune of an injury.

### Skiing and Snowboarding

Popular sports in the winter are skiing and snowboarding. A ski resort only owes a duty to its patrons, known as "business invitees," to provide a reasonably safe facility, and to avoid enhancing risks. Thus, any liability for injuries attributable to the facility will depend on the place, circumstances and conditions that existed when the injury occurred. While on the slopes, Washington law holds that "a person shall be the sole judge of his or her ability to negotiate any trail, run or uphill track and no action shall be maintained against the operator by reason of the condition of the track, trail or run."

Commonly, injuries occur on the slopes when skiers and snowboarders collide. A skier or snowboarder may be held liable for another's injuries if their actions are deemed negligent or reckless. However, skiers and snowboarders are, under the law, deemed to have assumed all risks inherent in the sport.

### Icy Sidewalks

Icy sidewalks can often be a hidden hazard in winter. Although Washington law imposes a duty to use reasonable care when walking in hazardous conditions, a premises owner is not completely absolved from responsibility just because ice or snow caused someone to fall. An owner can be held liable for injuries to another if the owner knew or reasonably should have known of the dangerous condition, & then did nothing to remedy the condition or warn about it.

### Bicycling

The Northwest is known for its avid cycling community. There are many who will not let a little rain stop them from bicycle commuting or their cycling training. Of course, winter riding is much more dangerous because the days are shorter, which limits visibility, especially

during a rain storm. When riding at night, a cyclist must have a white front light visible for 500 feet, and a red rear reflector. It is also a good idea to have a red rear light on the bike.

A bicyclist has the same rights and responsibilities of a motor vehicle driver on the roadway. However, a cyclist necessarily has to take greater care for his/her safety because, whether right or wrong, a collision with an automobile can be devastating. Regardless of fault, any PIP coverage under the vehicle's insurance is available to the cyclist for medical expenses and income loss. Under Washington law, minimum PIP coverage is \$10,000 for medical expenses and \$10,000 for income loss.

### Rental Vehicles

Motor vehicle accidents involving rental cars can pose tricky legal issues, whether driving a rental or involved in a collision with one. Because of complicated insurance coverage issues, prompt consultation with a personal injury attorney is a must.

All rental car companies offer optional liability coverage. Most people reject this coverage simply because they believe that their own coverage will apply, or they think that the credit card with which they pay for the rental provides automatic coverage. Unfortunately, most do not find out until after an accident that they do not have coverage under either circumstance.

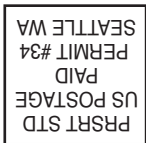
When renting a vehicle, carefully consider the coverage that is offered by the rental agency. Check with your own insurance company and/or credit card company about their policies and coverages on rental vehicles. Always make sure that you have adequate insurance coverage to protect you and your passengers in the event of an accident. Coverages should include liability, underinsured motorist and personal injury protection.

It is Graham Lundberg & Peschel's wish for you to remain healthy, active and protected during this winter season. Pay attention to your surroundings, carefully review any "release" documents you may be asked to sign before participating in an activity, understand and have in place appropriate insurance coverages and, if you are injured, make notes about the circumstances. One of our attorneys will advise whether you have a liability claim against another to compensate you for your damages. Give us a call - - - the initial consultation is free and we are here to help!

Address Service Requested

500 John Street  
Seattle WA 98109

Attorneys at Law



Free Consultation: 1-800-422-4610 | Visit our Web site: www.glpattorneys.com



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We are a team of legal professionals working together to advocate for the injured while being recognized in the community for providing the highest level of service.

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Martha McDonald  
Cynthia Sapp  
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Heather Kelly  
Contessa McKenzie  
Becky Moilanen  
Geoff Waring  
Marie Wohlert

## We are in your neighborhood!

Graham Lundberg & Peschel – Attorneys at Law, since 1979, have offices throughout Western Washington including Seattle, Tacoma and Port Orchard. For a location near you, visit our Web site at [www.glpattorneys.com](http://www.glpattorneys.com). We handle all types of personal injury cases including motor vehicle accidents, slip & falls, product liability injuries and wrongful death.

### THE COMMUNICATIONS TEAM AT GRAHAM LUNDBERG & PESCHEL

The Communications team at Graham Lundberg & Peschel is always hard at work behind the scenes. We would like to take a moment to introduce our Communications Team: Melissa Collins in Seattle, Mitch Bylin in Tacoma and, our newest addition, Marie Wohlert in Port Orchard.

Melissa Collins joined the Seattle office in January 2007, after working for three years as the marketing department manager for a local title & escrow company. Melissa graduated in 2004 from Seattle University with a degree in Communications with an emphasis on Marketing. She brings with her big ideas and a cheery outlook as she sets about representing GLP in King, Snohomish, Island, Skagit and Whatcom Counties.

Mitch Bylin obtained his AA degree in Marketing from Green River Community College in 2004. He then worked as the Marketing Coordinator for the second largest residential builder in the State of Washington, until he joined GLP in March 2007. Mitch works out of our Tacoma office, which keeps him busy traveling throughout Pierce and Thurston Counties. He recently stated "I really enjoy the communications field because it allows me the opportunity to meet a lot of people in a variety of settings."

Marie Wohlert is originally from Newcastle, England, which is where she earned her degree in Marketing from Sunderland University. She then was the Marketing Executive for the Scottish & Newcastle Breweries until 2002 when she moved to the U.S. Marie worked for GLP as a legal assistant back in 2003, but then moved to New Jersey where her husband was transferred with the Navy. The Wohlerts recently moved back to Washington, and Marie looks forward to her new position with GLP in the peninsula counties, and has stated that she is "very excited to meet all of the wonderful people with whom GLP has the privilege of working."

If you need any information do not hesitate to contact one of our friendly Communications Team members, or visit our web site at [www.glpattorneys.com](http://www.glpattorneys.com). Melissa, Mitch and Marie are here to assist you!

Auburn .....	253-931-1111
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Everett .....	425-252-1111
Federal Way .....	253-946-1111
Gig Harbor .....	253-853-5005
Lacey .....	800-273-5005
Lakewood .....	253-274-1111
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Marysville .....	360-658-1111
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Renton .....	425-235-1111
Seattle .....	206-448-1992
Silverdale .....	360-876-5005
Tacoma .....	253-627-7701

Or Call Toll Free North Puget Sound area including King, Skagit, Whatcom, Island and Snohomish Counties:

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South Puget Sound area including Pierce, Kitsap, Thurston and Mason Counties:

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