

The BOYK BULLETIN

Ohio Worker Back On The Job Five Years After Accident Can Now Enjoy Hobby Of Restoring Old Motorcycles



Mikey with his son, Hoyt

When Mikey Brown went to work at Blanchard Valley Farmers Co-op, Inc. on October 25, 2011, he never could have anticipated how the impending events of the day would impact him for the rest of his life.

After a short planning meeting about how to fix a grain elevator leg, Mikey was lifted 60 feet in the air in a boatswain chair operated by a crane. Not only was this Mikey's first time performing this type of work, it was not part of his normal work duties. He was not provided or protected with a lifeline, and he had never received any training regarding aerial lift work and fall protection. He simply did as he was told: Mikey put the provided harness, sat in the Boatswain chair, and was connected to the crane hook by some questionable straps. No other fall protection was provided. The crane operator began lifting Mikey without having a direct line of sight of him or Blanchard Valley's "spotter" up on a catwalk near the damaged elevator leg. As the crane operator continued hoisting Mikey, he inadvertently lifted him towards and into structural support wires.

As Mikey approached the wires, he alerted others

via radio and by yelling, but the crane operator continued the lift. He attempted to avoid contact with the wires, but had extremely limited mobility and could not maneuver in the harness and Boatswain. Despite the spotter's effort to get the crane operator's attention, the operator elevated Mikey into the support wires, crushing his leg and hip. Mikey attempted to extract himself, but was unable to and suffered serious injuries.

At first the hospital told him that he only had a severely bruised hip and sent him home. Five days later he went back to the same hospital and further imaging showed a hip sprain and Mikey was sent to physical therapy. Weeks went by and nothing improved. He was having a hard time getting his employer and worker's compensation to pay after the accident as well as understand that the injuries really were too serious for him to be able to work. Mikey even knew of a co-worker who suffered similar injuries in a similar fashion but who had no problem with their employer and worker's compensation covering the expense of his injuries. So when Mikey found himself facing the same situation, he didn't understand why he had to struggle so hard just to get better.

After two and a half months of getting no answers, Mikey's cousin was researching ways to help him and came across Boyk Law's website and told Mikey to give us a call. Even though it would still be a long road to recovery, things were finally starting to look up. Boyk Law requested an OSHA investigation on Mikey's behalf and got him into specialists who were able to prove that his severe, stabbing back and hip pain was more than just a sprain. He had herniated disks in his spine and tears in his hips. Mikey could barely walk. After multiple surgeries, the implant of a plate and screws, rounds of injection, and months of physical therapy, Mikey was finally able to feel



Mikey and his fiancée, Elizabeth

relief four years after the accident. But Mikey's inability to work and his employer's refusal to admit that his injuries were related to the grain incident took a toll on him and his family.

Boyk Law fought

for Mikey on his worker's compensation claim and filed an injury claim against the parties that caused the accident. We were even able to get him an additional settlement under a Violation of a Specific Safety Standard (VSSR) after the OSHA investigation found that Mikey's employer had violated safety protocol by not protecting him properly in the air. Mikey's compensation changed his life and helped him get back on his feet.

"I spent almost a year in a wheelchair," Mikey said. "The doctors kept messing around saying all I had was a bruised hip until Chuck got involved. All I wanted to do was go back to work and Chuck helped me to be able to do that. I was finally able to go back to work almost five years after the accident, I paid off my house, and now I get to do what I love, which is restoring old motorcycles and spending time with my family. My advice to anyone injured at work is get an attorney immediately. It will change your life."



Mikey's family

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Bikes For Kids Is Back! Boyk Law To Team With WTOL This Summer



Julie Malkin of Lucas County Children's Services loads up bikes for the kids in foster care

of someone else by nominating them to receive a free bicycle from Wersell's Bike Shop, compliments of Boyk Law. Wersell's will be donating a helmet and a lock to each winner. While there are no specific guidelines on what makes a nominee deserving of a new bike, we encourage nominators to think about any kind actions that the child has done for others, or



Aunesti Sullivan and her mom, Helen Scott

With the help of WTOL Channel 11, Boyk Law will be kicking off 2017's Bikes for Kids program, which provides one bicycle to a deserving child each week of summer, from the first week of June until the end of August.

Bikes for Kids is asking parents, teachers, caregivers, and loved ones to recognize a child who has made a difference in the life

how the child has positively impacted his or her family, friends, community, or classroom.

WTOL is the official media partner of the program to help us spread the word and they will also be featuring the winners on the news each week!

Started by Charles E. Boyk Law Offices in 2009, Bikes for Kids has given away over 75 bicycles to area kids as a way to raise

awareness about child injury accident prevention. To nominate a child in your life, visit www.BikesforKidsToledo.com. Questions about Bikes for Kids program can be directed to Anneke by emailing community@charlesboyk-law.com or by calling 419-720-4456.

CASES OF INTEREST: MAY 2017

41-Year-Old Man Nearly Dies After Being Ejected From Vehicle After 21-Year-Old Runs Stop Sign

So many tragic accidents happen at the intersection of County Road AC and State Route 108 in Fulton County that a nearby resident installed cameras to capture the frequent wrecks. Boyk Law was able to obtain this footage and is using it to help our client who was struck by a driver who blew through a stop sign, causing him to be ejected from the car that was ripped into three pieces. He was life-flighted to a trauma hospital with four fractured vertebrae, a broken collar bone, ruptured spleen, collapsed lung, and internal bleeding, causing the need for two surgeries and more than a week in a medically-induced coma in ICU before he was able to be transferred to a step-down unit. He continues to fight to recover from a shattered chest wall, as metal plates had to be permanently implanted to replace and help reconstruct his shattered rib cage. Our client faces months of physical therapy as doctors work to discover what back and neck problems he will inevitably face and what surgeries will be needed.

Client's Leg Shattered After Being Struck By Ford F-150 As A Pedestrian, Weeks Before Retirement

Our client was struck after walking out of a Barnes & Noble book store, leaving her unable to walk for over four months now. Boyk Law was able to obtain video footage of the incident which showed her being struck in the crosswalk by a Ford F-150 truck. The truck rolled over her leg, shattering multiple bones and requiring the need for a halo to be surgically implanted while her bones try to heal. She will be non-weight bearing as she works through physical therapy to regain her strength and mobility after having a second surgery to remove the hardware from her leg. She worked as a Registered Nurse and was looking forward to retirement but instead faces the potential for more surgeries and permanent problems.

Utah Motorcycle Accident Leaves Toledo Mother With A Traumatic Brain Injury

Boyk Law is often able to help people who are injured outside of the state of Ohio, as is the case for our client who was seriously injured as a passenger while riding on the back of a motorcycle in Utah. She was thrown from the back of the bike when the driver lost control, causing her to suffer fractures in her neck and shoulder. Our client also suffered a severe traumatic brain injury when her skull was fractured in the accident that left her with memory problems, sensitivity to light and sound, and migraines. The mother of small children continues to fight to recovery with the help of a neurologist and orthopedic surgeons as she waits to see if she will need any operations to repair the damage.



TPS Proud Student & Teacher of the Month for April Celebrated at Woodward High School

The TPS Proud Student and Teacher of the Month contest is a joint effort between Charles E. Boyk Law Offices, LLC and Toledo Public Schools. Each month, one teacher and one student from one of TPS's high schools are awarded with a \$150 Visa gift card. To watch the heart-warming teacher nomination videos or if you are a TPS educator who would like to nominate a student, visit www.TPSProud.com.



Student winner: *Kara Gruesbeck, Junior*

Nominator: *Chris Wojciechowski and Becky Garcia*

"I would like to nominate Kara because of her consistent dedication to her education despite a private and difficult battle with illness - Cystic Fibrosis. For years she kept her illness quiet, but this spring she has chosen to come forward and begin to work to help create change. She will be participating in the Toledo Great Strides Walk for cystic fibrosis in May. She has set a goal of \$1000 and is on pace to achieve that goal through a GoFundMe account. When she is able to come to school she is one of the most attentive and engaged students I have had in my three years at Woodward, this is illustrated in her A average in my Anatomy & Physiology class, her track to graduate early, and her very realistic goal of one day working in a medical field. I truly believe Kara is worthy of being called the student of any month as she battles her illness to continue to grow as a person."

– *Chris Wojciechowski*

"Kara recently asked me to let others know that she is participating in a cystic fibrosis walk and started a go fund me page to raise money for this cause. As a young woman who has a disease that she didn't want anyone else to know about she has bravely decided to make the choice to tell others about her illness and to bring awareness to her friends and others who may not know about CF" – *Becky Garcia*

Winning Teacher: *Dr. Joan Simonis*

Nominator: *Dawn Marie Middlebrooks*

"She gets the class going and she never has a dull moment. Since my freshman year, she has been the best teacher in the world and she's gotten me to do so much that I didn't think I was able to do. She gets everybody into a great mood. In that class, you're not allowed to have a bad mood. The "drama" stays outside the classroom and when we all come together it's like we're a big family. And she treats us like family, so I call her "Momma" since she is like a mother to all of us. She has a saying, "You are only as good as you allow yourself to become" which has gotten me through the last three years of high school. I love her and she is the best teacher in the world."

RECIPE: Jodi's Tasty Taco Salad

A nice twist on a traditional favorite, this is the perfect salad to bring to any large party or family gathering.

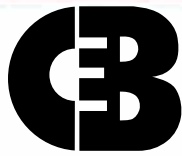
INGREDIENTS

- 2 lbs of ground beef
- 2 taco seasoning packs
- 2 bags of shredded lettuce
- 2 cups of shredded cheddar cheese
- 1 bottle of Thousand Island dressing
- 16 oz of sour cream
- 1 can of red kidney beans drained
- 1 bag of tortilla chips
- 1 small onion
- 1 small tomato
- 1 large foil serving pan

DIRECTIONS

1. Brown and drain hamburger meat; add taco seasoning
2. Sauce Mixture: Mix Thousand Island dressing, sour cream, kidney beans together
3. Dice tomatoes and onions
4. Layer from bottom to top in foil serving pan:
Crushed tortilla chips
Seasoned taco ground beef
Shredded lettuce
Mixed Sauce
Sprinkle tomatoes and onions





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IN THIS ISSUE

- **Ohio Worker Back On The Job Five Years After Accident Can Now Enjoy Hobby Of Restoring Old Motorcycles**
- **Bikes For Kids Is Back! Boyk Law To Team With WTOL This Summer**
- **May Cases of Interest**
- **TPS Proud Student & Teacher of the Month for April Celebrated at Woodward High School**
- **Recipe: Jodi's Tasty Taco Salad**

May's Raving Fan of the Month

"Great communication! This wasn't the first time I've had to deal with being in an accident but having Chuck Boyk help was so much better than last time. Would highly recommend him!" – Joey F.



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THANK YOU To Toledo Public Schools for the Community Partner Award

We were so humbled to learn that TPS chose us as a 2017 Community Partner for all of the videos we created in our TPS Proud Student & Teacher of the Month contest. It's a huge honor and we are so thankful, but the award should be dedicated to the nearly 1,000 students since 2013 that bravely stood up in front of their peers to create all of the tear-jerking videos paying tribute to their educators, and to the hundreds of teachers who told us all about their awesome students. The program would not be what it is today without your help and kind words for one another and we are so grateful. Thank you, TPS!

CHARLES BOYK  LAW OFFICES



Boyk Law videographer Josh Nagel with TPS Superintendent Romulus Durant