

ATTORNEYS

Charles Boyk, Michael Bruno,
Zackary Shaffer, Emily Reynolds,
Joshua Gurwell, Angela Hartford
Wes Merillat, Fredric Boyk, of counsel

CONTACT US TODAY!

MAIN OFFICE

1500 Timberwolf Dr.
Holland, OH 43528
(419) 241-1395 Main
(800) 637-8170 Toll-Free
(419) 241-8731 Fax

BOWLING GREEN

121 E. Wooster St., Suite 100
Bowling Green, OH 43402

DOWNTOWN TOLEDO

405 Madison Ave., Suite 1200
Toledo, OH 43604

DEFIANCE

1012 Ralston Ave., Suite C-1
Defiance, OH 43512

FINDLAY

612 S. Main St., Suite 107
Findlay, OH 45840

FREMONT

219 S. Front St., Suite 105
Fremont, OH 43420

LIMA

114 N. West St., Suite 203
Lima, OH 45801

MAUMEE

1683 Lance Pointe Rd.
Suite 104 B
Maumee, OH 43537

SANDUSKY

1725 Columbus Ave., Suite E
Sandusky, OH 44870

WEST TOLEDO

7659 Kings Pointe Rd., Suite B
Toledo, OH 43617

WEST UNITY

123 E. Jackson St.
West Unity, OH 43570



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From Collision to Recovery: \$600,000 Settlement for Injured Driver

by Emily Reynolds



Our client was in a collision that occurred on February 7, 2024, on State Route 65 in Van Buren Township, Putnam County, Ohio. She had just left her shift at work and was traveling eastbound on State Route 65 approaching the intersection with Road 5. At the same time, the defendant was driving a semi-truck traveling southbound on Road 5 and failed to yield, entering our client's path of travel and striking the driver's side of her vehicle. The Leipsic Police Department responded to the scene. The at-fault party was cited under R.C. 4511.12 for failing to obey a traffic control device.

Putnam County EMS transported our client to Mercy Health Lima Memorial Hospital in Lima, Ohio, for treatment of her injuries. She suffered a large laceration to her forehead which measured 3.5 cm midline forehead, then curved and went 5.5cm towards left eye, 1.5cm deep and 1.5cm wide. She received stitches for the laceration.

Our client continued to receive treatment for many months. She was diagnosed with a concussion and later was diagnosed with post-concussion syndrome. She had headaches, sensitivity to lights, memory problems, anxiety, and sensitivity to sound. She attended occupational therapy relating to balance and cognitive issues. Our client also went to a plastic surgeon relating to her laceration. She ended up having a large scar with decreased sensation in her forehead and scalp. Due to her injuries and following treatment, our

client was unable to work for months and lost a large amount of wages.

Our client came to Charles Boyk Law Offices soon after the incident for legal representation. Our office helped her through the pre-litigation process before filing the case in the U.S. District Court for the Northern District of Ohio. During the pre-litigation and litigation phases, our office tracked all medical bills and records, investigated the multiple defendants, and hired experts to testify on behalf of our client. The firm added value with expert reports from a trucking standard-of-care expert and our client's plastic surgeon regarding her future treatment. We also held a focus group to introduce evidence in a controlled setting and gauge what people would value, as well as which evidence and facts interested them.

After a year of discovery, depositions, and mediation, we reached a settlement agreement for our client. She accepted a \$600,000 settlement for the injuries she sustained in this incident. Charles Boyk Law Offices worked diligently to get our client fair compensation for her injuries and pain and suffering caused by the negligence of the truck driver.



Hair Relaxer Cancer Litigation Nears First Trials

by Wesley Merillat

Thousands of women have filed lawsuits against manufacturers of chemical hair relaxers and straightening products, alleging the companies failed to warn consumers about potential cancer risks associated with long-term use. The litigation follows scientific studies that found an association between frequent use of chemical hair straighteners and increased risks of certain gynecologic cancers.

What Are Hair Relaxers?

Hair relaxers and chemical straighteners are products designed to permanently alter hair texture. Many women begin using these products at a young age and continue treatments regularly for years. Many of these products contain chemicals that may be absorbed through the scalp, particularly when burns, irritation, or small cuts are present.

What Does the Research Show?

Scientific studies have reported an association between regular or frequent use of chemical hair relaxers and an increased risk of certain gynecologic cancers. Researchers have focused on ingredients that may act as endocrine disruptors, interfering with hormone systems that play an important role in reproductive health.

Who May Be Most Affected?

Millions of women have used chemical hair relaxers and straightening products, which have historically been marketed primarily to Black women. Because of

higher rates of long-term use, researchers have paid particular attention to the potential impact of these products within the Black community. Concerns have also been raised about hairstylists and beauticians who may have experienced significant occupational exposure through years of handling and applying these products.

What Cancers Have Been Linked to Hair Relaxers?

- Uterine Cancer
- Endometrial Cancer
- Ovarian Cancer

What's Happening with the Lawsuits?

More than 12,000 women have filed lawsuits against manufacturers including L'Oréal, Revlon, Strength of Nature, Namaste Laboratories, Avlon, House of Cheatham, Beauty Bell, and Sally Beauty. The cases are advancing toward the first trials, which are expected to begin later this year. If you regularly used chemical hair relaxers, or worked as a hairstylist or beautician with significant long-term exposure to these products, and were later diagnosed with uterine, endometrial, or ovarian cancer, you may have legal rights and should consider seeking a case evaluation.

Our firm is actively investigating these claims. If you have questions or would like us to review your case, contact us for a free consultation.

BEYOND THE CLASSROOM:

What our Law Clerks
learned this summer

by Angela Hartford

With the fall semester underway, our law clerks are back on campus after a busy summer gaining hands-on experience at Boyk Law. Spending more time in the office gave them the opportunity to work alongside our attorneys, contribute to real cases, and see how what they learn in the classroom translates to the practice of law.

For Justis Heil, an undergraduate legal intern, one

of the biggest takeaways was learning that while workers' compensation and personal injury law often overlap, each has its own distinct rules, procedures, and regulations.

Aly Keough, one of our newest law clerks and a third-year law student, gained a

new appreciation for the importance of uninsured and underinsured motorist coverage, and how critical those protections can be for injured clients.

Ava Williams, a second-year law student, found it especially valuable to see cases progress from pre-litigation through litigation. The experience showed her how early decisions can influence a case's outcome

months or even years later.

But the summer wasn't just about legal knowledge. Our clerks also valued the relationships they built with attorneys, staff, and one another. Aly especially enjoyed researching legal issues and working with attorneys to develop strategies for clients. For Ava, the most rewarding part was contributing to real cases and seeing firsthand how the firm helps people through difficult circumstances.

As they head back to school, each is looking forward to what comes next. Justis hopes to see current cases reach resolution and gain more direct client experience. Aly is focused on a major milestone, graduating from law school. And Ava looks forward to building her confidence, taking on greater responsibility, and continuing to learn what it means to practice law.

Their summer at Boyk Law offered something a textbook simply can't: the opportunity to learn by doing.

Amazon Arbitration Clause by Zac Shaffer

In today's society, having everything at the touch of your fingertips is the new norm. From a computer in your pocket to grocery shopping online from the comfort of your couch. One of the biggest companies pioneering online purchases is Amazon.

While people have been spoiled by this advancement, the benefits and appeal of this luxury are not without downsides. One of the most potentially harmful drawbacks encountered is the terms and conditions most of us willfully ignore.

Recently, Amazon updated its terms and conditions, reinstated a mandatory arbitration clause, and added additional processes for customers to navigate. Although the change applies broadly to customer disputes, customers injured by defective products purchased through Amazon are most affected.

If you or someone you know gets injured by an Amazon product, there may be a valid product-liability claim. Amazon's revised terms do not eliminate the right to seek compensation for medical expenses, lost wages, pain and suffering, or other damages. However, they can dictate how and where a claim against Amazon must be pursued.

Under normal situations, a customer injured by a product has the absolute right to pursue a claim and file a lawsuit in court. This allows the injured person to be heard by a jury of their peers and have the procedural protections of our judicial system. However, this new update essentially eradicates that absolute right. Instead, customers must follow Amazon's required pre-arbitration process and generally also lose their rights to participate in class action lawsuits against Amazon.

This legal dilemma comes down to accountability and fairness. Class action lawsuits help expose dangerous products and effectuate change to protect others from significant injuries. They allow consumers (and their attorneys) to share evidence, identify similar incidents, and collectively challenge a company with vastly greater resources. But when customers are forced into individual arbitration, those same claims aren't aired publicly in open court, but rather behind closed doors. This makes it harder for consumers and the public to recognize a recurring product hazard.

Amazon's policy changes followed approximately 75,000 customers' claims alleging that Alexa devices recorded users without permission. At the time, Amazon's policy required individual claims, and the company found the process extremely expensive.

Amazon's new terms not only restore required arbitration but also establish special procedures for coordinated "mass arbitration" claims.

For product-injury cases, it all comes down to who made and sold the product. Just because Amazon lists products for sale does not mean it is the only culpable party. Depending on the facts, someone significantly injured could face the unusual possibility of pursuing a claim in multiple forums. This is frustrating and potentially legally detrimental, and it can be extremely expensive for customers as well. This may also require attorneys to be more selective when evaluating product-liability cases because of the additional resources required to pursue them.

The larger concern, however, is that Amazon unilaterally changed procedures and unsuspecting customers may lose their ability to recover simply because they are unfamiliar with the process. So, a person harmed by a defective battery, appliance, children's product, medical device, or other item may discover that by simply clicking "Buy Now," they also destroyed their ability to take Amazon to court and hold them accountable. When evaluating these cases, make sure to fully consider these factors so you can protect your client's interests and avoid any malpractice while navigating the Amazon river of arbitration.

Christine Snyder ★ ★ ★ ★ ★

"We have worked closely with this law firm for years. Its high standards and expertise far surpasses other firms in the field."

Co-Counsel Opportunities

Whether you have an injury case that is outside your core practice area, a case you do not have time or the resources to pursue on your own, or a case outside your geographic area, our firm would love to talk with you about a referral or being associated as co-counsel.

We are proud to work with co-counsel throughout the country. And when those cases resolve, we are honored to pay significant referral and co-counsel fees.

For more information about co-counsel opportunities, contact Charles E. Boyk Law Offices, by phone at 419-241-1395, email at referceb@charlesboyk-law.com or visit our website, www.charlesboyk-law.com/referral.

ABOUT THE CO-COUNSEL NEWSLETTER

Charles Boyk Law was founded more than 20 years ago with the intent of helping people in need. Behind a team of outstanding lawyers, professional support staff, and state-of-the-art technology, our firm has grown to become one of the leading personal injury law firms in NW Ohio and SE Michigan.

We consider it an honor to be contacted by attorneys, both locally and across the U.S., who are seeking co-counsel to help litigate complex personal injury cases. It is an even greater honor when those attorneys refer us a case involving their loved ones or friends.

Our co-counsel newsletter is tailored to attorneys. It highlights examples of cases we are handling and provides updates on litigation. If you have a personal injury case you are looking to refer, we invite you to consider our firm. Our team of attorneys and professional staff have the experience, knowledge and resources to provide your clients with the best representation and maximize the recovery.



CHARLES E.
BOYK

LAW OFFICES, LLC



CHARLES E. BOYK LAW OFFICES, LLC

1500 Timberwolf Dr.

Holland, OH 43528

PH: 419.241.1395

TF: 800.637.8170

FX: 419.241.8731

www.charlesboyk-law.com



CharlesEBoykLawOffices



Charles E. Boyk



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We handle a wide variety of personal injury cases, including auto, motorcycle, pedestrian/bicycle, slip-and-fall, premises liability, dog bite, wrongful death, minor settlements, and workers' compensation. We accept product liability and mass tort cases and are committed to representing victims and survivors of sexual assault and abuse and providing assistance to other attorneys and firms litigating these cases.

A Newsletter by Attorneys, For Attorneys

The BOYK LAW REPORT

VOLUME 4 • ISSUE 1
OCTOBER, 2026



★★★★★
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Five Pounds & A Lifetime of Memories by Chuck Boyk

I have fond memories of going out to eat with my parents in the 1960s. I was a chubby little kid, and “eating healthy” was a foreign concept. Fried food was definitely the “in” thing.

One of our regular spots was an all-you-can-eat fried chicken and mashed potatoes restaurant at the Toledo Airport. A giant Toledo Scale stood outside the restaurant, and I had a ritual: I would weigh myself before dinner and again on the way out. I was very proud when I could gain five pounds. My dad could at least be confident he got his money’s worth.

Another favorite was Glen’s on the east side of Toledo. The buffet was huge, the food was tasty and cheap, and there was plenty of it. Glen was about 50, wore a chef’s hat, and always looked like he needed a shave. His cook was his 70-something-year-old mother. It wasn’t fancy, but as a kid, I thought it was great.

Back then, eating healthy wasn’t something I thought much about. Going out to eat was about the food, the experience, and time with my family. Funny how decades later, it’s not necessarily the food I remember most. It’s the people, the places, and the little traditions.