



FALL 2008

Ron Finch Customs at Milwaukee Art Museum

Photos by "Flash" Part of Exhibit

The genius of Ron Finch was on display during the Harley-Davidson 105th Anniversary, courtesy of Hupy and Abraham, S.C.

Our law firm sponsored Ron and 12 of his best custom motorcycles, including *Outspoken*, *Finicky*, *Odin's Axle*, *Double Cross* (2004 Biker Build-off winner) and *Aorta*.

This wonderful exhibit was at the Milwaukee Art Museum on Milwaukee's lakefront, and the crowds of enthusiastic bikers who viewed these creations attested to the importance of Ron Finch as an icon in the world of custom bikes.

Ron also brought a number of pieces from his METALife collection. These sculpted creatures are given life and form from bike gears and



Finch custom cycles on display at Milwaukee Art Museum, courtesy of Hupy and Abraham, S.C.

sprockets, wrenches, Chevy lifters and other discarded remnants that magically transform into mystical beasts or all-seeing winged orbs.

Along with the Finch collection, Hupy and Abraham, S.C. sponsored the historical photographs of Jim "Flash" Miteff, providing a glimpse into the heady American culture that gave birth to the custom bike building movement, circa 1960s. These archival black and white photos were in storage for over 40 years and many of them were seen for the first time by the public at this exhibit. These photos and many more are revealed in "Portraits of American Bikers: Life in the 1960s."

To learn more or order products from Finch's Customs or Flash Productions, visit:

www.finchscustoms.com or
www.flashproductionsllc.com ■



Tony "Pan" and Vicki Sanfelipo with Ron Finch and his creation, Outspoken

Article by Attorney Abraham Says Contractors Should Be Bike-Minded

Article Spurs Action by Highway Commissioner

The August 29, 2008 issue of the Daily Reporter contained an article by Attorney Jason Abraham entitled, "Attorney Says Contractors Should Be Bike-Minded." The Daily Reporter is a Wisconsin based periodical that deals in construction news, law and public notices. It is read by industry professionals and lawyers state wide.

The intent of the article was to raise awareness that contractors working on road projects need to post warning signs alerting motorcyclists about adverse conditions. Attorney Abraham wants this signage to be a requirement.

Hupy and Abraham, S.C. hosted a meeting two years ago at our office in Milwaukee dealing with this problem. It was attended by over 100 area bikers plus local and district supervisors of the Wisconsin Department of Transportation.

A PowerPoint presentation explained the hazards most likely to cause problems for bikers, including loose gravel at work sites, uneven surfaces during repaving operations, steel plates across roadways and reflective deceleration striping.

The recent article which appeared in the Daily Reporter reminded George Torres of the meeting at Hupy and Abraham, S.C. Mr. Torres is a Director/Highway Commissioner for Milwaukee County. In an e-mail dated September 5, 2008 to Hupy and Abraham, S.C. investigator, Tony "Pan" Sanfelipo, Torres indicated that he was passing along the article with Attorney Abraham's concerns to his Transportation Engineering section.

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Contractors Should Be Bike-Minded

- continued from page 1 -

They will incorporate a signage policy that requires their contractors to post warning signs at County managed construction projects letting bikers know about these dangerous conditions.

We hope other counties in Wisconsin will follow the lead of Milwaukee County and we're grateful that Attorney Abraham took the time to remind contractors to "think about motorcyclists" when doing these projects. ■

Husband and Wife Receive \$2.25 Million Within Four Months

On May 10, 2008 our clients were traveling on their Harley-Davidson motorcycle in Grant County Wisconsin, when a farm vehicle pulled out in front of them without warning. As a result, the motorcycle impacted the vehicle. Both husband and wife were thrown from the bike.

The couple was taken by Flight for Life to University of Wisconsin Hospital where the doctors performed extensive treatment on their serious injuries.

Attorney Jason F. Abraham negotiated settlements on behalf of the clients. Five separate claims were made and the clients received \$2.25 million. As a result of the injuries sustained in the accident, the clients incurred over \$1 million in medical expenses. Attorney Abraham was able to get the health insurance company to waive any right of recovery out of the settlement. The insurance company will also have to pay all of their future medical expenses as long as they continue to be members of the plan. ■

Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has.

- Margaret Mead

Harley-Davidson 105th Anniversary Report

Hupy and Abraham, S.C. had a huge presence at the Harley 105th Anniversary. Here are some of the things that we did:

- Ran numerous public service announcements in local newspapers, on TV, during interviews on Illinois' Open Road Radio and local radio stations, on three electronic billboards along the interstate and on banners pulled behind airplanes circling the lakefront activities. The message was simple: **"Watch for Motorcycles."**
- Offered free representation to any ABATE members from Wisconsin and Illinois and other bikers who received citations for loud mufflers or illegal exhaust pipes. As we assured bikers would be the case, none were issued.
- Set up a special motorcycle help-line to assist visiting bikers. During the rally, operators were on stand-by from 8:00 AM until 7:00 PM each day with information about the best restaurants, area bike shop locations, biker friendly bars and where to find a pharmacy, veterinarian or urgent care facility.
- To compliment Harley-Davidson's 105



One of many different Hupy and Abraham, S.C. sponsored public service announcements during the Harley-Davidson 105th Anniversary

years of building motorcycles, Hupy and Abraham, S.C. sponsored the exhibit of custom building genius Ron Finch, who brought 12 of his best custom motorcycles to display at the Milwaukee Art Museum.

- Sponsored the photographic exhibit of the late Jim "Flash" Miteff, whose photographs chronicle the beginning of the chopper era and expose the viewer to a lifestyle heretofore sequestered in the shadowy veil of mystique and legend. "Portraits of American Bikers: Life in the 1960s" is an historic look back to a time when bikers were a rare breed and chopping motorcycles was more of a convenience than an expression of art.
- As always, the law firm also handed out thousands of Sturgis and Bike Week calendars with the statement of Constitutional Rights on the back ■

Rescue Riders to get Grant

Motorcycle crashes are on the rise, in part due to more bikes on the road because of high gas prices. Because of this, there is an increasing need for trained volunteer emergency responders. Rescue Riders, based in northern Illinois, is a volunteer group of bikers who are trained in emergency response. Hupy and Abraham, S.C., the largest financial sponsor of Accident Scene Management, Inc. (ASMI), has agreed to donate enough money to Rescue Riders to train an additional 350 new volunteers for Illinois and Wisconsin.

"There is a great need for trained volunteer responders not only on the scenes of accidents but also in the event of larger emergencies," said Michael Hupy, president of Hupy and Abraham, S.C. "We commend the efforts of the Rescue Riders in educating motorcyclists, and are pleased to present this donation to help support this endeavor in Wisconsin and Illinois."

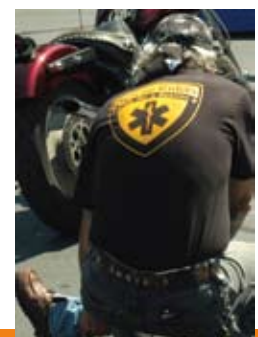
The donation will be used to recruit motorcyclists and train them how to provide emergency assistance in times of need, with training offered by Accident Scene Management, Inc. ASMI's training is based on the U.S. D.O.T. First Responder curriculum.

"We are grateful for Hupy and Abraham's support of our program," said Dean Akey, founder of Rescue Riders. "This will provide a critical resource for motorcyclists across the region."

Dean Akey is an Allstate agent and earlier this year won the 2008 Ray Lynch Award for Exceptional Community Service. He was singled out among 13,000 other Allstate agency owners for his outstanding service. Dean's agency is located in St. Charles, Illinois.

For more information on Rescue Riders, visit www.rescueriders.org.

For additional information on Accident Scene Management, visit www.accidentscene.org ■



Client receives \$800,000 within Six Months of Motorcycle Accident

In September, 2007, a woman operating a motorcycle attempted to pass a farm tractor in northern Wisconsin. Just as she began her pass, the tractor turned left toward her causing her to cross the road and hit a guardrail. She received very serious leg injuries.

The insurance company for the farm tractor driver initially said the accident was the motorcyclist's fault, but Attorney Jason Abraham hired an accident reconstruction expert to survey the scene. His findings were that the tractor began its turn after the woman had already started to pass it. She had no opportunity to avoid the accident.

Shortly after this conclusion, Attorney Abraham was able to get two insurance companies to pay their policy limits totaling \$800,000. In addition, Attorney Abraham convinced the victim's health insurance company to accept \$10,000 as payment in full for all the costs they incurred as a result of this accident and to pay all future medical expenses as long as the victim is a member of the insurance plan.

Despite the fact that the insurance companies initially denied their client was at fault, within 6 months, Attorney Abraham was able to obtain the full \$800,000 in policy limits. ■

Hupy Client wins \$18.2 Million Settlement

After fighting the Federal Government for over 10 years in a Federal Tort Claims case, a team of lawyers, including Michael F. Hupy, has settled the claims of Jessica Fonseca and her mother for a cash payment from the United States Government in the amount of \$18.2 million. The way the settlement is structured, the payout could be more than \$80 million over Jessica's lifetime.

This cerebral palsy case award is one of the three largest medical malpractice awards in the history of the State of Wisconsin. Several years ago, Attorney Hupy tried a case against St. Luke's Medical Center in Milwaukee and received a settlement, after jury trial, in the amount of \$22 million. ■

There is One Lawyer Bikers Call

Milwaukee Magazine Article Says it is Michael F. Hupy

The September issue of Milwaukee Magazine came out just in time for the Harley Davidson 105th Anniversary. Among other articles of interest to the many anticipated visitors to Milwaukee was this story about Michael Hupy. He has been involved with the motorcycle community since the mid-1980's and is known not only for his excellent representation of his motorcycle clients, but also for his generosity and participation in the motorcycle rights movement in Wisconsin, Illinois and nationally.

"Bikers call me because my law firm has competed well in the free enterprise system by getting excellent results for our clients and by working for bikers' rights, not because I have exclusive advertising privileges with any bikers' rights organization," said Attorney Hupy. "Exclusive advertising privileges are anti-free enterprise and are detrimental to members of biker's rights organizations and the organizations themselves," he added.

The article to the right sums it all up.

insider | **brief**

Milwaukee Magazine
September, 2008
page 30

Sidecar Counselor

When bikers are in trouble, there is one lawyer they call. by KRISTINE HANSEN

IT'S AN ODD MATCH: leather-clad bikers with a love of the open road and a 61-year-old personal injury lawyer who doesn't even ride a hog.

For the last 19 years, Michael F. Hupy has built a niche business representing the Harley set. "A few bikers came to me about motorcycle injury accidents," says Hupy, who'll be on call throughout H-D's 105th Anniversary Celebration (Aug. 28-31). "There was kind of an unfilled vacuum that needed to be filled."

Along with paying customers, Hupy says he's taken on dozens of pro bono cases for mostly Wisconsin and Illinois motorcyclist clients who have been injured in a crash or believe they were victims of discrimination.

"In my mind, he's the most credible attorney for motorcycle accidents," says Howard Wurgler, director of the Kettle Moraine

H.O.G. (Harley Owners Group) chapter. "He's like a brand name in Wisconsin."

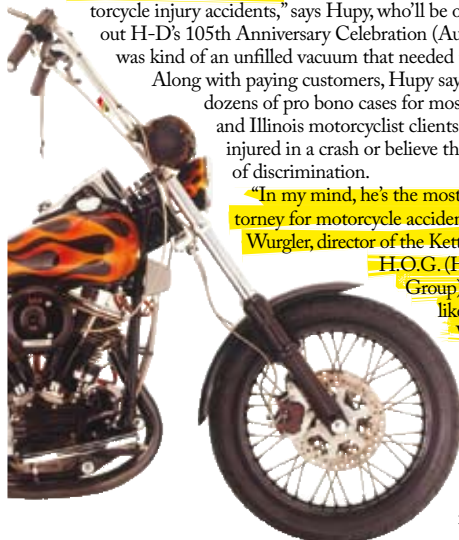
Hupy's reputation for representing bikers is difficult to quantify, however. Other local law firms also provide

services to bikers. "I've had cases with his office that he's been involved in, but does he do more? I couldn't tell you," says Tom Ogorchock, a founding attorney of Miller and Ogorchock S.C.

Yet beyond the casework, Hupy also advocates for change. Using his database of bikers, he sends out frequent e-mail and snail-mail alerts describing where motorcyclists can lobby. Hupy and Abraham S.C. also hosts 40-minute talks about insurance issues for bikers. At events like Summerfest, Harley reunion bashes, and even the Sturgis Rally in South Dakota, he hands out wallet-sized reprints of Constitutional rights.

At the Harley 95th Anniversary Reunion in 1998, a Milwaukee County sheriff's deputy ticketed bikers riding in the high-occupancy vehicle lane. Hupy was able to get some tickets dismissed because of a federal statute allowing motorcyclists in that lane. Then, in response to events at Summerfest in 2003, when members of the Outlaws Motorcycle Club were ejected from the grounds due to the club's insignia on their vests (a skull above a set of crossed pistons), Hupy filed – and won – a lawsuit on their behalf.

"It's easy to take a picture of yourself standing next to a motorcycle," says Tony Sanfelipo, a founder of the Wisconsin chapter of the motorcycle advocacy group ABATE, referring to other lawyers' claims to protect motorcyclists. "He's the only lawyer I see out there doing anything." ■



Funeral Escort Motorcyclist Receives \$1.2 Million

On September 30, 2006 our client, a former police officer, was riding his motorcycle as an escort for a funeral procession when a vehicle made a left hand turn into his motorcycle. As a result of the accident, he sustained life-threatening injuries and was rushed to the hospital. At the hospital he was diagnosed with multiple rib fractures, a lacerated spleen, broken shoulder, head injury and a heart injury. The client needed multiple surgeries and inpatient hospitalization to stabilize his condition. Thankfully after months of rehabilitation, physical therapy and treatment his

condition stabilized. Unfortunately, his doctors have opined that he suffered 32% impairment as a result of the injuries sustained in the accident.

Attorney Jason F. Abraham negotiated a settlement for the client against four separate insurance companies in the amount of \$1.2 million. Attorney Abraham was also able to get the health insurance company to accept \$32,000 as payment in full for the \$500,000 lien. The health insurance company will also have to pay all future medical bills. ■

FREE Videos Available Again!

Free videos dealing with two important issues are available again. First, *Busted* deals with how to handle police encounters and what your rights are.

The second video discusses motorcycle and car insurance. For your free copies, e-mail pan@mfhupy.com. Or call 1-800-800-5678 and ask for Tony.



Charlie Brechtel joins Dr. Snake Oil members Drew Webb, Dan Somers and Jack Juraska, along with Australia's Heavy Duty Magazine editor, Doc Robinson and Colleen Swartz of Cycle Source Magazine, at the Ron Finch reception party at Tony Pan's house.

Visit hupy.com for more information.

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HR 6809: Disclosure = Divestiture

Disclosure *noun*... disclose, especially something not previously known
Divestiture *noun*... deprived of what one had or ought to have

Led by the Motorcycle Riders Foundation (MRF), the motorcycle rights community has been fighting for years for equal treatment by health insurance companies. Using a loophole known as the "source of injury" exclusion, insurance plan providers can deny coverage for injuries arising from motorcycling, skiing, sky diving and other forms of legal transportation or recreation. HR 1076 is a piece of legislation designed to make it illegal to deny benefits for any injury that occurs during these types of activity. Unfortunately, HR 1076, the HIPAA loophole fix, is still being worked on.

Meanwhile, HR 6809 has passed through a House committee on its way to consideration by several other committees, the House Floor and then the Senate. There are no guarantees that it will make it that far. What does HR 6809 do? Not much, at least for bikers. It would force insurance providers to articulate clearly any limitations of coverage, disclosing these limitations to the plan sponsor and making sure the participants in such a plan understand those limitations prior to enrollment.

In other words, insurance companies will still be able to discriminate as long as they notify you that they plan to discriminate.

Advertising Material

- Harley 105th Report
- \$18.2 Million To Hupy Client
- Construction Sites Will Be Safer For Motorcyclists
- 4 Separate Clients Receive \$1 Million - \$18.2 Million

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