

Dog attack victim settles with insurer

Man suffered major damage to his right arm, hand

A 67-year-old St. Peters man who was the victim of a dog attack has settled for the full limits — or \$500,000 — of a Farmers homeowner's insurance policy.

John Frishkorn was in his backyard with his grandson last October when his neighbor's pit bull mix, Rufus, started barking and trying to get under the fence by way of a hole he'd dug, said Frishkorn's attorney, Ryan Cox, of The Law Offices of Ryan R. Cox & Associates in St. Charles.

Cox said Frishkorn started piling bricks in the hole so Rufus couldn't get through. While he was laying down the bricks, Rufus attacked him, bit his hand and pulled his arm under the fence. The dog then tore into his arm and didn't let go until a neighbor hit Rufus in the head with a rock.

Even though Rufus had no history of biting or attacks, Cox said that he, the St. Peters Police Department and St. Charles County Animal Control found the dog's owner had violated four St. Peters city ordinances, including failure to provide adequate food, shelter and protection for the dog.

After the attack, Rufus was put down, Cox said.

Frishkorn had about three months of rehabilitation for major tissue and nerve injuries to his right arm and hand, including several surgeries, Cox said. He has since regained full use of the arm.

Cox said there wasn't much of a fight with Farmers over the claim.

"There was an issue at first about where he actually got bit and whether it was on the owner's side or our side," Cox said. "Apparently there was an exclusion in the policy for any injuries occurring outside of the property."

One-third of all homeowner's insurance liability claims are for dog bites, according to the Insurance Information Institute; the claims cost insurers more than \$387 million in 2008, up nearly 9 percent from 2007.

According to the Centers for Disease Control and Prevention, dogs bite more than 4.7 million people each year, and about 800,000 of those bitten seek medical treatment.

— Anna Vitale

■ \$500,000 settlement

■ Case Number/Date: Not filed / May 2010

■ Insurer: Farmers Insurance

■ Special Damages: \$201,000 in medical costs

■ Plaintiff's Attorney: Ryan R. Cox, The Law Offices of Ryan R. Cox & Associates, St. Charles

■ Defendant's Attorney: None

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Rufus attacked his neighbor in October 2009, leading to a \$500,000 homeowner's insurance policy settlement. The victim's attorney said Rufus hadn't been fed in a while and had no history of biting. Photo provided by Ryan Cox