

Abdelhamid v. Fire Insurance Exchange

Year: 2009

Court: California Supreme Court

Case Number: C059098

The ruling was against a homeowner whose home was destroyed in a fire. UP weighed in to request depublication of a CA. Court of Appeal opinion in case where Farmers Insurance Exchange denied a total fire loss claim on the grounds that the homeowner had failed to provide sufficient documentation to substantiate her claim. Yet, the homeowner had provided a notarized proof of loss form, repair estimates, a loss inventory, tax returns, and bank and cell phone records and been examined under oath by the insurer's attorney. While the inadequacy of this documentation might have been proven in a trial on the merits, allowing her claim to be forfeited via summary adjudication on these facts sets a dangerous precedent.

UP's letter was written pro bono by Amy Bach, Esq. and David L. Abney, Esq.