

Creative Consolidation, et. al v. Erie Insurance Company

Year: 2023

Court: District of Columbia Court of Appeals

Case Number: 22-cv-950

In its amicus curiae brief, United Policyholders supports coverage for an insured’s business interruption losses related to the SARS-CoV-2 virus and COVID-19. UP’s brief rebuts an insurance industry talking point that is often raised during times of crisis: that requiring insurance companies to pay what they owe will bankrupt the industry. In fact, the insurance industry historically has profited from crises like Superstorm Sandy, Hurricane Katrina and other large-scale disaster events through limiting payouts and increasing premiums. This pattern has held true regarding the COVID-19 pandemic — insurance companies have enjoyed the benefit of selling business interruption protection to restaurants and other policyholders for years and are using the pandemic to extract steep premium increases from their customers.

Rhonda Orin and Marshall Gilinsky of Anderson Kill