

Denmark vs. Liberty Life Assurance Company of Boston

Year: 2005

Court: Massachusetts District Court

Case Number: 05-2877

Anti-consumer and anti-policyholder affects of denying coverage in disability cases involving both a disease that is difficult to document objectively and an overwhelming amount of medical evidence that favors a finding of complete disability. Long term care insurance companies are sometimes permitted too much discretion under the “arbitrary and capricious” standard of review that courts apply in reviewing coverage denials under ERISA.

UP's brief was written pro bono by Eugene R. Anderson, Rhonda D. Orin and Daniel J. Healy of Anderson Kill & Olick PC.