Fireman’s Fund Insurance Co. v. TD Banknorth Insurance Agency Inc.

Year: 2010
Court: Connecticut Supreme Court
Case Number: S.C. 18796

Priority of recovery following assignment. The insured was made to pay certain fines and incurred a deductible on the insurance coverage. Upon recovery of funds by the insurer following subrogation, the insured tried to recover the deductible prior to the insurer being made whole. UP argued that a proper application of the make-whole doctrine dictated the insured be indemnified ahead of the insurer.

UP's brief was written pro bono by James Andriola, Timothy P. Law and Jennifer D. Katz of Reed Smith (NYC).

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