

## **Howisey v. Transamerica Life Ins. Co.**

Year: 2018

Court: U.S. Court of Appeals, 9th Circuit

Case Number: 17-36045

Insurance policies are contracts of adhesion. Thus, where ambiguous or otherwise in violation of a policyholder's reasonable expectations, insurance policies must be interpreted against the drafter – the insurance company – and in favor of coverage for the policyholder. This is particularly the case where and insurance company has drafted a policy which contains a requirements which is illegal as a matter of law because it contains an illegal condition. UP reminded the Court that Washington law follows this formulation, and has also put a particular emphasis on ensuring that Long Term Care Insurance is available and works as advertised when needed. Accordingly, UP urged reversal of the District Court's decision, which improperly granting Summary Judgment in favor of the insurance company.

UP's brief was authored pro bono by Kyle C. Olive of Olive Law Northwest PLLC