

Merrick vs. The Paul Revere Life Insurance Company, et al

Year: 2008

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

Case Number: 08-17742

In situations where insurers ignore the law and abandon the principles of good faith and fair dealing in a persistent manner, meaningful punitive damage awards are justified to temper the behavior of a member of this quasi-public industry. A punitive damage award must be sufficient in size to deter an insurer from committing similar reprehensible acts to the plaintiff and to society through a course of dealing that damages others in the same way. Wealth of the defendant remains an appropriate consideration when reviewing a punitive damages award.

UP's brief was written pro bono by Kirk A. Pasich, Stephen N. Goldberg and Idan Ivri of Dickstein Shapiro, LLP.