

# [NIBCO vs. Starr Indemnity and Liability Co., et al](#)

Year: 2024

Court: Indiana Supreme Court

Case Number:

United Policyholders submitted an amicus brief on behalf of an insured who lost out on the possibility of coverage due to an inadvertent error and technicality. Importantly, the insurance company was aware of the error but declined to bring it to the attention of the insured until the one year window for seeking relief based on “excusable neglect” had passed. United Policyholders takes the position that an insurer’s duty of utmost good faith and fair dealing prohibits such gamesmanship on the part of an insurance carrier. United Policyholders urges the court to provide relief in the form of allowing the insured to continue pursuing its insurance claim.

Thao Nguyen and Christopher Kozak of Plews Shadley Racher & Braun