

QBE Insurance Corporation vs. Chalfonte Condominium Apartment Association, Inc.

Year: 2008

Court: Florida Supreme Court

Case Number: SC09-441

This case concerns whether or not Florida law recognizes a claim for breach of the implied warranty of good faith and fair dealing. Making an insurer accountable for causing additional damages that naturally flow from the breach of its mandated obligation of utmost good faith is good public policy and logically required. UP requests that the Court find that a claim for breach of the implied warranty of good faith and fair dealing in the first party insurance context exists in Florida common law.

UP's brief was written pro bono by William F. Merlin, Jr. and Mary Kestenbaum Fortson of Merlin Law Group, PA