

Sharen Capel PPA Donte Capel v. Plymouth Rock Assurance Corp.

Year: 2012

Court: State of Connecticut Court of Appeals

Case Number: AC 34524

UP authored amicus in this important case of first impression supporting the rights of policyholders and their judgment creditors to recover a judgment in excess of the policy limits in contract actions against the insurance company for breach of the duty to defend, where the breach results in a judgment in excess of the policy limits. UP presented several similar cases from sister states supporting its position, including California, Florida, Illinois, Massachusetts, Montana, Texas and Wisconsin.

UP's brief was drafted by Charles T. Lee, Rachel L. Ginsburg, and Edward J. Stein of Anderson, Kill & Olick, P.C., and Amy Bach, UP Exec. Dir.