

Snyder v. ACORD corporation et al

Year: 2016

Court: U.S. Court of Appeals, 10th Circuit

Case Number: 16-1111/16-1215

After wildfires and other major disasters that result in total losses, many homeowners find themselves underinsured. What this means is that despite having been sold a “replacement cost” insurance policy, they do not have enough money to rebuild their home. Plaintiffs in the instant case, victims of the High Park and Waldo Canyon wildfires in Colorado, filed a civil conspiracy class action lawsuit against the organization that sets the standards that for its member companies (virtually every insurance company that writes homeowners insurance) alleging that underinsurance is either purposeful or negligent and coordinated as a profit scheme. The case was dismissed. UP’s amicus brief, which urged reversal, focused on the the cause and effect of underinsurance and the organization’s work with underinsured disaster victims in Colorado and elsewhere. Without discussing the merits of plaintiff’s claims, UP sought to educate the court on the severity of the underinsurance problem such that the court might take notice of the issue from public policy standpoint and remand the case to District Court for further proceedings to explore the issue further.

UP's brief was authored by Executive Director Amy Bach, Esq. and Staff Attorney Dan Wade, Esq.