

Thomas Nickerson v. Stonebridge Life Insurance Company

Year: 2012

Court: Court of Appeal of California, Second District, Division Three

Case Number: BC405280

United Policyholders brief opposed common laws limiting the amount of punitive damages a policyholder can recover to the amount of their standard damages multiplied by a number less than ten. Instead, UP argued that the trier of fact is in the best position to determine this number based on the facts of each case. UP pointed out that mandatory low multipliers reduce the effect punitive damages have on an insurer's bottom line, creating an economic incentive to deny low damage claims on a large scale. UP emphasized that the goal of punitive damages should be to make wrongful conduct economically infeasible, not a manageable cost of doing business.

UP's brief was drafted pro bono by David L. Abney, Esq., of Knapp & Roberts, P.C. in Scottsdale, AZ, Stanley G. Feldman, former Justice of the Arizona Supreme Court and Partner at Haralson, Miller, Pitt, Feldman & McAnally, P.L.C. in Tucson, Arizona, Cali