

Treasure Cay Condominium Assoc., Inc. v. Frontline Unlimited Ins. Co.

Year: 2021

Court: United States Court of Appeals Eleventh Circuit

Case Number: 21-10611-E

In its brief, UP discusses the purpose of appraisal and why the District Court erred in granting summary judgment to the insurer. UP suggests that the Court erred in holding that Treasure Cay's demand for appraisal was premature, and that the purpose of appraisal is to allow for out of court resolution of disputes regarding the amount of the loss in question.

UP points out to the court that appraisal was appropriate once Frontline investigated this matter sufficiently enough to determine the loss was covered but then disputed the amount of the loss. The plain language and intent of the policy requires that that this dispute be resolved by the appraisal process.

I. The Purpose of Appraisal is to Allow Expedient Resolution.

II. The Policy Requires that this Dispute be Resolved by the Appraisal Process.

This brief was authored pro bono by Molly Brockmeyer of Boyle, Leonard & Anderson, P.A.