

Washington National Insurance Corporation, Petitioner/Appellant Vs. Sydelle Ruderman, Et Al. Respondents/Appellees.

Year: 2012

Court: Florida Supreme Court

Case Number: SC12-323

UP briefed this case to defend Florida's long-standing rule that an ambiguous insurance policy must be interpreted in favor of the policyholder. The 11th Circuit Court of Appeals ruled for a class of home health care policyholders by finding the policy's benefit provision ambiguous, but certified the case to the Florida Supreme Court to determine whether the insurer could introduce extrinsic evidence in an effort to resolve the ambiguity in its favor. The Florida Supreme Court sided with policyholders in a significant 4-3 ruling, holding that ambiguous policy language must be construed in favor of coverage without resort to extrinsic evidence. The decision helps balance the playing field for policyholders by expanding coverage when insurers fail to use clear policy language.

UP's brief was authored pro bono by Jason S. Mazer and Benjamin C. Hassebrock, Ver Ploeg & Lumpkin, P.A.

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