BACH TALK: Whoomp! (there it is)

In a recent blog, a Texas lawyer revealed an industry secret that is common knowledge to policyholder advocates and claimants but rarely publicly revealed or admitted by insurers: By dragging out claims and failing to timely pay benefits owed, insurers can pressure policyholders to accept lower settlement offers and profit by retaining and investing funds that rightfully belong to their customers. While we know these things to be true, seeing an insurer-side attorney blatantly endorse the practice is a stark reminder of how critical it is that we have strong laws on the books to deter and punish unfair delays and how essential it is that regulators, judges, and policyholder attorneys enforce and not undermine those laws.

The Texas lawyer's recent revelation should cause public officials to step up enforcement and increase penalties for unfair claim delays. It should compel regulators and legislators to *reject* insurers' current "social inflation" PR and lobbying campaign and keep their focus on deterring insurers from intentionally delaying claim payouts. Our legal system does an excellent job of effectively weeding out frivolous lawsuits. As soon as a journalist caught and shared the blog post, the law firm removed it from their website, but it's captured below for your reading displeasure.

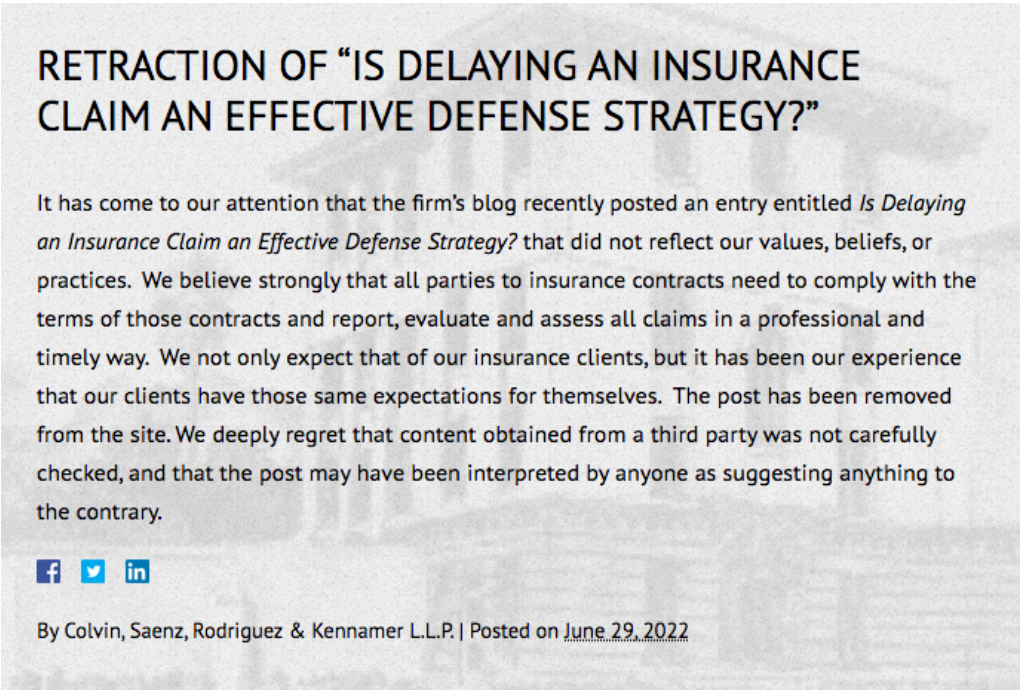
Unfair claim delays are among the most frequent complaints that consumers regularly report to United Policyholders. and a constant theme in the disputes that are brought to our staff, partners and volunteers through the various channels we use to keep tabs on the insurance marketplace.

In "Delay, Deny, Defend: Why Insurance Companies Don't Pay Claims and What You Can Do About It", Jay M. Feinman, Portfolio, 2010) and "From Good Hands to Boxing Gloves: The Dark Side of Insurance," (David Berardinelli, Trial Guides Press, 2008) the authors present numerous examples of what United Policyholders hears about every day from consumers who seek our help.

PDF: Is Delaying An Insurance Claim An Effective Defense Strategy?

The information presented in this publication is for general informational purposes and is not a substitute for legal advice. If you have a specific legal issue or problem, United Policyholders recommends that you consult with an attorney. Guidance on hiring professional help can be found in the "Find Help" section of www.uphelp.org. United Policyholders does not sell insurance or certify, endorse or warrant any of the insurance products, vendors, or professionals identified on our website.
Source: https://uphelp.org/bach-talk-whoomp-there-it-is/ Date: September 15, 2026

See Retraction Statement:



RETRACTION OF "IS DELAYING AN INSURANCE CLAIM AN EFFECTIVE DEFENSE STRATEGY?"

It has come to our attention that the firm's blog recently posted an entry entitled *Is Delaying an Insurance Claim an Effective Defense Strategy?* that did not reflect our values, beliefs, or practices. We believe strongly that all parties to insurance contracts need to comply with the terms of those contracts and report, evaluate and assess all claims in a professional and timely way. We not only expect that of our insurance clients, but it has been our experience that our clients have those same expectations for themselves. The post has been removed from the site. We deeply regret that content obtained from a third party was not carefully checked, and that the post may have been interpreted by anyone as suggesting anything to the contrary.

By Colvin, Saenz, Rodriguez & Kennamer L.L.P. | Posted on June 29, 2022

The information presented in this publication is for general informational purposes and is not a substitute for legal advice. If you have a specific legal issue or problem, United Policyholders recommends that you consult with an attorney. Guidance on hiring professional help can be found in the "Find Help" section of www.uphelp.org. United Policyholders does not sell insurance or certify, endorse or warrant any of the insurance products, vendors, or professionals identified on our website.

Source: https://uphelp.org/bach-talk-whoomp-there-it-is/ Date: September 15, 2026