

RECEIVED
IN SUPREME COURT
OF TEXAS

95-1160

NO. 95-1160

APR 25 1996

In The

JOHN T. ADAMS, Clerk

SUPREME COURT OF TEXAS

By _____ Deputy

Austin, Texas

TRINITY UNIVERSAL INSURANCE COMPANY,
AND TRINITY LLOYDS INSURANCE COMPANY,

Petitioners,

v.

NICOLE COWAN, INDIVIDUALLY AND AS
ASSIGNEE OF GREGORY D. GAGE

Respondent.

Regarding Petition For Writ Of Error
To The Court Of Appeals Of Texas, Austin
In Case No. 03-94-00404-CV

AMICUS CURIAE BRIEF OF
UNITED POLICYHOLDERS
IN OPPOSITION TO APPLICATION
FOR WRIT OF ERROR

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Dated: April 25, 1996

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Brief of Amicus Curiae
United Policyholders

TO THE HONORABLE SUPREME COURT OF TEXAS:

United Policyholders submits this brief in opposition to the Application for Writ of Error of Trinity Universal Insurance Company and Trinity Lloyd's Insurance Company (collectively "Trinity") and in support of Nicole Cowan, Individually and as Assignee of Gregory D. Gage, (collectively "Ms. Cowan").

This brief also refers to the January 9, 1996 amicus brief of State Farm Fire and Casualty Company ("State Farm") and the March 27, 1996 amicus brief of Michigan Mutual Insurance Company ("Michigan Mutual").

STATEMENT OF INTEREST OF AMICUS

United Policyholders is a non-profit corporation dedicated to educating policyholders regarding their rights and

duties under their insurance policies. Specifically, United Policyholders engages in charitable and educational activities by promoting greater public understanding of insurance issues and consumer rights. United Policyholders's activities include organizing meetings, distributing written materials, and responding to requests for information from individuals, elected officials, and governmental entities. These activities are limited only to the extent that United Policyholders exists exclusively on donated labor and contributions of services and funds.

Amicus curiae has a vital interest in seeing that the standard form insurance policies sold to countless policyholders are interpreted properly and consistently by insurance companies and the courts. As a public interest organization, United Policyholders seeks to assist and to educate the public and the courts on policyholders' insurance rights and to have them enforced consistently throughout the country.

ARGUMENT

United Policyholders respectfully urges this Court to deny the Insurance Company's application for writ of error.

POINT I

EVERYBODY HATES TORTFEASORS
AND EVERYBODY HATES LAWYERS -- EVERYBODY,
THAT IS, EXCEPT THE INSURANCE INDUSTRY

Trinity, State Farm and Michigan Mutual are being duplicitous when they speak ill of plaintiffs' personal injury lawyers and the tort system.