TRAUB LIEBERMAN

NEWS & EVENTS

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Traub Lieberman Partner Ryan Parker and Associates Robert Biferie and Matthew Groteke Win Final Summary Judgment on Behalf of Homeowner's Insurance Company

Related Attorneys: Ryan S. Parker, Robert Biferie, Matthew Groteke

Traub Lieberman Partner Ryan Parker and Associates Robert Biferie and Matthew Groteke won final summary judgment on behalf of their client, a homeowner's insurance company. The case related to a claim for damage caused by Hurricane Milton, which was reported more than ten months after the date of loss. The homeowner's insurance company reviewed historical aerial photography of the roof and determined that there was no evidence of damage immediately after the Hurricane, which was inconsistent with the condition of the roof when it was inspected more than ten months later. Additionally, the homeowner's insurance company was unable to determine when the interior water damage occurred due to the delay in reporting the claim. After a lawsuit was filed, the Traub Lieberman team took depositions of the Plaintiffs and the opposing expert and eventually filed a Motion for Summary Judgment based on the failure to timely report the claim and resulting prejudice to their client. The Court granted the Motion for Summary Judgment finding that notice of the claim was untimely as a matter of law and that the Plaintiffs failed to rebut the legal presumption of prejudice to the insurance company. As a result of the ruling, the insurance company has a valid claim for attorney's fees.

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