

CASE REVIEW:

Driving Under the Influence is Costly

Insurance company rejects initial settlement offer

On November 2, 2004 Harry Cumbee was riding home on his motorcycle in Sarasota County. Harry was stopped at a red light when he was rear-ended by another vehicle. The driver of that vehicle was a Sarasota County Sheriff Dispatch Officer. Police were called to the scene and during their investigation they noticed that the Defendant appeared to be driving while intoxicated. Field sobriety tests were conducted and ultimately the Defendant was arrested for driving under the influence.

Fortunately, Mr. Cumbee was not seriously injured in the accident, although he did have to undergo one arthroscopic surgical procedure to correct some nerve damage to his arm.

At the time of the accident, the Defendant maintained \$10,000 of liability insurance with American International Group, Inc. (AIG). AIG was provided with an offer to resolve the Cumbee family claims against their insured for the payment of their \$10,000 policy limits at an early stage. Unfortunately, the insurance company refused our clients' offer and the Cumbees were forced to file a lawsuit against the Defendant. Our firm was able to recover \$70,000 from AIG in exchange for a settlement of all claims against their insured. All settlement monies were paid by AIG on behalf of their insured.

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