

***Insurance Times:*** Met P&C claims handling upheld  
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Metropolitan Property & Casualty did not unfairly “lowball” a woman seeking a claim against one of its insureds, a Massachusetts Appeals Court judge has ruled.

Debra O’Leary-Alison had sued Metropolitan in Superior court claiming the company low-balled her injury claim, which eventually increased to \$75,000.

O’Leary Alison appealed, but Appeals Court Judge Elspeth Cypher ruled the lower court acted appropriately.

“The judge did not err in his ultimate finding that the liability of Metropolitan’s insured was not reasonably clear and that Metropolitan’s offers to the plaintiff were not made in bad faith,” Cypher wrote.

O’Leary-Alison was stopped at a red light when Metropolitan’s insured rear-ended her vehicle.

Her car suffered minor damage, and she later complained of neck and back pain, initially demanding a \$70,000 claim from Metropolitan. The company offered \$9,000 in return.

Negotiations continued over time and Metropolitan ultimately offered \$20,000, after which a District Court Judge awarded O’Leary-Alison more than \$150,000.

The company denied any unfair or deceptive acts, but tried to settle with a \$50,000 offer. Additionally, Metropolitan appealed the decision.

Subsequently, the Superior Court Judge found that Metropolitan’s \$20,000 offer, along with a refusal to pay the plaintiff’s \$75,000 claim, “was reasonable since the claim was based on (uncertain) medical evidence.”