

## **Is Your Company's Insurance Claim Being Denied, Delayed Or Underpaid?**

Commercial property and casualty insurance companies have a good record in adjusting and settling small claims against their policies. There is little delay and resistance to paying the small claims. But the larger claims, starting at \$100,000 are examined every-which-way. And then, the \$1,000,000 + claims have the most tortured adjustment history. First the insurance adjusters, then the insurance company lawyers start to fine comb through the claim.

Our firm has obtained millions of dollars in recoveries from major national insurance companies, brokers and agents on behalf of our policyholder clients. We provide counsel on all phases of complex insurance claims resolution from the proper and prompt presentment of claims, often utilizing nationally recognized experts in the field, to engaging in negotiated alternative means of resolution, including mediation and arbitration. We retain prominent former State and Federal Judges. We litigate to trial, if necessary, significant insurance coverage disputes in State and Federal Courts. When major insurance companies understand that Walder, Hayden & Brogan is prepared to go the distance and fight "Goliath" that is when a fair and prompt resolution is often achieved.

There are certain rules and regulations in place in the State of New Jersey that require insurers to abide by their contractual obligations of good faith and fair dealing. However, guidance of legal counsel familiar with the rules of engagement in insurance matters is critical. Walder, Hayden & Brogan, PA has the expertise that will materially help in getting the correct adjustment on your claim. Walder, Hayden & Brogan, PA vigorously protects the rights of policyholders and champions the following guiding principles:

- \* A policyholder can legally force an insurance company to cease unreasonable delay and cease the termination or rejection of a valid claim.
- \* Investigations of a claim by the insurer must be full, prompt, fair and objective.
- \* The insurance company's financial interests must never be put above those of the policyholder.
- \* The insurer must never conceal or misrepresent benefits or policy provisions.
- \* Any ambiguities in coverage must be read in favor of the claimant.
- \* The insurer must pay up honestly, fairly and expeditiously on legitimate claims.

When your company is facing a substantial claim, we recommend that you immediately contact legal counsel that has the skills, experience and track record in winning against

major insurers. We will guide your company through what could be a torturous claims process. We ensure that these steps are taken:

- \* Immediately Produce for Your Counsel's Inspection the relevant Insurance Policies.

- \* With a large claim, put your company personnel, the law firm, experts and potential witnesses on two tracks:

- A. Prepare to negotiate the initial settlement offer with the insurer. This can only be accomplished by (i) a thorough review of all applicable insurance policies, (ii) evaluating coverage issues and potential defenses and exclusions, (iii) use experienced investigators to interview witnesses, if necessary, to preserve privileges, (iv) marshalling evidence to support your claim, and (v) presenting your company's claim in a comprehensive and professional manner in written form.

- B. Simultaneously, be ready if negotiations collapse, to prepare law firm, experts and evidence for trial.

Act swiftly. Delay on your company's part or relying on inexperienced brokers or agents to guide you through the process will more likely than not compromise your monetary recovery. If a conflict arises and your standard outside counsel cannot sue insurance companies, I would be pleased to work with your company to press an insurance claim.

You may not be seeking satisfaction for claims for damages right now, but a large claim may occur in the future. Walder, Hayden & Brogan, PA has a Policyholder Claims Department comprised of five highly-experienced attorneys. We retain nationally renowned consultants and experts to assist our team of professionals.

Michael J. Faul, Jr. who heads up the firm's policyholder claims department, would be pleased to have a conversation about your insurance coverage or claim and would expand that consultation on our normal basis should there be a need for our legal services. Visit us on our website at [www.whbesqs.com](http://www.whbesqs.com).