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Trial Victory: FBT Wins Defense Verdict for Liberty Mutual in West Virginia Bad Faith Jury Trial

Columbus Member Bill Harter and West Chester Practice Support Specialist Amy Carrico won a defense verdict for Liberty Mutual in a federal court jury trial in West Virginia, a state notoriously known to be challenging for insurers in court. After the trial, the judge praised the team—and Amy specifically—for the display of outstanding courtroom technology skills.

Background

On August 18, 2022, Harter and Carrico won a defense verdict for Liberty Mutual Insurance in a federal court jury trial in Wheeling, West Virginia. Plaintiffs alleged that Liberty Mutual committed common law and statutory bad faith by failing to timely and properly investigate and pay Plaintiffs' \$250,000 homeowners insurance claim. Plaintiffs demanded a high six-figures demand prior to trial and asked the jury to return a verdict of millions of dollars. The jury deliberated for two hours, most of that time was spent trying to convince someone to be the foreperson. After the trial, the judge specifically commended Carrico for her outstanding courtroom technology skills.

Value to Client

West Virginia is a notoriously challenging venue for insurers, and it is unusual for an insurer to be willing to take a case to jury verdict. FBT was involved in this claim pre-suit and worked closely with Liberty Mutual from the outset to position the matter for potential trial. FBT alum Michael Hearon observed the trial in his role as in-house counsel for the client, and a senior claims examiner attended as the corporate representative. Both were effusive in their praise of FBT's trial skills and strategy as well as the clear technological superiority we displayed in the courtroom. This case further develops our relationship with an institutional client and enhances our reputation

as a firm that can get good results in high-stakes cases and challenging venues.

Core team members: Bill Harter, Amy Carrico

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