James Obtains Summary Judgment for an Insurance Agent and His Agency

Paul James received another Summary Judgment on behalf of an insurance agent and the agency for whom he worked in a recent matter filed in north Alabama. The Plaintiff asserted a claim for a “failure to procure” insurance against the agent and his agency, arguing that repeated requests for insurance were sufficient to place the agency on notice of a need to procure property insurance. James successfully argued that under the facts presented to the Trial Court, there was no issue of fact concerning the Plaintiffs’ claims. Specifically, the Trial Court held that Summary Judgment was appropriate because the agent and agency had breached no duty owed to the Plaintiff and that under current Alabama law, the agency could not be liable for failing to procure property damage insurance on a building in advance of a fire that ultimately destroyed the building at issue.

For over twenty years, James has represented insurance agencies, insurance agents/brokers, broker dealer representatives, and insurance companies directly in fraud related litigation throughout the state of Alabama. James maintains an active practice in representing agents, brokers, dealers, insurance agencies, and insurance companies directly in cases throughout Alabama, the Federal Court within the 11th Circuit, as well as FINRA Arbitration proceedings.