

Defense Verdict – Hail Damage

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Ashley A. Noel
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Ashley A. Noel and Jessica L. Topper obtained a defense verdict on behalf of a homeowners insurer following a jury trial in the Judicial District of Hartford of the Connecticut Superior Court.

The insured submitted a claim under his homeowners insurance policy for alleged hail damage to his home. After the insurer denied his claim on the ground that the claimed damage was not caused by hail, the insured assigned the claim to a roofing contractor. The insurer agreed to reconsider its prior denial based on a report submitted by the roofing contractor, and ultimately determined that the front slope of the insured's roof did sustain hail damage, for which it issued payment. However, the insurer maintained its denial as to the remainder of the roof and the vinyl siding. The roofing contractor subsequently brought a breach of contract action against the insurer.

At trial, Attorneys Noel and Topper presented expert engineering testimony to demonstrate that the claimed damage to the other slopes of the roof and the vinyl siding was not caused by hail. Attorneys Noel and Topper also established that the insurer was not required to replace these areas under Connecticut's Matching Statute. During closing arguments, the plaintiff requested that the jury award damages in excess of \$100,000.00.