

THOUGHT LEADERSHIP

News

NATIONAL LLOYDS WINS FIRST WIND-HAIL JURY TRIAL IN THE VALLEY LAST WEEK

Newsbrief

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National Lloyds won the first wind-hail case tried in Hidalgo County when the jury returned its verdict late last Monday night.

This case was the first of several thousand wind-hail cases pending in The Valley to be tried to verdict. The Mostyn Law Firm from Houston represented Andrea and Martin Amaro and Scott Doyen of Doyen Sebesta in Houston represented the carrier. The case arose from a March 2012 hailstorm in McAllen which resulted in thousands of lawsuits being filed against every property insurer in Hidalgo County. This trial lasted six days. Amber Mostyn and Randy Cashiola tried it for the Amaros. Plaintiffs asked for structural damage to the house and a new roof. Plaintiffs also asked for more than \$200,000 in attorney fees. Judge Rose Reyna (the MDL judge in Hidalgo County for some carriers including National Lloyds) tried the case. The jury returned its verdict late last Monday and answered “no” to every question. Question 4 proved particularly fascinating because the jury found the carrier didn’t get what it needed to properly adjust the claim until the eve of trial, almost 3 years after the weather event in question. The complete jury verdict can be found below.

Wind-hail cases continue to proliferate across the state but Hidalgo County remains the epicenter of this litigation cottage industry of the plaintiffs’ bar. It has been estimated by some industry trade groups that more than 10,000 wind-hail suits have been filed across the state against Texas property insurers in the last 2 ½ years. It has also been reported by industry trade groups that some carriers’ claim-to-suit ratio has exploded from a 20 year average in Texas and across the country of 1% to an amazing 35% or higher in Texas due to wind-hail claims and suits. National Lloyds was set for trial again next week in Hidalgo County against other homeowners represented by The Mostyn Law Firm, but Mostyn’s motion for continuance was granted last Friday and that case has been reset for trial in May.