

The Bob Richardson Law Firm Holds Insurance Company Responsible at the Texas Supreme Court

Victory upholds the intent of mandatory liability insurance

(April 21, 2009) (Austin, TX) --- The question of whether an insurance company can refuse to pay for damages that are caused by a policy holder who “intentionally” speeds or runs a red light was settled by the Texas Supreme Court in a ruling handed down April 17, 2009. The Court upheld a jury verdict holding Nationwide Insurance responsible for providing coverage for injuries to a Central Texas family involved in a collision with a Nationwide insured in *Greg Tanner and Maribel Tanner, et al v. Nationwide Mutual Fire Insurance Company*.

The storyline behind this case reveals the complexities inherent in “intentional exclusions” that are written in most auto insurance policies.

After being chased by police over miles of rural roads, Richard Gibbons accidentally rammed into the side of the Tanner family vehicle. This resulted in extensive injuries to the family’s seven year old son. Nationwide refused to pay the claim, arguing that their policy holder had forfeited his right to coverage when he began the reckless chase.

In its 8-1 ruling the Texas Supreme Court noted that, “Texas mandates liability insurance for drivers but if ordinary Texans are unprotected from those who speed or run red lights, but intend no harm to others by doing so, then Texas is replete with non-coverage notwithstanding its mandatory-coverage requirement.”

Tanner Family attorney Don Cotton with the Bob Richardson Law Firm in Austin said, “This is an extremely important case for the Tanner family because of the injuries they suffered at the hands of this reckless driver. However, this ruling is even more important for every Texan who pays for mandatory liability insurance.” He continued, “Had we not prevailed, any so-called intentional acts such as speeding or running traffic lights would make liability insurance virtually worthless in thousands of cases.”

For the complete Supreme Court Ruling in this case please click

<http://www.supreme.courts.state.tx.us/historical/2009/apr/070760.pdf>