

Denied Auto and Marine Property Claims - Deluxe With Appendix

Table of Contents

<u>TABLE OF CONTENTS</u>	1
<u>INTRODUCTION</u>	3
<u><i>Reopen Old and Denied Claims</i></u>	3
<u><i>My Favorite Denied Claim Story</i></u>	4
<u><i>About the Adjuster’s Attitude and Morale</i></u>	4
<u>BATTLE PREPARATIONS</u>	5
<u><i>“Battle Gear”</i></u>	5
<u><i>General Battle Principals</i></u>	5
<u><i>“Negligence” (by the insurer, their vendors and others)</i></u>	6
<u><i>“Estoppel”</i></u>	6
<u>YOUR FIRST MOVES</u>	7
<u><i>Get the Policy</i></u>	7
<u><i>Request all Documents</i></u>	8
<u><i>Your Right to Know versus Attorney Client Privilege and Attorney Work Product</i></u>	8
<u><i>Hire Your Own Experts (if necessary)</i></u>	9
<u>INSURER’S FAVORITE DENIAL TECHNIQUES</u>	10
<u><i>Delay</i></u>	10
<u><i>Unreasonable Demands</i></u>	10
<u><i>Examination Under Oath (as a denial technique)</i></u>	10
<u><i>Declaratory Relief Action</i></u>	11
<u>“ENTIRE POLICY VOID” DENIAL</u>	11
<u><i>“POLICY OUT OF FORCE” (for alleged non payment of premium)</i></u>	11
<u><i>VEHICLE OR WATERCRAFT “NOT SCHEDULED” (on an existing policy)</i></u>	12
<u><i>YOUR ADDITIONAL “TO DO” LIST</i></u>	12
<u><i>“BREACH OF CONTRACT” (for alleged arson, fraud, misrepresentation, missing or faulty “Proof of Loss”, “failure to cooperate” by the insured)</i></u>	14
<u>SELECTED “EXCLUDED PERIL” DENIED CLAIMS</u>	14
<u><i>CAUSE OF THE LOSS (how to recover lost dollars from “cause of loss” not being</i></u>	

<i>covered)</i>	14
<u>SPECIAL ITEMS OF CONCERN (that help set up a denial)</u>	15
<i><u>'Proof of Loss' (form)</u></i>	15
<i><u>Tape Recorded Statement</u></i>	16
<u>READING YOUR POLICY (the quick and easy way)</u>	17
<i><u>Special Considerations When Reading Your Policy</u></i>	17
<u>USING THE LAW TO HELP YOU</u>	18
<u>HARD BALL TACTICS</u>	19
1. <i><u>Small Claims Court</u></i>	20
2. <i><u>Better Business Bureau Sponsored Arbitration</u></i>	20
3. <i><u>News Media</u></i>	20
4. <i><u>Picketing</u></i>	20
5. <i><u>Other Guerilla tactics</u></i>	20
6. <i><u>Litigation</u></i>	20
<u>PROFESSIONAL HELP (Public Adjusters)</u>	21
<u>FINAL NOTE</u>	22
<u>APPENDIX</u>	22

These appendix documents are samples of insurance claims documents that I have critiqued (which is included with the Deluxe version). My notes are handwritten in the margins as well as in blue text boxes. My notes are followed by my initials "rc". These documents may not be the latest versions and should only be used as a guide to show you how to critique your own unique documents......

A - Policy Cancellation Documents Critiqued.....

<i><u>A1 - Insurance policies are overridden by State Law</u></i>	
<i><u>A2 - "Certification Page" sample of a certified policy</u></i>	
<i><u>A3 - Sample document request letter to insurer</u></i>	
<i><u>A4 - Case study "Number 1", policy wrongly cancelled, insurer had incorrect mail address (5 pages)</u></i>	
<i><u>A5 - Case study "Number 2", policy wrongly cancelled, insurer had incorrect mail addresses on both insured and mortgagee (9 pages)</u></i>	
<i><u>A6 - Sample letter seeking attorney to litigate</u></i>	
<i><u>A7 - Case study "Number 3", building wrongly not listed on policy, insurer had insufficient address, inspection, etc inc. sample documents and correspondence (16 pages)</u></i>	
<i><u>A8 - Case law regarding cancellation notices (6 pages)</u></i>	

C – Proof of Loss and Release Forms Critiqued.....

C1 – Proof of Loss Forms with Releases incorporated on one paper, deceptive practice (8 pages).....

C2 – Proof of Loss form with no release.....