Wheeler Trigg
O'Donnell

Won complete affirmance in the Tenth Circuit of landmark rulings governing insurance appraisals. In two published opinions, the Tenth Circuit affirmed trial court rulings vacating an eight-figure appraisal award against the client, disqualifying for bias a national policyholder appraiser, and sanctioning the policyholder and its lawyers for misconduct in connection with the appraisal.

2018

WTO partners Michael O'Donnell, Terence Ridley, Evan Stephenson, and Cedric Logan

WTO won a complete victory on appeal in the Tenth Circuit for Auto-Owners Insurance Company. In two published opinions, the Tenth Circuit affirmed *in toto* several orders

Related Professionals

WTO had won in the trial court. As a result of the orders, Auto-Owners had recovered nearly $11 million paid towards an improper appraisal award, obtained sanctions against the policyholder and its counsel, and received an award of over $300,000 in attorneys' fees against the opposing lawyers.

The policyholder, which is a homeowner's association, and its lawyers filed two separate appeals to overturn the sanctions orders. The Tenth Circuit rejected their arguments, holding that (i) the association was obligated to comply with the trial court's orders, (ii) the trial court did not err in vacating the eight-figure appraisal award, and (iii) the trial court did not abuse its discretion in sanctioning the association and its lawyers. The Tenth Circuit ruled specifically that the opposing lawyers had made false representations, had failed to correct false testimony, and that the trial court had reasonably concluded that the association had acted in bad faith in appointing a biased appraiser.

Michael L. O'Donnell
Firm Chair

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