

Defense Win in Commercial Roof Collapse Coverage Dispute

Jeff Oberlies obtained a defense verdict in favor of our client, a leading Midwest insurance provider, in a case involving a complex coverage dispute over the denial of a wind damage claim. The claim stemmed from the roof collapse of a 5,300-square-foot commercial building in New Castle, Indiana.

The coverage decision involved concurrent causation (when a loss is caused by two or more perils, one covered and one or more excluded, the loss is generally not covered if the excluded peril(s) contribute substantially to the loss). In this case, deterioration, chronic water intrusion, and excessive roof weight were not just minor factors, they were significant, pre-existing conditions that substantially contributed to the collapse, alongside the moderate wind event which would otherwise be covered.

PROFESSIONALS

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