

Obtained a Dismissal in Favor of Insurance Company in Connection with Conversion Claim

Amundsen Davis obtained a dismissal in favor of an insurance company client. The plaintiff asserted a conversion claim against the insurance company in connection with an underinsured motorist (UIM) claim that previously proceeded to arbitration. In response to the complaint, Amundsen Davis filed a dispositive motion, which was granted. The court found, as argued by Amundsen Davis, that the plaintiff did not have an immediate right—absolutely and unconditionally—to possess UIM benefits under her insurance policy until after her claim was arbitrated. And, because the insurance company timely paid the plaintiff the UIM policy limits following arbitration, the plaintiff could not meet the required elements of a conversion claim against the insurance company.

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