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~~Claims |~~

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Law, LLC Ask an

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basics of third-
party insurance
bad faith cases

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Insurance

Coverage | Law

Offices of Dale

E. Anstine *Chris*

Munley and John

Mulcahey Discuss

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Bad Faith

Insurance Bad
Faith Lawsuits
In The United

States Andrew

McCabe testifies
before Senate

Judiciary

~~Proving Good/Bad~~
~~Faith and Intent~~
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University:

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Actions For

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Collision Repair
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Companies Cheat
their Disabled
Clients - Jaime
Blanza's Story
Personal Injury
Lawyer John

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Mulcahey

Discusses

Insurance Bad

Faith Insurance

Bad Faith In

Pennsylvania

The Pennsylvania

bad faith

statute, 42 Pa.

C.S.A. §8371,

was passed in

1990. It created

a cause of

action to punish

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insurance
companies for
unscrupulous
claims handling;
including, but
not limited to
automotive,
medical,
motorcycle, and
casualty claims.
Bad faith covers
all insurance
policies in
Pennsylvania.

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The bad faith
statute
provides:

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Bad to the Bone:
Pennsylvania Bad
Faith Insurance
Statute ...

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overviews of
this complex

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Pennsylvania is designed for busy practicing attorneys, claims professionals, judges and law clerks. This clearly written, straightforward volume examines every important issue relating

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lawsuits under
Pennsylvania's
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common law and
under §8371
Pennsylvania's
"Bad Faith
Statute."

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Law, to recover
in a bad faith
action against

an insurer, the
insured must
present clear
and convincing
evidence (1)

that the insurer
did not have a
reasonable basis
for denying
benefits under

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the policy and
(2) that the
insurer knew of
or recklessly
disregarded its
lack of a
reasonable
basis. 1 An
insurer's delay
in investigation
of a claim may
constitute bad
faith where it
involves

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inexcusable
periods of
inactivity,
unreasonable
assumptions, and
inadequate
communication. 2

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Faith Archives:
Shawnee
Tabernacle
Church ...
Attorneys not

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dedicated to
this field of
law may fail to
appreciate or
may even miss
small but
important
details when
representing a
client with
Insurance
problems. A case
in Pennsylvania
is a case in

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Pennsylvania's insurance bad faith statute 1 is an important protection for policyholders. It permits a court to award interest on the claim amount from the date the claim was made by an

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insured equal to
the prime rate
of interest plus
3%.

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Company Acting
in Bad Faith?
Pennsylvania ...
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years, Insurance
Bad Faith in
Pennsylvania has
been one of the

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to references in
Pennsylvania—for
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busy practicing
attorneys,
insurer in-house
legal
departments,
claims
professionals,
judges, and law
clerks alike.
This clearly-

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straight forward
volume examines
every important
issue relating
to bad faith
lawsuits under
Pennsylvania's
common law and
under §8371—Penn
sylvania's "Bad
Faith Statute."

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Faith in

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Pennsylvania

Bad faith may
occur when the
insurance

carrier fails to
settle a third
party liability
case within the
policy limits.

See *The Birth
Center v. St
Paul Co*, 1999
Pa. Super 49
(insurer liable

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in bad faith for
failing to
settle a
malpractice
claim within
policy limits).
This cause of
action for bad
faith against
the insurance
carrier exists
with the insured
and not the
third party

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plaintiff.

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Liability for
Bad Faith in
Pennsylvania ...

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FAITH LAW IN
PENNSYLVANIA

Where We're
Going To End Up

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Faith In Insurance
Bad Faith “Easy
Case” Attorneys
and other

insurance
experts need to
know the twists,
turns and
exceptions to
what I'm about
to say.

A COMMON SENSE
GUIDE TO

Page 29/50

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INSURANCE BAD

FAITH LAW IN . . .

As to bad faith,
once the court

found the
insurer had
reserved its
rights and
properly denied
coverage in the
second action,
it rejected the
bad faith claim.

Judge Kearney

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observed there
is no common law
bad faith claim
in Pennsylvania,
only statutory
bad faith and
the contractual
breach of the
implied duty of
good faith and
fair dealing.

PA - Common Law
Bad Faith

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(contractual or
fiduciary basis

Pennsylvania

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"Third-party"

Bad Faith The
Pennsylvania

Courts have long
recognized that
liability

insurers have a
fiduciary duty
to act in good
faith in their
settlement or

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defense of th
third-party c laim
s again st the
ir in su re ds
an d m ay be
liabl e for e xc
e ss ve rdic ts
beyond their
policy limits in
the event that
duty is
breached.

SURVEY OF

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FAITH IN PENNSYLVANIA

“BAD FAITH” LAW

For over 20
years, Insurance

Bad Faith in

Pennsylvania has

been one of the
most trusted, go-

to references in

Pennsylvania—for

busy practicing

attorneys,

insurer in-house

legal

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departments,
claims
professionals,
judges, and law
clerks alike.

This clearly-
written,
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volume examines
every important
issue relating
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sylvania's "Bad
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companies refuse
to pay valid
claims, they may
be held

accountable by
the people they
insure for
acting in bad
faith. The
experienced
personal injury
attorneys at Hof
& Reid LLC
recognize and

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are willing to
file insurance
bad faith claims
on behalf of
people who have
been wronged by
the insurance
company.

Bad Faith
Insurance
Attorney
Bethlehem PA |
Car Accidents

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In Pennsylvania there is a two year limit on filing a lawsuit against an insurance company for bad faith. This means you need to file a lawsuit within two years from the time the

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company
Pennsylvania
committed
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wrongful conduct
(i.e. denied
your claim).

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pennsylvania is
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claims handling
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medical

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Bad faith

insurance refers to an insurer's attempt to

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