Experience

The Standard Fire Insurance Company Extinguishes Appeal in 3rd Circuit

Stradley secured the dismissal of an appeal by Standard Fire's co-defendant, Chernoff Diamond & Co. LLC, of a summary judgment entered in Standard Fire's favor by the United States District Court for the District of New Jersey. The Third Circuit Court of Appeals agreed with Stradley's argument that Chernoff did not have standing to assert the rights of Plaintiff simply because Chernoff no longer had Standard Fire to share in any potential exposure, and issued a brief opinion quoting the argument in Stradley's brief and dismissing Chernoff's appeal for lack of standing. This win is a positive development for "Write Your Own" flood insurance carriers in National Flood Insurance Program jurisprudence because the Third Circuit's opinion bolsters the important concept that a WYO carrier's liability to a policyholder is separate and distinct from that of an insurance agent.

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- Francis X. Manning

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