

Morgan v. Massachusetts Homeland Insurance Company, 91 Mass. App. Ct. 1 (2017)

KEY SERVICES

Insurance

- Insurance Coverage

Litigation

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Insured car owner, on behalf of himself and a purported class, brought action against insurer client alleging unfair and deceptive settlement practices in violation of Chapters 93A and 176D. The Superior Court denied plaintiff's Motion for Class Certification and dismissed the class claims prior to trial. After a jury-waived trial on the insured's individual claim, the Trial Judge found there had been a violation of Chapter 93A, but entered judgment for the insurer on the grounds that the violation did not harm the insured. The Appeals Court affirmed the denial of the Motion for Class Certification, determined the Trial Judge erred in finding there had been a violation of Chapter 93A and affirmed the judgment for the insurer.