

# HANDLING UNINSURED & UNDERINSURED MOTORIST CLAIMS

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## RECENT DEVELOPMENTS

Item 1

***DECLARATORY JUDGMENT  
ACTIONS***

Item 2

***ATTORNEY'S FEES***

Item 3

***WHAT IS "BAD FAITH?"***

Item 4

***CONSENT TO SETTLE***



## RECENT DEVELOPMENTS

Item 5

***CONSENT TO BE BOUND***

Item 6

***SCOPE OF DISCOVERY***

Item 7

***DEPOSING THE CORPORATE  
REPRESENTATIVE***

Item 8

***BAD FAITH DISCOVERY***



## RECENT DEVELOPMENTS

Item 9

***WORKER'S COMP AS AN  
EXCLUSIVE REMEDY***

Item  
10

***FAMILY MEMBER  
EXCLUSION***

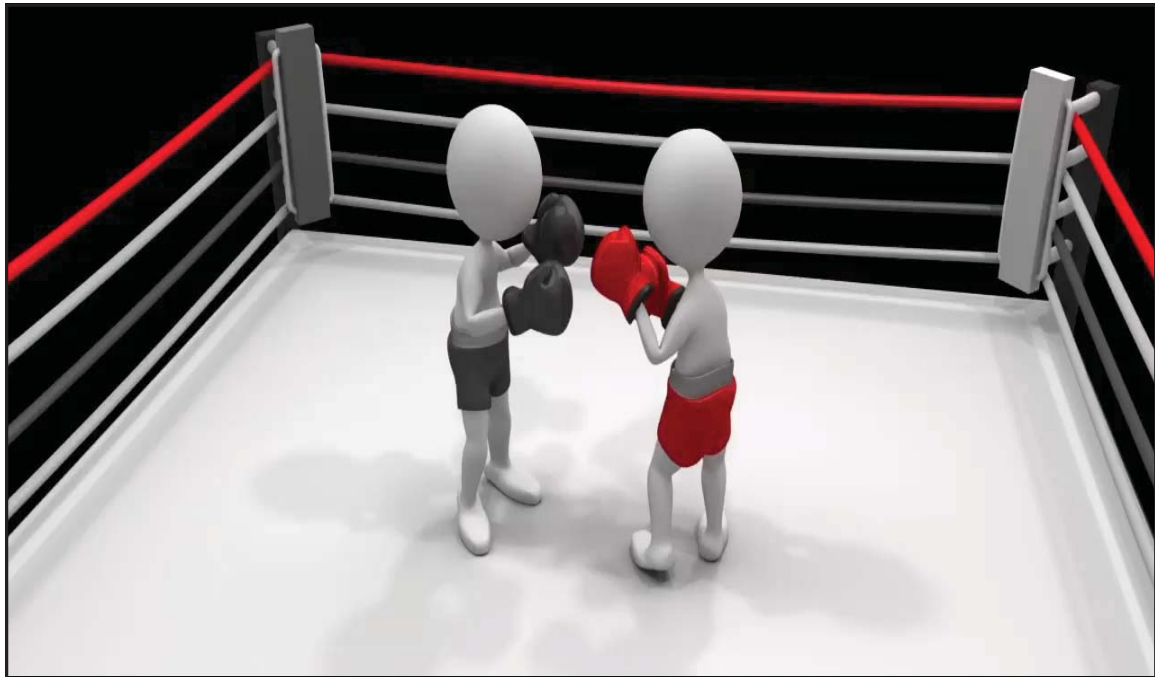
Item  
11

***VEHICLES SUPPLIED FOR THE  
REGULAR USE***

Item  
12

***OFFSETS AND CREDITS***





## **UM/UIM CLAIMS:** The Fight Over Attorney's Fees

### **The Case for Declaratory Judgment Actions**

Round 1

NO CASE HAS DECLARED THAT USE OF  
A DECLARATORY JUDGMENT IS IMPROPER

Round 2

THERE IS NO OTHER RECOGNIZED CAUSE OF  
ACTION FOR A UM/UIM CLAIM

Round 3

DEC ACTION STATUTE IS LIBERALLY  
CONSTRUED

Round 4

DEC ACTIONS - BEFORE OR AFTER A BREACH



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## Title search: Handling Uninsured and Underinsured Motorist Claims

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First appeared as part of the conference materials for the  
2017 The Car Crash Seminar session

"Uninsured and Underinsured Motorist Claims"