

New Jersey Insurance law attorney Jared Stolz comments on Certain Underwriters at Lloyds court opinion

New Jersey Superior Court, App. Div., addressed the scope of damages available to a displaced homeowner. Insurance law attorney Jared Stolz explains the case.

FLEMINGTON, NEW JERSEY, UNITED STATES, July 8, 2019 /EINPresswire.com/ -- In a recent case, the New Jersey Superior Court, Appellate Division addressed the scope of damages available to a displaced homeowner.

Insurance law attorney [Jared Stolz](https://jaredstolz.law.blog/) reviewed the case in a published comment, available on his blog at <https://jaredstolz.law.blog/>

"In February 2014, a winter storm caused a high-voltage power line in Willingboro belonging to defendant Public Service Electric and Gas (PSE&G) to fall and ignite fires in plaintiffs' homes; they were displaced from their homes for ten months." Plaintiffs already received reimbursement from their own insurance company for repair costs and motel stay, but sued PSE&G for loss of use of the home, emotional distress, and personal injuries.

"In managing the case, the trial judge bifurcated the issues and first considered PSE&G's liability. In January 2018, a jury found PSE&G liable for the occurrence. A month later, PSE&G moved for summary judgment, arguing plaintiffs were undamaged beyond the compensation provided by their insurers. The motion judge agreed and entered judgment for PSE&G." Plaintiffs timely appealed.



Jared Stolz, attorney in New Jersey

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that plaintiffs were provided motel rooms and reimbursed meal and transportation costs by their insurance carriers did not foreclose their right to seek other damages resulting from the loss”

*Jared Stolz, insurance lawyer
in New Jersey*

The appellate court noted that scope of damages has been addressed in other contexts. For example, a plaintiff whose car was stolen while being repaired could pursue damages for loss of the vehicle's use. Thus, the Court concluded “that the mere fact that plaintiffs were provided motel rooms and reimbursed meal and transportation costs by their insurance carriers did not foreclose their right to seek other damages resulting from the loss of the use of their homes or any other reasonable damages caused by the inconvenience. Damages in such circumstances ‘are not limited to pecuniary losses which are capable of precise measurement.”

The Court also rejected PSE&G's argument that there was insufficient evidence to support inconvenience. One plaintiff discussed the inconvenience of multiple moves due to insurance issues and spent Thanksgiving at a hotel. That plaintiff also died prior to trial, without access to items of personal value. That plaintiff's daughter gave premature birth to a child during the motel stay, adding to the inconvenience. Thus, the Court held "that damages based on loss of use or inconvenience are largely unique to the plaintiff and ultimately turn on the factfinder's view of each plaintiff's circumstances."

The case is Certain Underwriters at Lloyds Subscribing to Policy Plh-0013397 v. Public Service Electric and Gas, (A-4128-17T4).

About J. Elliott Stolz, Esq.

[Jared Elliott Stolz](#) is an attorney in New Jersey, focusing on insurance law and litigation. He is the managing partner of Stolz and Associates. Jared Stolz received his undergraduate education at Drew University in Madison, New Jersey and graduated with honors from Seton Hall University School of Law.

[Jared E. Stolz](#) has been the managing partner of Stolz and Associates since 2004, specializing in providing individual and customized attention to insurance carriers needs on substantial coverage disputes. Mr. Stolz has nearly two decades of experience in the insurance industry and strives to offer the clients a combination of tried and true legal analysis along with tactic, brought to it by today's technology, with a focused eye on expenses. He has represented prominent clients in numerous noteworthy cases with published opinions and has published and given seminar on insurance law topics.

Bio on law firm website: <http://www.stolzlaw.com/about-us/about-the-founder/>

LinkedIn Profile: <https://www.linkedin.com/in/jared-stolz-18088012>

Blog: <https://jaredstolz.law.blog/>

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Jared Stolz, Esq.

Mr. Stolz has been the managing partner of Stolz & Associates in Flemington, New Jersey since 2004, specializing in providing individual and customized attention to insurance carriers needs on substantial coverage disputes.

Contact
Jared Stolz, Esq.
Attorney, Flemington, New Jersey
jaredstolzesq@gmail.com

Address
Flemington, New Jersey

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