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Contact: Jonnathan Zin Truong
Phone: 281.798.8261
Email: jztruong@mostynlaw.com

TEXAS APPEALS COURT RULES AGAINST STATE FARM LLOYDS, PREVENTING ANOTHER PROCEDURAL MANEUVER MEANT TO DELAY NEARLY FORTY POLICYHOLDERS CASES

Mostyn Law announces that a Texas appeals court ruled that pre-suit notices provided by plaintiff policyholders are sufficient and that no further abatement and delay of the cases is required.

HOUSTON, TEXAS - SEPTEMBER 08, 2014 - On Wednesday, August 27th, the Court of Appeals for the Thirteenth District Court of Texas issued an opinion that prevents State Farm from further delaying cases an additional 60 days. Some of these policyholders have already waited more than two years for a resolution to their insurance disputes. The appeals court denied State Farm Lloyds' request to abate the insurance disputes, deciding that the notice given to State Farm Lloyds met the requirements of the Texas Insurance Code. According to court records State Farm Lloyds filed the writs of mandamus with the appeals court contending that it was not given timely notice before lawsuits were filed and that the notices that were sent failed to meet standards laid out in the Texas Insurance Code. The trial court denied State Farm Lloyds' motions and State Farm appealed to the Thirteenth Court of Appeals.

The opinion, written by Justice Nora Longoria, states that, "While relators contend that the damages and attorney's fees must be separately itemized, they cite no authority in support of this proposition, and the plain language of the statute indicates otherwise. Thus, the notice provided by Trigo met the threshold requirements of the Texas Insurance Code." The opinion went on to say, "Because more than sixty days have passed since notice was provided, no further abatement is required."

This opinion prevents additional 60-day delays on the cases that stem from damage suffered more than two years prior from hailstorms that occurred in the spring of 2012. The storms damaged the property of policyholders represented by Mostyn Law. The appeals court's denial of the writ is a decision that supports policyholders' efforts to see a timely resolution to their cases.

About Mostyn Law

Based in Houston, Texas, Mostyn Law was established in 1999 by Steve Mostyn. Mostyn Law has earned its reputation by tirelessly standing up for the rights of ordinary people who have been treated unfairly by insurers, injured by defective products, or suffered personal injury. Mostyn Law has 125 employees in its offices in Houston, Beaumont, Austin, and Galveston.

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Mostyn Law

3810 W. Alabama Street Houston, Texas 77027 T 713 714 0000 F 713 714 1111

mostynlaw.com

