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MOSTYN LAW FILES APPEAL IN USAA INSURANCE CASE

Mostyn Law secured a jury verdict for Harris County homeowners in USAA Insurance case, only to have the judge set aside substantial portions of the decision.

HOUSTON, TEXAS - MARCH 14, 2014 - A jury awarded \$394,500 before interest and penalties to Mr. and Mrs. Hayes, a Harris County family represented by Mostyn Law. Following the verdict, the judge in the case decided to set aside substantial portions of the jury's verdict, court records show. Attorneys from Mostyn Law have filed an appeal.

According to court documents, a jury decided that the United States Automobile Association (USAA) had violated the Texas Insurance Code by engaging in unfair settlement practices and found a knowing violation. The damage in this particular case was to a Harris County home owned by a longtime USAA policy holder. The jury found that USAA breached its contract by refusing to pay for exterior damage. They also decided that USAA had violated its good faith and fair dealing duty, according to court documents. After listening to testimony for two weeks and deliberating for two days, a Harris County jury found in favor of the homeowners.

"That was a big win for the people of Harris County," said Randy Cashiola, an attorney on the case. "Insurance companies should not be allowed to cut homeowners out of the process."

USAA is a Texas-based financial services company that provides home and auto insurance to current and former members of the United States military and their families. Mr. Joseph Hayes, the homeowner in the case, is a veteran and longtime Harris County resident that worked for U.S. Steel. Court records show the insurance provider initially refused the Hayes request to pay for damage to their second home, which was occupied by their grandson during Hurricane Ike.

"USAA has admitted to violating their own policies along with state law," Cashiola added.

Among other changes, the judge is limiting recovery of damages to the home, interest, and attorney's fees. While the jury found that USAA was in "knowing violation of the insurance code", the judge overturned this decision and any associated damages. The court did not reconsider its ruling and has yet to offer its reasoning for overruling the jury decision. Attorneys for the Hayes family are optimistic that an appeal will ultimately be successful.

To learn more about Mostyn Law, please visit www.MostynLaw.com.

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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