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Evan Stephenson Discusses the 'White Whale of Insurance Bad Faith Law' in The Brief

Spencer Fane attorney Evan Stephenson published an article in the fall 2022 issue of *The Brief*, an American Bar Association publication. In the piece, he discussed why holding insurance adjusters personally liable in bad-faith litigation remains an elusive "great white whale" in insurance law.

In the cover article, Giving Up the Spear: Will a Quartet of State Supreme Court Decisions Quell the Effort to Sue Insurance Adjusters Personally?, Evan outlines the motives and legal history of plaintiffs and their attorneys in this pursuit. He also details why recent court decisions in the Colorado, Iowa, Washington, and Oklahoma supreme courts signal the futility of seeking to hold insurance adjusters liabile personally.

"Courts appear to have widely reached the conclusion that imposing personal adjuster liability is bad law and policy," Evan concluded. "There are plenty of meritorious lawsuits to bring and money for plaintiffs' lawyers to make in the current system without resorting to this tactic. In this instance, they should give up the spear."

At Spencer Fane, Evan focuses his practice on insurance, commercial, and class action litigation with a particular emphasis on trials and appeals. In each of these areas, he has a proven track record of success for his clients.

Read the full article here. Please note, a subscription may be required.