



## Real Claims & Real Solutions

### Example #1

A General Contractor (GC) was contracted to build a single family home. During construction, an employee of a drywall supplier fell down an unguarded elevator shaft while delivering sheetrock. The injured party filed suit against the GC for the injuries he sustained in the fall.

The claimant was 20 years of age and sustained a fractured neck and injury to his knee from the fall. He underwent surgery for his knee and was hospitalized for 10 days. The total value of his injury was \$250,000.

The investigation revealed that safety guards were removed allowing the claimant to fall down the elevator shaft. However, it could not be determined who removed the safety guards.

The GC had a contract with the drywall subcontractor requiring that the sub defend and indemnify the GC. The GC was also listed as an Additional Insured on the Drywallers' General Liability Policy. During the course of litigation, the GC's insurance carrier was able to tender the GC's defense to the drywall sub's insurance carrier. The drywallers' carrier also reimbursed a portion of the defense costs paid by the GC's carrier.

**This was a successful tender of a \$250,000 claim!** The GC's carrier was able to close their file without making any loss payments and recoup some of their defense costs.

### Example #2

A General Contractor (GC) was constructing a single family home. During construction, an electrical subcontractor fell 15 feet into the basement when the steps collapsed. The injured sub filed a claim against the GC for the injuries he sustained in the fall.

The 26 year old claimant sustained a fractured ankle and a back injury from the fall. He was out of work for over a year. The total value of his injury is \$125,000.

The investigation revealed that the framing sub installed the basement steps out of sequence without the GC's approval. The steps were only supported by 2x4's with a few nails holding the stairs to the top of the deck.

The GC had a contract with the framing subcontractor which included defense and indemnification language. They were also listed as an additional insured on the Framers' General Liability Policy. The GC's carrier tendered the claim to the Framers' carrier and it was accepted.

**This was a successful tender of a \$125,000 Claim!** The GC's carrier was able to close their file without making any loss payments or incurring defense costs.

