

STUDY:

Do Not Get Wrapped Up In The Cozy World of Litigation

Just The Facts

Attorneys oftentimes find themselves on opposite sides of each other multiple times a year, and develop close relationships - sometimes cozy ones.

What does this mean for you?

Well, you need to make sure that your attorney is working for you, not trying to strike a friendly deal with another attorney.

Example from the Field

A home inspector that I had known for several years came up to me at a workshop in Naples, Florida. He informed of an absurd case that he was currently battling. A former client had sent him a demand letter seeking damages for alleged failure to detect mold.

However, mold detection is **excluded** from every industry standard of practice, and not only that – the mold was discovered only after destructive probing. When the home inspector failed to explain to the claimant's attorney that there was no case, he turned to his insurance company who appointed to him a local firm that specializes in insurance defense.

Let me tell you: this is the absolute worst possible world to find yourself in.

THE TAKEAWAY

Oftentimes, attorneys develop close relationships with one another. If your claimant's attorney cannot be rationally discussed out of pursuing a meritless claim, turning to your insurance company's appointed firm is your worst course of action.

Your Professional Advocate

This is what the home inspector's counsel said to the claimant's in an email: "Hi Tom – I can give you the background on this case. I always like to provide business to people I like." If the inspector did not know that looking to his insurance company in this scenario is a bad idea, he certainly knew then.

Unfortunately, it cannot be expected that your counsel will say to the claimant's, "Look, you have no case. Dismiss us with prejudice, or we'll defend the case tenaciously, and look to you afterward to make us whole." More often than not, litigation is partial to suits.

Let me handle this mess for you before it spirals out of control.

Visit my website, www.JoeFerry.com to learn more about my proven strategic response to meritless claims. My mission is to stop the UNDERBUSSING of competent home inspectors.