

**CASE:** 17-CV-182-SLP, USDC Western District  
  
Sherry Dennis, *Plaintiff*  
v.  
Progressive Northern Insurance Company, *Defendant*

**JUDGE:** Scott Palk

**ATTORNEYS:** *For the Plaintiff:*  
George Mullican, Matthew Covert and Robert Hart  
Mullican & Hart, PC  
Tulsa, OK

*For the Defendant:*  
Brad Roberson and Dawn Goeres  
Pignato, Cooper, Kolker & Roberson, PC  
Oklahoma City, OK

**ISSUES:** *Breach of Contract (Insurance); Bad Faith (Insurance)*

**SUMMARY:** Plaintiff was involved in an auto accident on August 8, 2012, in Ponca City, OK. Plaintiff was insured with Defendant under an underinsured motorist policy in the amount of \$25,000.00. Plaintiff alleged that Defendant improperly delayed payment both pre- and post-suit and did so in Bad Faith. Plaintiff also alleged that Defendant entered into an improper agreement to share indemnity with another underinsured motorist carrier before Plaintiff was made whole.

Defendant claimed that Plaintiff submitted documents to support her claim on February 14, 2014. Defendant claimed that before they had completed an evaluation, Plaintiff filed suit on September 24, 2014. Defendant paid Plaintiff's underinsured claim in full on September 24, 2014. Defendant denied all claims made by Plaintiff of breach of contract or bad faith dealing with Plaintiff.

**VERDICT:** *Jury Trial (Four Days)*

The Jury found in Favor of the Plaintiff and awarded actual damages in the amount of \$120,000.00 and \$0.00 in Punitive Damages.

*(Defendant filed an Offer to Confess Judgment in the amount of \$200,000.00 on June 2, 2015.)*