

The Clark County Bar Association is pleased to announce its

## **Thirty Fourth** Nuts and Bolts Lecture:

Beyond Breach of the Insurance Policy: Bad Faith, CPA, and IFCA  
Claims Against Insurance Companies

*Presented by Attorneys Andrew Lauersdorf and Nicholas Thede*

**Wednesday, December 11, 2013, 3:00 PM – 5:00 PM**  
**Red Lion at the Quay**

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The cost is \$50 for CCBA members, \$70 for non-member attorneys, and \$25 for non-attorneys. This will get you 2 CLE credits and the speaker's prepared materials to download. There is an extra fee if you want to pick up the materials at the door.

→ *Eat. Drink. Learn.* ←

**To register:** Call the CCBA, (360) 695-5975, OR email:

[CLE@ccbawashington.org](mailto:CLE@ccbawashington.org), OR FAX this flyer back to the CCBA at (360) 737-6891

with your NAME \_\_\_\_\_

PHONE # \_\_\_\_\_, BAR NUMBER \_\_\_\_\_

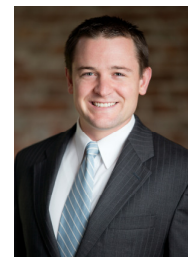
and EMAIL ADDRESS \_\_\_\_\_

~ Payment can be mailed to 500 W. 8<sup>th</sup> Street, Ste 65, Vancouver, WA 98660 or via credit card over the phone ~



**Andy Lauersdorf** is an experienced trial attorney with a practice emphasizing complex first-party property and liability insurance coverage litigation. He has unique insight and experience advising policyholders and insurers of their rights and responsibilities arising out of property, casualty, and liability insurance claims of all kinds.

**Nick Thede's** practice focuses on representing policyholders and insurers in first-party insurance coverage litigation throughout the Pacific Northwest. He has a particular emphasis on complex insurance coverage analysis and litigation involving claims of breach of insurance contract, insurance bad faith, and other extra-contractual claims such as alleged violations of the Consumer Protection Act and Insurance Fair Conduct Act.



**An outline of this presentation appears on the next page.**

# Beyond Breach of the Insurance Policy: Bad Faith, CPA, and IFCA Claims Against Insurance Companies

Summary: The presentation will explore the “nuts and bolts” tortious and statutory causes of action against insurance companies in the context of property and automobile insurance policies. In particular, we will discuss claims for insurance bad faith, violations of the Consumer Protection Act (CPA), and Insurance Fair Conduct Act (IFCA). We will consider the proof required for each cause of action, the differences between each action, and the damages available under each.

- Bad Faith
  - Required proof to state a claim for insurance bad faith
  - Basis for the duty to establish a tort claim
  - Establishing breach of the insurance company’s duty
  - No requirement that the claim be denied – *Coventry*
  - Damages
- Consumer Protection Act (CPA) – RCW 19.86
  - Required elements of proof – *Hangman Ridge*
  - Damages
- Insurance Fair Conduct Act (IFCA) – RCW 48.30
  - Limited to first-party insured
  - Notice requirement
  - Initial requirement to establish that the insured was “unreasonably denied a claim for coverage or payment of benefits”
  - Damages