



Texas Reporter[®]

Soele's Trial Report[™]

Weeks of March 25th, April 1st & 8th, 1996

JUDGE MARTHA TANNER
166TH - 94-CI-14661
BEXAR COUNTY
SAN ANTONIO, TEXAS

State Farm Lloyds
vs.
Performance Improvement Corporation

PLTF: Tom Hall and Sam Bass from San Antonio, Texas
DEFT: WOODY & SKELTON from San Antonio, Texas, By: **Hamp Skelton & Catherine Hannah**

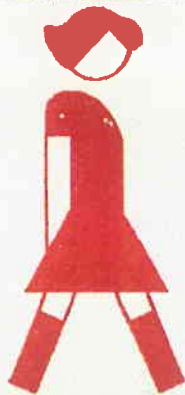
TYPE OF CASE: Declaratory Judgment - Insurance - Reservation of Rights - In the underlying case, the insured was a defendant in a case involving the sexual molestation of a minor by an employee of an apartment complex. The insured, Performance Improvement Corporation, administered a pre-

employment test to the molester, and was being defended by State Farm under a reservation of rights. the Deft demanded an unconditional defense, which was refused by Pltf. The Pltfs in the underlying case, took an assignment of PIC's cause of action, submitted the underling case to Judge McManus, who rendered judgment in favor of the original case Pltfs. When this declaratory judgment was brought, the original Pltfs counterclaimed against State Farm under the assignment.

EXPERTS:

Pltf: Charles Shaddox
Deft: Vincent Johnson

VERDICT: Jury Verdict for Performance Improvement Corporation of approx. \$4,000,000.00, including pre-judgment and attorney's fees.



\$4 MILLION JUDGMENT

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