



LIABILITY: CAR ACCIDENT



Client and Claim

The client was a company belonging to a group of carriers, which had a fleet in charge of several drivers for the operation of a public transport route. The accident occurred in 2019, when a worker of the Insured ran over two people, causing the death of one of them and injury to the other. As a result of the foregoing, an investigation was carried out by the Prosecutor's Office and finally the responsibility of the driver was determined in criminal headquarters.

Subsequently, in 2021, the family of the deceased filed a civil claim for compensation for damages against the driver and the Insured, for approximately USD 570,000.

Strategy and Resolution

During the liquidation process, knowledge of the vehicle's own policy was made, so the procedures were carried out with the corresponding Company for its activation, trying to make said policy to act in the first layer.

At the same time, our law firm assumed the legal defense of the Insured, appearing at the answer hearing, and generating a space for negotiation with the opponent, with the intention of managing his expectations.

Given the complexity of the case, the criminal responsibility being determined by a Court, and due to the magnitude of the injuries (death), we were faced with a complex case, where an eventual sentence would be around USD 180,000.

Thanks to the efforts of the defense, it was finally possible to reduce the expectations of the plaintiffs and close a settlement for USD 60,000. For the payment of the agreement, it was achieved that the vehicle policy will exhaust its limit and contribute most of it, corresponding to USD 36,000, and our Insured's policy assumed the difference of USD 24,000. In this way, savings of approximately 86% were achieved for the Insured.

If you have a case of this type, do not hesitate to contact us:

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