

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

BRENT MOORE

PLAINTIFF

v.

Civ. No. 13-2092

SHELTER MUTUAL INSURANCE COMPANY

DEFENDANT

JUDGMENT

On the 10th day of March, 2014, this matter came on for trial to a duly selected jury consisting of eight members, the Honorable Robert T. Dawson presiding. The trial continued until March 13, 2014, when the case was submitted to the jury on interrogatories and a unanimous verdict was reached as follows:

INTERROGATORY NO. 1:

Do you find from a preponderance of the evidence that Shelter is liable to Brent Moore on his underinsured motorist coverage claim as set forth in Instruction No. 11?

 X YES

 NO

INTERROGATORY NO. 2:

State the amount of damages you find Brent Moore is entitled to from Shelter on his underinsured motorist coverage claim.

Answer: \$50,000.00

INTERROGATORY NO. 3:

Do you find from a preponderance of the evidence that Shelter acted in "bad faith" in an attempt to avoid liability or a just obligation under its policy issued to Brent Moore as set forth in Instruction No. 12?

 X YES

 NO

INTERROGATORY NO. 4:

State the amount of damages you find from a preponderance of the evidence were sustained by Brent Moore as a result of Shelter's "bad faith". Do not include any damage amounts you provided in your answer to Interrogatory No. 2, if any.

Answer: \$93,000.00

In accordance with this verdict, it is HEREBY ORDERED AND ADJUDGED that Plaintiff should have and recover of and from Defendant \$50,000.00 on his UIM claim, plus pre-judgment interest on the \$50,000.00 from August 29, 2006, through the date of this judgment at a rate of 6% per annum for a total of \$22,997.46, as well as the 12% penalty pursuant to Ark. Code Ann. § 23-89-208 in the amount of \$6,000.00. Plaintiff should also have and recover of and from Defendant bad faith damages in the amount of \$93,000.00.

The entire judgment amount of \$171,997.46, shall bear interest from the date of this judgment until paid at the current post-judgment interest rate of 0.11% per annum. Plaintiff's counsel is directed to file any request for allowable fees and costs in accordance with Rule 54(d) of the Federal Rules of Civil Procedure and Title 28, Section 1920 of the United States Code.

Dated this 29th day of April 2014.

/s/Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge