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PLFF. ATTY: *Brian H. Krikorian*  
(Nemecek & Cole), Sherman Oaks (818) 788-9500  
DEF. ATTY: *Barry Kramer*, Los Angeles (310) 248-8123  
INSURANCE CO: NA

CASE: Great States Insurance, Co. vs. Danken, MFG. No: BC 049 934  
X-COMP: Danken vs. Great States Insurance  
JUDGE: Daniel Curry L.A. Central West 2/18/94  
TRIAL: 3 days JURY OUT: 1 1/2 day POLL: 12-3

**FACTS**

1990 - 1992: Great States Insurance, Co. insured Danken for their workers compensation insurance. Because Danken's claims were so high for the 1991 year, Great States billed them for an additional premium for the year. Plaintiff eventually sued for payment of Workers Compensation insurance additional premiums. Defendant cross-complained for Bad Faith handling of claims made by its employees.

Plaintiff claimed that all claims were handled aggressively and properly. Plaintiff's fraud unit had successfully disallowed substantial medical liens in favor of Danken. Therefore, the claims paid were not excessive and Defendant owed the additional premium for the 1991 year as per their contract.

Defendant argued that Plaintiff paid money on fraudulent claims. This made Defendant's claims look higher than their really were.

DAMAGES: \$200,000

DEMAND: \$83,000  
OFFER: None

**VERDICT**

\$188,570 plus \$37,980 prejudgment interest

Editor's Note: Defendant was out of business at the time of trial. Plaintiff successfully litigated a 3rd party claim to attach proceeds, which issue is now on appeal.

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