

Bovis Kyle attorney, Charles Medlin, obtains successful verdict in major trial

By October 3, 2013

In the case of Auto-Owners Insurance Company v. Dean & Moore Insurance, Inc., Douglas Terry Dean, Distinct Advantage Premium Finance, Inc., and Express Premium Finance, Inc. , CAFN 09CV-2800FM, Superior Court of Cherokee County, Attorney Charles Medlin's client, Auto-Owners, suffered from a rogue insurance agent in Georgia, Terry Dean, who stole from premium finance companies over a 12 month period, creating a complex Ponzi scheme that defrauded the companies. The opposing parties argued Auto-Owners knew or should have known of the activities and that Auto-Owners was responsible for all the damages caused by one of its agents. Auto-Owners asked for \$285,000.00 and the opposing parties asked for a combined 6.1 million dollars. After the case had been going on for over three and a half years, it went to jury trial August 30, 2013 in Cherokee County Superior Court.

The jury deliberated and had to issue two verdicts. The first verdict was a question that was designed to assign responsibility for Terry Dean's wrongdoing in an agent / principal relationship. The jury was out less than an hour; they found that Terry Dean was the agent for the premium finance company when he completed the premium finance application. The jury also took less than an hour on the second verdict form, and they found for Auto-Owners on our claims. The jury awarded Auto-Owners the full \$285,000.00 it requested, and found for Auto-Owners on both of the opposing parties' claims, awarding them zero. They found zero fault on Auto-Owners, and found all of the fault on the side of both premium finance companies.