

## **BOVIS KYLE ATTORNEYS OBTAIN COMPLETE DISMISSAL FOR UM CARRIER**

By July 1, 2022

Attorneys **Eric Connelly** and **Wayne Tartline** obtained the complete dismissal of a Cherokee County State Court personal injury case this week. The dismissal was the result of a motion to dismiss which argued that service on the Defendant by publication was not sufficient. The State Court Judge found that although the service by publication was specifically authorized by the trial court, “[g]iven the unexplained lapses in attempting to personally serve the Defendant after service by publication occurred, the Court finds that the Plaintiff has failed to act with ‘sufficient diligence in perfecting service...’” The lack of proper service on the named Defendant as demonstrated by the motion, served as a complete defense for Eric and Wayne’s uninsured motorist insurance carrier client.

Eric and Wayne’s practices are devoted to complex litigation, including defense of tort claims (motor vehicle, UM, premises, etc.), business litigation, defense of commercial liability disputes, legal practice and professional liability defense, commercial development/construction/erosion litigation, and intellectual property infringement and trade secrets litigation.