NOVEMBER 29, 1991 | SYRACUSE HERALD-JOURNAL | B3

Suburban

Jury hurts Nationwide's case in B'ville

A downstate couple wins the same claim a local couple is making.

By Dan Kane
Staff Writer

A Baldwinsville couple suing Nationwide Insurance Cos. for unfair claims practices received good news last week when their lawyer won a $350,000 jury award for a downstate couple in a similar case

The jury's award includes $150,000 in punitive damages against Nationwide, marking the first time such damages have been awarded against a home insurer in the state.

If it stands, it could open the door for others seeking punitive damages against the Columbus, Ohio based insurer, said Manhattan lawyer Jon Wilkofsky.

"The game has been changed in midstream," he said Wednesday. "It's long overdue."

Francis and Mary Ann Connelly of 2551 Country Lane, Baldwinsville, have asked for unspecified punitive damages and $250,000 in compensatory damages in their suit against Nationwide, filed in U.S. District Court in Syracuse last July. Their home was severely damaged by fire in 1989, and they've been unable to settle their claim with Nationwide.

Nationwide lawyer Marvin Metter of North Syracuse couldn't be reached for comment, but he told the Wall Street Journal this week the company would appeal the verdict. He said Nationwide treats its policyholders fairly.

Mrs. Connelly testified in the three-week trial involving a Westchester County couple, John Riordan and Jane Fox.

Wilkofsky had asked Mrs. Connelly to tell her story - and had introduced nine other complaints against Nationwide in the state - to argue that Nationwide pressures financially strapped policyholders to accept low settlements.

Riordan and Fox accused Nationwide of trying to coerce them into accepting - $20,000 check for contents coverage after they documented losses of $147,000. The policy they had with Nationwide promised full replacement value.

A federal jury hearing the case in White Plains sided with the couple when it announced its verdict Nov. 22.

The Connellys' claim is before U.S. District judge Thomas J. McAvoy in Binghamton. Lawyers will begin taking depositions in the case next month.