

# Pennsylvania



## Andrew Spaulding & Matthew Vodzak Attains Dismissal in Underinsured Motorist Matter



**Andrew Spaulding**



**Matthew Vodzak**

Andrew Spaulding and Matthew Vodzak recently obtained dismissal of an underinsured motorist claim filed against FHMS's clients. FHMS represented a nationwide building-materials company and its insurer. A company employee claimed that he was injured while operating a work vehicle and sued seeking underinsured motorist benefits. FHMS counterclaimed for declaratory relief that no underinsured motorist coverage existed since the company waived this coverage under the Pennsylvania Motor Vehicle Financial Responsibility Law. FHMS filed a motion for judgment on the pleadings for declaratory judgment and dismissal of the case. After briefing and oral argument, the court granted FHMS's motion. By aggressively defending the case and obtaining early dismissal, FHMS was able to avoid costly discovery and depositions.