

Transcript of Testimony for Subrogation Claim

REFERENCE was held this ____ day of _____, 1996, at 11:00 A.M., in the offices of the Master in Equity for Charleston County, South Carolina.

PRESENT: _____, for the Plaintiff;

Defendant in Default

PLEADINGS READ.

WITNESS SWORN:

BY _____, attorney for Plaintiff:

Q. State your full name for the record please.

A. My name is _____.

Q. Would you please tell the Court by whom you are employed?

A. I am employed by the _____ Insurance Company and I work in the subrogation department.

Q. Are you familiar with the present case?

A. Yes, I am. _____ Insurance Company insured _____ under a contract of insurance. Under the terms of that contract, _____ Insurance Company is obligated to pay for damages sustained by it's insured which occur as the result of an accident with an uninsured motor vehicle. That policy also gives _____ Insurance Company the right to claim subrogation rights against third persons responsible for losses which are paid out under the aforementioned policy of insurance.

Q. What are the facts that gave rise to this claim?

A. In the present case the insured vehicle was properly proceeding on a public road located wholly or partially in South Carolina, when the Defendant, _____, caused the vehicle he operated to suddenly and without warning crash into and violently collide with the insured vehicle, thereby proximately causing personal injuries and/or property damage.

Q. Would you please identify these documents.

A. These are copies of documents used by _____ Insurance Company in all such cases. These

particular documents serve as a record of all sums paid out to, or on behalf of, our insured for property damage and/or personal injuries.

Q. How much did _____ Insurance Company pay in this case?

A. \$_____ Dollars.

Q. How was this amount arrived at?

A. The case file was turned over to an experienced adjuster who evaluated the claim and then negotiated the settlement(s) in accordance with the practices and procedures followed by _____ Insurance Company and in accordance with the prevailing practices for settling claims in this area.

BY _____, attorney for Plaintiff:

I would like to introduce into the record a copy of the letter sent to the Defendant, _____, providing the required notice of the within hearing to determine damages. At this time I would request on behalf of the Plaintiff that the Court find the accident and resulting damages were proximately caused by the Defendant and award judgment and costs to the Plaintiff.

All exhibits were entered into evidence and the hearing was concluded.

SWORN