

CASE STUDY

Strata Service:

Defence
Litigation

Claim Handler:

Laura Stemp

Client:

Vehicle Rental
Client

Result:

Trial Win

TOTAL Saving:

£28,000.00

Strata Approach:

We provide an in depth service to our clients providing a robust, expert and proven capability that delivers results. Our strategy is to coordinate and control every aspect of the claim to drive it forward to conclusion, minimising cost/leakage and reducing claim lifespan.

Overview:

Our Recovery department recovered our client's uninsured losses in full as the Third Party policy was voided as it had been taken out illegally using stolen identity by a known fraud ring.

The Third Party still disputed liability and pursued a personal injury claim including a significant claim for credit hire charges. The matter was therefore passed to our Defence Litigation department.

The Third Party gave inconsistent incident circumstances within the pleadings as to how their injuries were caused and we were advised by the Client that the Third Party was not even in their vehicle at the time of the incident.

An investigative report was obtained which confirmed that the Third Party was known under several aliases and addresses, as well as owning a string of taxi and car sales companies.

As it was clear we were facing a fraudulent claim against our Client, we filed a robust Defence putting the Third Party to strict proof of their identity, their right to bring the claim and the incident circumstances.

Outcome:

The Third Party persisted with their claim up until exchange of witness evidence, when the Third Party solicitors put forward a 'drop hands' offer for both parties to walk away from litigation. Due to the weight of evidence against the Third Party, we rejected this offer and maintained that the case was a fraud. Subsequently, the Third Party discontinued their claim creating a saving of over £28,000 for our Client. In addition, the Third Party solicitors agreed to pay our wasted costs for dealing with a matter which should have never been brought.

CASE STUDY

Strata Service:

Defence
Litigation

Claim Handlers:

Laura Stemp

Client:

Utility

Result:

Successful
strike out of 4 PI
claims

TOTAL Saving:

£20,000.00

Strata Approach:

We provide an in depth service to our clients providing a robust, expert and proven capability that delivers results. Our strategy is to coordinate and control every aspect of the claim to drive it forward to conclusion, minimising cost/leakage and reducing claim lifespan.

Overview:

Our Recovery department issued County Court proceedings against the Third Party as liability could not be agreed. The Third Party subsequently issued a counterclaim for personal injury, vehicle damage and credit hire, and the matter was passed to our Defence Litigation department.

This incident concerned occurred on a roundabout.

Our Client's driver stated that they were in the process of exiting the roundabout when the Third Party failed to give way, entered the roundabout at speed and collided with the Client's correctly proceeding vehicle. The Third party alleged that our Client's driver changed lanes.

The Third Party solicitor put forward an offer to settle the claim on a 50/50 split liability basis in accordance with the case of *Grace v Tanner*, however we took instructions to reject the offer as our Client's driver was adamant they were not at fault and gave across as a strong witness.

Outcome:

At the final hearing, the Judge decided 100% in our Client's favour. It was decided that our Client's driver was in the correct lane for their exit and that the Third Party should not have entered the roundabout as it was not safe to do so with our Client's driver already established.

Our client's losses and costs were awarded in full and the Third Party counterclaim was dismissed in full, creating a saving of over £20,000 for our Client.