

## JONES, SKELTON & HOCHULI PARTNERS SANDY GERBER AND JOSH SNELL OBTAIN UNANIMOUS DEFENSE VERDICT AFTER 6-DAY TRIAL

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*Newton v. GEICO* – Plaintiffs Tyler Newton and

Kalynn Palmisano insured their 2007 Chrysler Pacifica with our client, Defendant GEICO Automobile Insurance. On January 6, 2014, Plaintiff Kalynn Palmisano was driving the Pacifica when the engine seized. The Pacifica was found with only one quart of oil, which meant around 4 and ½ quarts of oil was gone.

Plaintiff Tyler Newton alleged that he and his son checked the oil level a few days earlier, Friday, January 3, and the level and color of oil on the dip stick were full and good. Plaintiffs suspected that the oil had been drained out of the Pacifica by Kalynn Palmisano's ex-husband, an allegedly vengeful auto mechanic. The Plaintiffs' claims were based on their own past accusations against the ex-husband for vandalizing their vehicles, as well as his threats to vandalize their Pacifica. The Pacifica showed no signs of leaking or burning oil and Plaintiffs allegedly discovered an oil stain on their driveway. As a result, Plaintiffs filed a vandalism claim with GEICO.

On behalf of their client, GEICO, JSH Attorneys Sandy Gerber and Josh Snell investigated the claim and discovered that the Pacifica had been driven 8,582 miles since its last oil change. They ultimately determined that there was no coverage due to a failure by Plaintiff to properly maintain the vehicle. After a 6-day trial, the jury was out less than 30 minutes before returning a unanimous defense verdict.

[Sandy Gerber](#) concentrates his practice on bad faith and extra-contractual liability, insurance coverage and fraud, construction litigation, and wrongful death and personal injury litigation.

[Josh Snell](#) concentrates his practice on insurance coverage and bad faith, commercial litigation, personal injury defense, and retail law.