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### **Nuclear Verdicts in Trucking Accidents No Signs of Slowing Down**

- ➔ In hopes of maximizing the monetary award for vehicle accidents involving bodily injury, wrongful death, and property damage, more and more plaintiffs' attorneys are filing "frivolous lawsuits" against freight brokers, shippers and trailer rental companies.<sup>i</sup>
- ➔ Between 2020 and 2022, jury verdicts involving truck crashes climbed from \$10.3 million to \$65.4 million, an increase of 534.95%.<sup>ii</sup>
- ➔ Consequently, shippers have gotten more aggressive, in their efforts to push liability towards the freight broker, when negotiating freight transportation service agreements.<sup>iii</sup>
- ➔ To protect themselves when named as a co-defendant in these frivolous lawsuits, "freight brokers" need to take reasonable action to make sure their motor carrier's insurance will provide them a defense.

### **Certificates of Insurance**

Certificates of insurance (COI's) provided by onboarding companies, load boards, safety compliance and certificate of insurance monitoring companies, do not name the freight broker as certificate holder or additional insured, and may not provide notice of cancellation for commercial general liability, hired and non-owned auto liability, trailer physical damage and cargo coverages. Therefore, they are worthless in the event of a cargo claim, vehicle accident, litigation, or when vetting motor carriers and certificate of insurance compliance.

The VLRM COI vetting process includes getting our clients named as certificate holder, additional insured, and request for notice of cancellation, and can be a great "Additional Tool" in the "Fight" to expose fraudulent activities associated with "**double brokering**" before it happens. Our process also creates a level of transparency that minimizes the possibility of coverage being denied because of:

- ✔ Errors and Omissions made by insurance agents, insurance brokers, or insurance companies when issuing COI's.
- ✔ insurer asserting they were not aware a contract existed.
- 🚚 See Deceptive COI's and Court Cases <http://vlrmgt.com>.
- ✔ 40% of E&O claims involving certificates of insurance are the result of false statements and or misrepresentations.
- ✔ All states except for Alaska, Maine, South Carolina, and Vermont, and the District of Columbia have some form of regulations that apply to the issuing of certificates of insurance.

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<sup>i</sup> Trucking Leads Growth in Nuclear Verdicts <https://www.tnews.com/articles/trucking-leads-growth-nuclear-verdicts#:~:text=Trucking%20found%20itself%20at%20the,to%20%241.82%20billion%20in%202021>

<sup>ii</sup> *Id.*

<sup>iii</sup> *Id.*