

## **Steven Badger Quoted in SE Texas Record Regarding Hail Lawsuit Sanctions**

August 21, 2017

Steven Badger, a partner in the Dallas office of Zelle, was quoted in an article titled “Judge sanctions Voss Law for handling of hail suit, finds firm ‘hijacked’ litigation for own benefit” that was published on the *SE Texas Record* website.

From producing fraudulent documents to “hijacking the litigation process for its own benefit,” a federal judge has found the Voss Law Firm “engaged in intentional litigation misconduct” by bringing a hail lawsuit on behalf of clients that never actually signed a contingency fee agreement.

In January, U.S. District Judge Alia Moses granted a State Farm Lloyds motion for summary judgment, freeing the insurer from a suit brought on behalf of Gregorio and Maria Hernandez after finding it timely paid an appraisal award.

State Farm had also moved for sanctions, asserting Voss Law:

- Failed to tell their clients about an indemnity payment made to them;
- Failed to disclose two settlement offers made by State Farm;
- Filed a claim with State Farm on behalf of the plaintiffs without consulting them; and
- Served State Farm with fraudulent interrogatories, which were purportedly signed and verified by the plaintiffs.

Following two show of cause hearings, Judge Moses, on Aug. 17, found evidence supporting State Farm’s assertions and levied sanctions against Voss Law, concluding it was “clear” that the firm “intentionally practices law in a manner that puts their best interests before their clients and, at a minimum constitutes malpractice, if not outright fraud.”

“Nothing in the court’s order comes as a surprise to me,” Badger said in the article. “We see this all the time. And not just from the Voss law firm – other Texas hail lawyers are even worse. The court was spot-on in raising a concern about lawyers hijacking the lawsuit process for their own benefit. And it’s not

just the lawyers. Also involved in the process are the case solicitors, public adjusters, appraisers, and estimators. They all want a piece of the pie.”

And while Badger hopes recently enacted hail litigation reform legislation will help address some of the abuses, he suspects that alone will not bring an end to the bad conduct.

“There is too much money to be made,” Badger said. “What is needed the most is for the State Bar of Texas to recognize the problem and take action against lawyers engaged in the unethical and illegal conduct occurring in these matters.”

[Click here to read the article that appeared on the \*SE Texas Record\* website.](#)