

DALLAS BUSINESS JOURNAL



SERVING BUSINESS LAWYERS IN TEXAS

LITIGATION

Gardner Haas scores win for Dallas-based Highpoint Risk

Dallas-based Highpoint Risk Services and its owner Charles David Wood, Jr. has scored a \$30 million legal victory in their three-year legal battle with a South Carolina insurance company.

The large-dollar dispute began in 2014 when Highpoint sued Companion Property and Casualty Insurance for \$38 million.

The lawsuit filed in Texas claimed that Highpoint advanced payments to those insured by Companion in 2013 under an agreement that Companion would reimburse the Dallas company. Highpoint claimed it never received reimbursement.

In September 2014, Companion countersued in federal court in South Carolina arguing that Highpoint and Wood “commingled” business and personal finances among Wood’s companies to the degree that Companion officials could not tell how much money was owed.

A South Carolina federal judge ruled that “there is no evidence Highpoint owed or breached” any fiduciary duties to Companion regarding the company’s issuance of workers’ compensation policies.

The judge also ruled that Companion was contractually barred from recovering any

alleged shortfall from Highpoint or Wood. Only one of the plaintiff’s claims for damages against Highpoint survived the judge’s opinion, a lawyer involved said.

“The evidence is clear – Companion is obligated to pay the amounts owed to Wood’s companies,” said Eric Haas, a partner at Dallas-based Gardner Haas, who represents Highpoint.

“The South Carolina court has dismissed the core of the case brought by Companion.”

Highpoint’s original lawsuit against Companion is set to go to trial in November in Dallas.

–Mark Curriden