

April Tips for Business Interruption: Educating the Insured: Covered Cause of Loss v. Actual Cause of Loss

A hurricane causes an entire city to flood, shutting down the infrastructure, including the courts, for several weeks. Even the postal service is in shambles. An attorney specializing in Social Security cases suffers minimal damage to his office. Most attorneys could work from another office or from home, but this attorney is completely shut down and unable to operate his practice because the courts are not open and his clients have been relocated. Even if he had contingent business interruption coverage, the loss was due to flood. His practice was most definitely shut down, with little possibility of resumption without the courts. But the loss is not from a 'covered cause'.

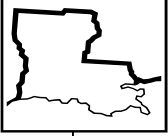
Helping the insured understand the difference between actual cause and covered cause should be simple, right?...We send them, or their authorized representatives (attorney or public adjuster), a copy of the policy and voila! problem solved.

Oh contraire! The insured, attorney or not, will need assistance understanding, and accepting, the intricacies of assessing the difference. And 30 to 45 days after the loss is not the time to begin the education.

So, we should begin at the beginning:

- **At first contact, a discussion with the insured should be undertaken to determine what he/she believes to be the key reason their business operation is suspended.**
- **If there is any doubt that the 'actual' cause of the business income loss the insured has suffered may not be covered, the insured should be informed that an issue exists and that it will be resolved forthwith.**
- **Resolve the issue forthwith! And inform the insured of the resolution.**
- **If the resolution is that the 'actual' cause of loss has been determined to be 'not from a covered cause'....Here's where we send the insured a copy of the policy accompanied not by a canned disclaimer, but by a 'user friendly' explanation of their policy requirements with regard to the circumstances of their 'actual' loss.**

Dealing with the issues judiciously and expeditiously could keep the claim out of court or aid in a defense.



April Tastes: Jambalaya

- 2 cups white rice
- 1 pound ground sausage (mild or med)
- 1 can beef broth
- 1 can French onion soup
- 1 stick butter or margarine
- 1 can tomatoes (Rotel if you dare!)
- 1 chicken breast, cooked and chopped (optional)
- 2-3 spring onion tips, sliced/chopped, or the Holy Trinity (chopped onions, celery and bell pepper)

Brown the sausage and drain of the grease.

Put remaining ingredients in the pot with the sausage.

Bring to a boil. Cover and reduce heat. Simmer until the rice is done. Pour into casserole dish, top with your garnish choice from above.

Couldn't be any simpler! And it is great served on the same menu with Boiled Crawfish or Shrimp, Coleslaw and French Bread.



Bonus from Baltimore: Orzo with Asparagus Tips

- 3 tbsp EVO (Extra Virgin Olive Oil)
- ½ sweet onion, chopped
- 1 sweet pepper (red, yellow or orange) chopped
- 3 oz sun dried tomato (moist preferred or in oil), julienne cut
- 1 ear of sweet white corn, cut kernels off cob
- 1 pound fresh asparagus, cut in 1" pieces (using top 2/3 of spears)
- 2 cloves garlic, minced
- 1 pound Orzo
- 1 cup fresh basil, chopped
- 1 cup Parmesan cheese, grated
- Salt and pepper to taste

Heat a large skillet on medium and add oil. When oil is hot, add onion, sprinkle with salt and pepper and sauté' for 2 minutes. Add sweet pepper and sun dried tomato and sauté' for another 2 minutes. Add corn, asparagus and garlic and sauté' for an additional 2 minutes. Remove from heat.

In a large pot filled with salted water, cook the Orzo, following the package directions. Remove from heat and drain the water. Return Orzo to pot and add fresh basil, tossing to wilt. Combine Orzo and above mixture. Fold in Parmesan cheese, reserving a small amount to sprinkle on top. Salt and pepper to taste.