

Mediator's Corner

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Mediating Superstorm Sandy

by [leonel](#)

In normal mediations, I try to stay disinterested, not pushing one way or the other. However, because both parties' stated goal was to find coverage, I became more active—going through my checklist of things policyholders often forgot to claim for. Plus, I would ask the carrier, after hearing the policyholder's account of the damages, what else was out there that could be covered.

In one case, we discovered that the homeowner had not claimed for spoiled food. One business had not realized that it could claim for “valuable papers and records”. A third was able to distinguish what property was damaged by floodwaters vs. wind (which is covered).

This is not to say that every claimant got a monetary settlement. Far from it—a couple of retailers could not claim tens of thousands of dollars of fresh and frozen food that had spoiled when the power was out for a week. What they did get, however, was someone who would sit and listen to them, walk them through their policy and answer their questions in plain English. Based on my post-mediation surveys, the claimants who did not get a settlement were often just as satisfied as those who did.

In all, hopefully, we helped people move on with rebuilding their lives and putting Superstorm Sandy behind them.