

## Summary of Dispute

### 1. Liability Dispute

Summarize the liability arguments presented by each party.

**Summary of Dispute:** This is a liability dispute involving an intersection collision. Alpha contends Beta failed to yield when making a left turn on a green light. Beta contends Alpha failed to take evasive action and was speeding.

### 2. Damage Dispute

Summarize the damages dispute presented by each party.

**Summary of Dispute:** Beta has admitted liability. Damage Dispute only. Alpha contends their estimate was written using industry standards and was reasonable and customary. Beta contends Alpha's vehicle is 10 years old and estimate should have been written using LKQ parts instead of OEM parts.

## Liability Decision


### 1. 100% Award

Alpha's evidence supports its arguments. State each breach against Beta.

**Liability Decision:** Respondent 1 - BETA INSURANCE OF COLORADO admits 0% liability.  
Applicant - ALPHA INSURANCE OF FLORIDA proved  % liability against Respondent 1 - BETA INSURANCE OF COLORADO

based on: Unsafe lane change and inattention.

**What act of negligence did applicant prove?**




### 2. Comparative

Each party breached a duty. State each breach.

**Liability Decision:** Respondent 1 - BETA INSURANCE OF COLORADO admits 0% liability.  
Applicant - ALPHA INSURANCE OF FLORIDA proved  % liability against Respondent 1 - BETA INSURANCE OF COLORADO

based on: Beta is 80% for failure to yield.  
Alpha is 20% for speeding.

**What act of negligence did applicant prove?**




### 3. No Award

Alpha's evidence does not support its arguments.

**Liability Decision:** Respondent 1 - BETA INSURANCE OF COLORADO admits 0% liability.  
Applicant - ALPHA INSURANCE OF FLORIDA proved  % liability against Respondent 1 - BETA INSURANCE OF COLORADO

based on: Alpha unable to prove Beta failed to yield.

**What act of negligence did applicant prove?**



#### 4. Liability Accepted

Beta has accepted liability.

**Liability Decision:**

Respondent 1 - BETA INSURANCE OF COLORADO admits **100%** liability.

Applicant - ALPHA INSURANCE OF FLORIDA proved  % liability against Respondent 1 - BETA INSURANCE OF COLORADO

Beta admitted liability.

based on:

**What act of negligence did applicant prove?**



### Damages Decision

#### 1. All Damages

Explain how Alpha proved all damages.

**Damages Decision:**

Applicant - ALPHA INSURANCE OF FLORIDA proved  Damages Proven: \$

Explain Damages Proven (if damages are reduced, explain why):

Alpha's estimate confirms repair time of 5 days. Rental bill is for 5 days. Alpha has proven all damages.

#### 2. Reduced Damages

Itemize the reduced amount and show the math.

**Damages Decision:**

Applicant - ALPHA INSURANCE OF FLORIDA proved  Damages Proven: \$

Explain Damages Proven (if damages are reduced, explain why):

Beta's argument to reduce rental by 10 days is valid based on repair estimate.  
 \$4200.00 (Company Claim Amount)  
 - 400.00 (10 days of rental at \$40.00 per day)  
 \$3800.00

### Evidence Explanation

#### 1. Liability Only

Quoting the evidence demonstrates you analyzed it.

**What evidence caused you to render this decision and why?**

The police report narrative included Beta's admission that he attempted to turn right from the left lane; it also noted Beta's citation for improper turn. **In his statement, Alpha said he did not see Beta until "...just before we hit..."** The witness, traveling directly behind Beta, said Beta was slowing and he signaled his turn about two seconds before he attempted it. With proper attention, Alpha may have been able to take evasive action.

#### 2. Damages Only

Discuss evidence that proves or disproves the damages arguments.

**What evidence caused you to render this decision and why?**

Beta's CCC report shows a \$14,000 value, indicating "Sedan 4D SXT" as the vehicle type. Alpha's damage photos show it was a Sedan 4D SE 3.5, and its Total Loss Evaluation (NADA based) also lists a Sedan 4D SE 3.5. Alpha's total loss evaluation with the accurate vehicle supports its value.