

Stay current in news impacting arson training, investigation and control.

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## Member Spotlight

**JOHNSON & BELL**  
TRIAL LAWYERS

### Johnson & Bell

Johnson & Bell's attorney practice groups offer lawyers versed in specific areas of law. Our trial lawyers work for one or more practices and draw on years of experience, as well as niche educational and professional backgrounds. Groups work collaboratively, often pooling resources with each other to acquire an added perspective and knowledge base, with the ultimate goal of offering the best representation possible.

## Case Law

### People v. Johnson

Criminal case reviewing and affirming the admissibility of prior insurance claims for fire damage and reviewing the sufficiency of evidence of the crime of arson for accused who was found guilty.

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### IN THE MATTER OF THE COMPLAINT OF SHEARS

On an issue regarding the admissibility of expert testimony the court finds that "...Given that the expert does not specifically rely on NFPA 921 guidelines in his expert report, and explains his reliance on and alleged departures from NFPA 921 in his deposition, the Court finds that Petitioners' complaints more properly go to the weight of his testimony, rather than providing the basis for disqualification."

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### Cox v. Empire Fire & Marine Ins. Co

In April 2008, a fire destroyed the unoccupied and unfurnished home of insureds. Three months later, the insurer, Empire, paid \$132,445 to settle the claim. Empire also made supplemental payments of \$6,596 and \$24,082 over the next eighteen months. Based on Empire's handling of the claim, the insureds sued Empire for bad faith under Kentucky statutory and common law. No aspect of the claim-adjustment process, however — including the amount of the initial payment and the delayed payment of the supplemental checks — reflected bad faith by Empire.

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