



# Claims in Litigation

## Customers often have questions about the next steps when a claim moves into litigation

We hope the following answers to Frequently Asked Questions (FAQ's) will be of assistance to you through the claims process.

### What is a Summons or Complaint?

- A civil action summons is a document that puts you on notice that you have been named in a lawsuit and are required to appear in court within a specified time. A summons will contain the name of the court where the lawsuit was filed, the names of the parties involved, the name and contact information of the person that filed the lawsuit, and a case number, sometimes referred to as a docket number.
- If you receive a summons, you should also receive a complaint, or lawsuit, attached to the summons. A complaint is a formal legal document that initiates a lawsuit. It outlines the allegations against you, detailing the legal and factual basis for the claims and the relief sought.

### What does the Statute of Limitations mean?

- Some claims aren't ready for settlement and a party needs to file a lawsuit to protect their rights, that must be filed within the Statute of Limitations. The Statute of Limitations is a law that sets the maximum time, from the date of the alleged harm or date it was discovered, that legal proceedings can be initiated. The maximum time the statute allows a party to file a lawsuit can vary based on the jurisdiction and the specific civil cause of action.

### What does it mean to be "served"?

- Generally, when you are served with a civil action summons and complaint, it means that you have been named in a lawsuit. You may be "served" by mail or in person. Once you receive the summons and complaint, either by mail or in person, you have a limited amount of time to respond to the court. Your failure to timely respond could result in a default. It is important that you notify us immediately and forward all documents to us.



Please note that this FAQ document regarding is for informational purposes only and is not intended as legal advice or a substitute for it. Please contact your Mutual of Enumclaw adjuster when you receive any legal documents related to your claim or with any questions.



### What should I do once I've been served?

- If you are served, and/or anyone who is seeking coverage under your MOE policy is served, immediately contact us, and arrange to have a copy of the summons and complaint sent to us. The summons should state how many days you have to respond to the complaint. Even if you think you aren't responsible for the allegations made in the complaint, you must respond within the specified time. If you fail to respond timely, you may be determined by the court to be in default. A default may lead to a judgment entered against you. If that occurs, you may not be able to contest any of the allegations made in the complaint and the court may proceed to determine the amount of damages you'll need to pay the other party. Therefore, it is very important that you contact us immediately if you are served.
- After you contact us and we determine if your policy provides coverage for a cause of action, we may assign defense counsel to represent you. This defense attorney, selected by us, will represent you as a defendant. Your defense attorney will contact you and prepare to file a notice of appearance or an answer on your behalf, which is a document that contains your response to the allegations presented in the complaint.

### What can I expect when I contact my claims adjuster or other MOE representative after being served?

- If the complaint is related to an existing claim, contact your adjuster immediately. If this is a new claim, contact your agent, us at [877-425-2580](tel:877-425-2580) or file a claim through the [member app](#) and you will be assigned a claims adjuster. Your claims adjuster will provide an explanation of coverage and assist you through the litigated claims process.



### What information should I gather and provide after being served?

- Your assigned defense attorney will work with you to gather any documents or other information they need to properly defend you. Preserve any records, including camera recordings until you talk with your defense attorney.

### How long will it take to resolve the lawsuit after being served?

- Some lawsuits may be resolved within a period of months, while others can take several years to resolve.

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