



FUNK & BOLTON

ATTORNEYS AT LAW

A PROFESSIONAL ASSOCIATION
TWELFTH FLOOR
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND
21201-3111
PHONE 410.659.7700
FAX: 410.659.7773
www.fblaw.com

DAVID M. FUNK (MD)
BRYAN D. BOLTON (MD, PA)
REN L. TUNDERMANN (MD)
CHARLES D. MACLEOD (MD)
GERALD I. H. STREET (DE)
TIFFANY HANNA ANDERSON (MD)
DARYN RUSH (PA, NJ)
DEREK B. YARMIS (MD, DC)
JEFFERSON L. BLOMQUIST (MD)
MICHAEL P. CUNNINGHAM (MD, DC)
LINDSEY A. RADER (MD)
CHERYL A. C. BROWN (MD)
JAMES F. TAYLOR (MD)
ERNEST A. CROFOOT (MD)
JOHN I. ELLIS (DE)

SENIOR COUNSEL
HISHAM M. AMIN (MD)

ASSOCIATES
AMY L. STRACHAN (PA, NJ)
REBECCA S. BESTTE (DE, MD)
MITCHELL W. MAY (VA, DE)
THOMAS KLEMM (MD, DC, PA)
TAMAL A. BANTON (MD)
DESIRÉE S. WILLIAMS (MD, IL, DC)
SEIGRID T. RICH (MD)
M. DAVID MALONEY (MD, DC)
PATRICK W. THOMAS (MD)
NICOLE M. SANDUSKY (MD)

OF COUNSEL
STEPHEN P. CARNEY (MD)
AMANDA STAKEM CONN (MD)
CHRISTOPHER E. DUNNE (PA, NY, DC)
GARY C. HARRIGER (MD)
DONNA B. IMHOFF (MD)
ELISSA D. LEVAN (MD)
ROBERT H. LEVAN (MD, DC, NY)
MARK A. McNULTY (DE)
CHRISTOPHER W. POVERMAN (MD, DC, NJ)
DEBORAH R. RIVKIN (MD)
KAREN P. RUFF (MD)
RONALD L. SOUDERS (PA, DC)
JOHN R. STIERHOFF (MD)

INSURANCE LAW BULLETIN

Re: Maryland Insurance Commissioner Holds Policyowner Has Duty To Read And Understand Universal Life Policy

The Maryland Insurance Commissioner recently dismissed a complaint regarding alleged misrepresentations in the sale of a universal life policy.

The policyowner filed a complaint with the Maryland Insurance Commissioner alleging that an insurance agent failed to properly disclose the nature and terms of a universal life policy. After the initial denial of the complaint, the policyowner requested a hearing, and the Commissioner delegated authority over the matter to the Office of Administrative Hearings.

An administrative law judge, on behalf of the Commissioner, held that the policyowner had a duty to read and understand the policy. “The Complainant’s failure to read pertinent literature associated with the . . . policy . . . , rather than any overt misrepresentation made by the [insurer] or its agent, is the primary reason that the Complainant finds herself aggrieved.”

For further information, or a copy of the decision, please contact **Derek B. Yarmis**, who represented the insurer, at 410.659.7762 or dyarmis@fblaw.com. To learn more about our firm or review other law bulletins, please visit our website at www.fblaw.com.

June 15, 2007
No: 2007-7