



The Voice

And The Defense Wins

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DRI members **Mark R. Smith** and **Freedom Villa** of the Indianapolis firm of **Smith Fisher Maas Howard & Lloyd, P.C.**, and **John C. Trimble** and **Richard K. Shultz** of the Indianapolis firm of **Lewis Wagner LLP** participated in a defense ruling from the Indiana Supreme Court in the case of *Robinson v. Erie Insurance Exchange*. Mr. Smith and Ms. Villa represented Erie, while Mr. Trimble and Mr. Shultz were amicus counsel for the Insurance Institute of Indiana. The ruling addressed the issue of whether an automobile policy provided uninsured motorist coverage for automobile property damage caused by a hit-and-run driver where no personal injury had occurred. The Indiana Court of Appeals had held that a widely used and fairly standard definition of uninsured motor vehicle was ambiguous, but the Indiana Supreme Court disagreed and sided with Erie and with the insurance industry on how the language should be interpreted.

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