



19839 Nordhoff Street  
Northridge, CA 91324

TEL (818) 886-2525

*www.kantorlaw.net*

For Immediate Release  
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**Kantor & Kantor, LLP Sues UNUM on Behalf of Emergency Room Doctor with Severe Asthma at Serious Risk of Injury Due to COVID-19 Pandemic**

Northridge, CA – On September 10th, Kantor & Kantor filed an Amended Complaint in the United States District Court, Central District of California against UNUM Group and Provident Life Insurance Company, [Case No. 2:20-cv-08259](#). The claims were for Breach of Contract, and for Breach of The Implied Covenant of Good Faith and Fair Dealing.

Kantor & Kantor’s client, “Dr. J”, is an emergency room physician who suffers from severe asthma. As the COVID-19 pandemic began, it became clear that she would have frequent and ongoing contact with individuals affected with COVID-19. After consulting with her treating physician to determine if it was unsafe to continue to perform her own occupation, the treating physician advised that the combination of the nature of the job, and suffering a severe case of asthma, was such that he deemed it unsafe for her to continue to perform her own occupation as an emergency room physician.

The American College of Allergy, Asthma & Immunology (ACAAI) released a statement on March 12, 2020:

*“Patients with severe asthma, immunodeficiency, and other chronic conditions where their immune system may be compromised are most susceptible to increased morbidity and mortality from viral infections in general, and we assume similar precautions should be recommended to these individuals for coronavirus.”*

The CDC similarly believes that people with moderate to severe asthma have a higher risk of getting seriously ill from COVID-19. This is because coronavirus affects the upper and lower respiratory tracts, including the nose, throat, and lungs. The virus may trigger an asthma attack or lead to pneumonia or other acute respiratory diseases.

Dr. J ceased working as an emergency room physician and filed a claim for disability benefits with UNUM.

On June 1, 2020, UNUM denied the claim on the alleged basis that her asthma was not of such a severe nature to place her in undue danger in the event she contracted COVID-19 from continuing her occupational duties.

However, Kantor & Kantor believes that UNUM has made an across the board decision to deny all disability claims premised on the insured having a co-morbid condition which would cause a significantly higher risk of death if they were to contract COVID-19.

Dr. J appealed the denial on June 25, 2020. UNUM advised her on August 21, 2020 that it was continuing to reevaluate her claim and would finalize its review by August 31, 2020, or at a minimum advise her of the status of her claim. However, as of September 10, 2020, UNUM had no further communication with our client.

As a result of UNUM's improper determination regarding Dr. J's entitlement to disability benefits, she has been deprived of the right to obtain benefits under the terms of the Policy. UNUM's denial of benefits constitutes a breach of the insurance contract between UNUM and Dr. J and a breach of the duty of good faith and fair dealing.

Dr. J seeks damages not only to compensate herself for the unpaid disability benefits, but also for the financial and emotional harm caused her by the unreasonable conduct of UNUM. In addition, she seeks the imposition of punitive damages so that UNUM will be deterred from recklessly denying the valid claims of other similarly situated insureds.

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About Kantor & Kantor, LLP

Kantor & Kantor, LLP is one of the most experienced and highly respected law firms in the nation dealing with litigating insurance claims against insurance companies. Our firm also has extensive experience with the complex appeals procedure and Federal Court litigation of ERISA matters.

For additional information, please contact  
Austin Holian  
Marketing Director, Kantor & Kantor, LLP  
510 239 5595  
[aholian@kantorlaw.net](mailto:aholian@kantorlaw.net)