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Earnhardt's Widow Sues Insurance Company for Millions

Wednesday, May 25, 2008
Associated Press

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LEXINGTON, N.C. — A life insurance (search) company cheated the widow driver Dale Earnhardt (search) out of millions of dollars by refusing to pay her lawyer said in the opening statements of a civil trial Wednesday.

The insurer, **United of Omaha (search)**, argued the \$3.7 million policy was new Earnhardt had not taken the required physical before he died in a crash at the C

"We made a fair decision. We made a reasonable decision. There's no question unpopular decision, but we did what we're supposed to do based on what occur lawyer Stephen Coles told the jury.

Richard Childress Racing took out the policy on Earnhardt's behalf and had made premium payment. It received a second bill just two days before Earnhardt died on Feb. 18, 2001.

John Morrow, lawyer for Earnhardt's widow, Teresa, accused the insurer of failing to investigate the claim.

But Coles countered that despite the payment, the policy hadn't attached to the Earnhardt, one of the most popular drivers in the history of stock-car racing, because he refused requests to undergo a physical.



"Just because somebody files an application doesn't mean they get a policy," Coles said. "It's not automatic. It's especially not automatic when it's the amount of money in this case."

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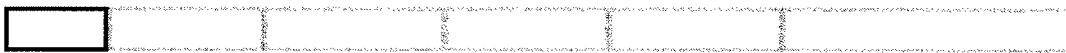
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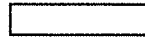
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