



# ERIC BUCHANAN & ASSOCIATES

## DISABILITY INSURANCE ATTORNEYS

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### ERISA & DISABILITY BENEFITS NEWSLETTER

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#### ABOUT OUR FIRM

The Disability Insurance Team at Eric Buchanan & Associates helps individuals nationwide who have been denied disability insurance benefits and employee benefits. Our insurance and employee benefits team helps people apply for, or fight denials of, disability insurance benefits, life insurance, health insurance, and similar insurance benefits.

For more information, visit our website at [buchanandisability.com](http://buchanandisability.com).  
Contact our intake team at [intaketeam@buchanandisability.com](mailto:intaketeam@buchanandisability.com).

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#### UNUM NEVER STOPPED TARGETING YOUR DISABILITY CLAIM

BY: NOAH A. BREAZEALE & HUDSON T. ELLIS

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**“A snake could shed its skin, but can never change its color.”** - Alexandra Bracken, *Passenger*

Unum wants you to believe it stopped pressuring its employees to deny claims, but you shouldn't. Unum still uses tactics like those that previously earned it a spot on *60 Minutes* as well as millions of dollars in fines and bad-faith verdicts. The only difference between then-and-now is that the company learned from getting caught and became much better at hiding their practices. To get any of this into the light, you will have to fight hard. Since our firm regularly sues Unum, we know the ways Unum tries to hide its tactics and the best ways to bring that information to light.

Unum's first line of defense against claims that it continues to use pressure tactics is to declare to the court that the practices that got it into trouble in the

2000s are ancient history and that Unum has since cleaned up its act. Some courts will buy into this, but most will allow attorneys to dig. The problem is that, even when courts give you the right to dig into Unum's practices, Unum fights all efforts to uncover the “bad” evidence. Without knowing what to look for, or the experience to recognize the evidence you find for what it is, the fight can become a huge burden with a little payoff and cause many attorneys to avoid it. But the evidence is there and can help your client's case tremendously when you find and use it.

In our repeated fights against Unum, courts have been more willing to let us dig into Unum's bad conduct when fighting for punitive damages under state law (mostly individual policies) and less keen when suing under ERISA (group policies). We have gathered non-confidential evidence in our state law cases

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To remove your name from our mailing list or for questions and comments,  
email us at [eric@buchanandisability.com](mailto:eric@buchanandisability.com) or call toll free (877) 634-2506.

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establishing that Unum continues to monitor and evaluate the number of denials its employees make each month. This evidence shows that Unum creates periodic reports setting out how many claims its claims handlers or their teams will terminate and tracking their progress toward meeting those expectations. Going further, we have also obtained testimony explaining how meeting or failing to meet these expectations affect the claims handlers' bonuses.

Building on the evidence collected in our state law cases, we recently obtained court orders in three of our ERISA cases allowing us to dig further into Unum's claims practices. While much of the evidence uncovered so far is confidential, the non-confidential parts confirm Unum handles group claims much the same way it handles individual claims. For example, Unum uses the same periodic reports giving termination expectations and tracking employees' progress toward those expectations. Additional testimony confirms that meeting these expectations is a part of employee

performance evaluations. The bottom line is that by regularly providing this information to decision-making employees, Unum pressures employees to deny claims to meet financial goals rather than decide each claim's merits.

To be sure, Unum providing its decision-makers with monthly claim closure goals is only one example of the improper practices Unum uses to deny valid claims. To obtain this evidence or evidence of other improper practices, you will have to fight hard and know what you are looking for because Unum will go to great lengths to keep this information hidden. If Unum denies your benefits or you are helping someone in that position, you should contact a firm experienced in dealing with these claim tactics, and that knows where to look. For more information about the Unum companies and their claim tactics, please visit our website at <https://www.buchanandisability.com/unum-claim-denials-attorney/>.

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[Eric Buchanan & Associates, PLLC](#) is a boutique plaintiffs' firm located in Chattanooga, Tennessee. We help individuals nationwide obtain disability insurance benefits and other ERISA employee welfare benefits (such as life, health or disability benefits offered through work). Attorneys are our number one source of cases. If you have a client who could use our help, we would appreciate your referral.

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**We appreciate the opportunity to work with you on any of these cases.**

**Contact our intake team at [intaketeam@buchanandisability.com](mailto:intaketeam@buchanandisability.com).**

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### NEED A SPEAKER?

The attorneys at Eric Buchanan & Associates, PLLC are available to speak to your organization regarding ERISA long term disability, group long term disability, private disability insurance, ERISA benefits, denied health insurance claims and life insurance claims.

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