

Insurance Company Says Fire Victims Died Of 'Pollution'

By Carl Willis,
Click2Houston.com

A Houston family is still in the healing process after one of their loved ones was killed in an office building that was set on fire last March, and they said they feel like an insurance company is trying to victimize them again, KPRC Local 2 reports.

For Jerome Ellis, the difficult part is dealing with all of the unfulfilled promises.

"She made a promise to see my niece get married and have children," said Ellis. "She couldn't keep that promise, not at any fault of her own. Now it's time for other people to keep their promises."

Ellis said he believes the decision makers at Great American Insurance are not upholding their end of the deal.

According to a recent legal request filed in a Houston federal court, the insurance company claims the smoke that killed Marvin

Wells, Jeanette Hargrove and Shana Ellis was pollution.

The company said it does not believe the victims' families should be compensated.

"The name of the company is Great American Insurance, so what I want to know is, is this how you insure great Americans?" Ellis asked. "My sister was a great American."

The insurance company's spokesperson said that it is company policy not to comment on pending lawsuits.

Court documents showed that Great American has claimed that damages and deaths caused by pollution, including smoke, are excluded on the insurance policy.

"They're trying to use this as a tactic to get the plaintiffs to settle for less money than what they should. With the scare tactic being there, there may be no money for you at all if this pollution exclusion actually applies," attorney Randy Sorrels said. "It's appalling."

This comes after Misty Ann Weaver, agreed to a plea deal. She was sentenced to 25 years in prison on three counts of felony murder and one count of arson.

The former vocational



nurse claimed she set the fire to hide the fact that she failed to meet a paperwork deadline for an accreditation audit.

With the challenge of winning in court behind them, the victims' relatives said they shouldn't be forced to face yet another obstacle.

"I think (Great American) should sit down and rethink their maneuvering and their posturing because there are people's lives and the future of their lives at stake," Ellis said.

The matter could go to trial as early as February of next year.