

## Joseph Balice Discusses New California Insurance Decision With Newsweek

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July 3, 2025 Joseph Balice

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PRACTICES Insurance Recovery

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A California judge ruled the state's FAIR Plan fire insurance policy is illegal for unlawfully restricting coverage for smoke damage.

Haynes Boone [Insurance Recovery](#) Counsel [Joseph Balice](#) spoke with *Newsweek* to explain the decision's significance to businesses, consumers and insurers. He explained how it could set a valuable precedent that could force insurers to change their policies and re-examine thousands of previously denied claims.

Read an excerpt below:

It has taken years for a judge to recognize the FAIR Plan's approach to smoke damage as "unlawful," despite years of complaints from policyholders. The lawsuit that triggered the decision is years old and has been fought tooth-and-nail by the state's fire insurer of last resort.

"The FAIR Plan filed numerous challenges to the complaint, and because the case was originally filed as a putative class action, there was a battle over class certification, which was eventually denied," Joseph Balice, a California-based attorney working for Haynes Boone Insurance Recovery, a company that helps policyholders recover insurance coverage benefits when carriers deny, delay or underpay claims, told *Newsweek*.

[Read the full article from Newsweek here.](#)