

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Lisa Lambert v. SafePort Insurance Company, et al.

Lambert · No. 25-1446 · Decided April 8, 2026

SUMMARY

The United States District Court for the Eastern District of Louisiana granted SafePort Insurance Company’s motion to dismiss claims for insurance fraud, tortious fraud, and civil conspiracy to commit fraud. The court held that Louisiana Revised Statutes § 22:1924 does not create a private cause of action and that the tortious fraud allegations failed to satisfy Federal Rule of Civil Procedure 9(b) and did not allege justifiable reliance. All claims against SafePort were dismissed with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Susie Morgan
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	April 8, 2026
DOCKET	25-1446
DISPOSITION	dismissed
PROCEDURAL POSTURE	SafePort Insurance Company moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss with prejudice Plaintiff's claims for insurance fraud, tortious fraud, and civil conspiracy to commit fraud, or alternatively for a more definite statement. The court granted the motion and dismissed those claims with prejudice.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true and determines whether the complaint contains sufficient factual matter to state a plausible claim for relief. Legal conclusions, conclusory statements, and threadbare recitals of the elements are not accepted as true. Fraud allegations are subject to Rule 9(b)'s heightened particularity requirement.
PRECEDENTIAL VALUE	Unknown
PARTIES	Lisa Lambert v. SafePort Insurance Company, et al.

TOPICS

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QUESTIONS PRESENTED

1. Whether Louisiana Revised Statutes section 22:1924 creates a private cause of action for insurance fraud.
2. Whether Lambert pleaded tortious fraud with the particularity required by Federal Rule of Civil Procedure 9(b).
3. Whether Lambert adequately pleaded justifiable reliance, an element of a Louisiana tort-fraud claim.
4. Whether Lambert stated a claim for civil conspiracy to commit fraud when the underlying fraud claims failed.
5. Whether dismissal with prejudice was appropriate.

HOLDINGS

1. Louisiana Revised Statutes section 22:1924 provides only a criminal enforcement mechanism and does not create a private cause of action for insurance fraud.
2. Lambert's tortious-fraud claim failed Federal Rule of Civil Procedure 9(b)'s particularity requirement because the complaint did not identify the speaker, the specific fraudulent statements, the timing and place of the statements, or each defendant's role.
3. Lambert failed to state a Louisiana tort-fraud claim because she did not allege justifiable reliance on any alleged misrepresentation or an injury resulting from such reliance.
4. Lambert failed to state a claim for civil conspiracy to commit fraud because civil conspiracy is not independently actionable and the complaint failed to state an underlying fraud claim.
5. Dismissal with prejudice was appropriate because the statutory insurance-fraud claim was incurable and Lambert had been afforded three opportunities to amend the fraud and conspiracy claims but still failed to plead them with the required particularity.

KEY QUOTATIONS

“Collective pleading is insufficient under Rule 9(b), which requires a plaintiff to allege each defendant’s role in the purported fraud with specificity.” (Section III)

“Because the Court has already determined that Plaintiff fails to state a claim for insurance fraud or tortious fraud, there is no underlying tort claim.” (Section IV)

FACTUAL BACKGROUND

Lambert alleged that SafePort presented false engineering reports and denial letters to deprive her of benefits under an insurance policy. She alleged that SafePort directed SageSure and an engineer to misrepresent the

policy and attribute roof damage to earth movement, which she characterized as scientifically baseless. The complaint grouped SafePort, SageSure, adjusters, the engineering company, and the engineer together without identifying the specific actor, statement, or conduct attributable to each defendant. Lambert did not allege that she relied on any alleged misrepresentation or changed her position because of it.

PROCEDURAL HISTORY

Plaintiff filed claims against SafePort Insurance Company and other defendants arising from the handling and denial of insurance benefits. SafePort moved for partial dismissal on February 16, 2026. The court concluded that the statutory insurance-fraud claim lacked a private cause of action, that the tortious-fraud claim failed Rule 9(b)'s particularity requirement and failed to plead justifiable reliance, and that the conspiracy claim failed because there was no adequately pleaded underlying tort. The court dismissed all claims against SafePort with prejudice.

DISPOSITION

dismissed

CASES CITED

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 545, 555, 557, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 663, 678-79 (2009)
- Cuvillier v. Taylor, 503 F.3d 397, 401 (5th Cir. 2007)
- S. Christian Leadership Conf. v. Sup. Ct. of the State of La., 252 F.3d 781, 786 (5th Cir. 2001)
- Fernandez-Montes v. Allied Pilots Ass'n, 987 F.2d 278, 284 (5th Cir. 1993)
- Cutrer v. McMillan, 308 Fed. App'x 819, 820 (5th Cir. 2009) (per curiam)
- Smith v. GE Healthcare, Inc., No. 3:19-CV-00492, 2019 WL 4565246, at *7 (W.D. La. Sept. 4, 2019)
- Dong Phuong Bakery, Inc. v. Gemini Soc'y, LLC, No. CV 21-1109, 2022 WL 898750, at *5 (E.D. La. Mar. 28, 2022)
- Dorsey v. Portfolio Equities, Inc., 540 F.3d 333, 338-39 (5th Cir. 2008)
- Herrmann Holdings Ltd. v. Lucent Techs. Inc., 302 F.3d 552, 564-65 (5th Cir. 2002)
- Benchmark Elecs., Inc. v. J.M. Huber Corp., 343 F.3d 719, 724 (5th Cir. 2003)
- A-1 Nursery Registry, Inc. v. United Teacher Associates Ins. Co., 682 So. 2d 929, 931-32 (La. App. 3 Cir. 1996)
- Clausen v. Fidelity and Deposit Co. of Maryland, 660 So. 2d 83, 86 (La. App. 1 Cir. 1995)
- Riedel v. Fenasci, 270 So. 3d 795, 801 (La. App. 1 Cir. 2018)
- Kadlec Med. Ctr. v. Lakeview Anesthesia Assocs., 527 F.3d 412, 418 (5th Cir. 2008)
- In re Willow Bend Ventures, LLC, Civil Action No. 18-6910, 2025 WL 3690770, at *5 (E.D. La. May 28, 2019)
- Crutcher-Tufts Res., Inc. v. Tufts, 38 So. 3d 987, 991 (La. App. 4 Cir. 2010)

- Sw. La. Healthcare Sys. v. MBIA Ins. Corp., Civil Action No. 5-1299, 2006 WL 2548183, at *4 (W.D. La. Aug. 31, 2006)
- Hart v. Bayer Corp., 199 F.3d 239, 248 n. 6 (5th Cir. 2000)

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