



## News

### Insurers Notch Important Win in Opioid Insurance Coverage Case

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Scott Seaman and Larry Golub analyzed in *Law360* a recent California appellate court ruling that determined that an insurance carrier did not have to defend a pharmaceutical company accused of deceptive marketing of its opioid painkillers, because "claims involving allegations of intentional or negligent misrepresentations do not constitute an accident under a liability policy."

Golub noted that the ruling was squarely in line with California precedent establishing that claims of fraudulent acts don't equate to a covered accidental occurrence: "California has developed a good line of cases — especially here, where the facts were stipulated and the allegations were boiled down to this fraudulent marketing scheme — saying fraud claims don't constitute a covered occurrence."

Seaman said the ruling was significant with respect to opioid claims against pharmaceutical products "because many policies issued to such companies contain general products exclusions or exclusions for pharmaceutical products."

[Read the Law360 article](#) (*subscription required*)

#### Attorneys

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