



News

Larry Golub Discusses in Law360 a Request from the Ninth Circuit to the Arizona Supreme Court Regarding an Insurance Coverage Issue in a \$13M Class Action Settlement

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Larry Golub discussed with Jeff Sistrunk of *Law360* the significance of the Ninth Circuit's decision to seek guidance from the Arizona Supreme Court in a \$13 million settlement of a class action involving AIG unit National Union Fire Insurance Co. of Pittsburg. Specifically, the appellate panel asked the Arizona Supreme Court to weigh in and establish the proper standard "for determining whether National Union unreasonably withheld consent to Apollo's settlement with shareholders in breach of contract" under a policy where the insurer has no duty to defend. The dispute, which dates back to 2006, revolves around a key term in a directors and officers policy, which provides that "the insurer won't unreasonably withhold consent of a settlement by the policyholder."

According to Golub, who represents insurers in insurance coverage cases, the consent-to-settle provision at issue "makes clear that the question of whether National Union's decision to without consent was reasonable must be viewed from the insurer's perspective."

[Read the full article \(PDF\)](#)

You can also read "[AIG's \\$13M Battle May Bolster Insurers' Settlement Challenges](#)," on the *Law360* website (*subscription may be required*). "AIG's \$13M Battle May Bolster Insurers' Settlement Challenges," was published by *Law360* on August 20, 2019.