



News

Coronavirus - a Business Interruption Update

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The COVID-19 pandemic has resulted in far-reaching government activity around the world on a scale usually only seen during wartime. Hinshaw partner Judy Selby spoke with strategic alliance firm Reynolds Porter Chamberlain LLP (RPC) and provided an update on legislative and litigation developments in the United States in connection with business interruption and property damage coverage..

In recent months, a number of legislative proposals have been advanced that would retroactively create business interruption coverage under property insurance where none had existed. Business interruption, travel insurance and event cancellation lawsuits, including class actions, continue to be filed, although early case developments have been favorable for insurers.

Selby said she anticipates that legislative efforts will continue to play out in the coming months, but if cooler heads do indeed prevail, the extreme state legislative proposals will not become law. She also hopes that courts will apply the policies as written in coverage litigation and reject improvident efforts to circumvent traditional coverage litigation through emergency applications, class actions, and other mass joinder attempts. Although insurers have scored some early wins, the COVID-19 insurance coverage wars have only just begun.

[Read the full article \(PDF\)](#), which includes commentary from insurance law professionals at Miller Thomson, Colin Biggers and Paisley, and HMN & Partners.