



News

In Bloomberg Law, Scott Seaman Discusses First Federal Circuit Court Opinion in COVID-19-Related Business Loss Case

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Hinshaw's Scott Seaman, a Chicago-based partner and co-chair of the global Insurance Services Practice Group, was quoted in a *Bloomberg Law* article titled "Cincinnati Insurance Escapes Payout on Covid Business Loss Claim." The article discusses the first federal appeals court decision addressing the question of "whether policies insuring physical loss or damage to a policyholder's premises encompass lost income stemming from shutdowns aimed at slowing the spread of the coronavirus." In the case—*Oral Surgeons, PC v. Cincinnati Ins. Co.*, 8th Cir., No. 20-03211—the U.S. Court of Appeals for the Eighth Circuit ruled in favor of the insurer.

Seaman explained that "[t]he Court rejected the idea that direct physical damage is different from direct physical loss, a key argument of policyholders in these kinds of cases." But, he cautioned, "[o]bviously there'll have to be a lot more decisions to figure out what the ultimate course of the COVID-19 coverage litigation wars will be, but so far so good for insurers[.]"

[Read the full article on the Bloomberg Law website \(subscription may be required\)](#)

"Cincinnati Insurance Escapes Payout on Covid Business Loss Claim" was published by *Bloomberg Law*, July 2, 2021.

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