



News

Scott Seaman Discusses Crucial General Liability Rulings From The First Half of 2022

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Scott Seaman, Hinshaw partner and Chicago-based co-chair of Hinshaw's Global Insurance Services Practice Group, discussed with *Law360* some of the most influential general liability rulings from the first half of 2022. The article examines important rulings for both carriers and policyholders in disputes ranging from opioid public nuisance actions, class actions over the collection of biometric information and environmental contamination, to the consideration of evidence outside of pleadings and policies.

Seaman lauded two rulings that favored insurers in opioid public nuisance suits in Delaware and California. He noted that the Delaware Supreme Court's decision in *Ace American Insurance Co. et al. v. Rite Aid* properly found that the counties' alleged injuries were economic damages that are not covered by insurance. The California Supreme Court's decision in *AIU v. McKesson Corp.*, meanwhile, "is not likely to be the last word on California law on the duty to defend opioid cases."

Seaman also praised a Texas Supreme Court decision to broaden the use of extrinsic evidence when determining if an insurer has a duty to defend. "The Texas Supreme Court handed the insurance industry an overall victory in this inter-insurer dispute by recognizing an exception to the 'eight corners rule' permitting insurers to rely upon extrinsic evidence in some instances where a plaintiff's complaint contains gaps that bear upon the duty to defend," he said.

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

"Biggest General Liability Rulings In The First Half of 2022" was published by *Law360* on June 17, 2022.

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