



News

Scott Seaman and Jennifer Arnold Discuss the Impact of a Potential Surge in PFAS Claims on the Insurance Industry

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Scott Seaman—Chicago-based partner and co-chair of Hinshaw's global Insurance Services Practice Group—and associate Jennifer Arnold co-authored a *Law360* Expert Analysis titled, "Insurers, Prepare For Large Exposures From PFAS Claims." The byline examines the background of per- and polyfluoroalkyl substances (PFAS) litigation, PFAS coverage issues, and exclusions that may bar or limit coverage for particular claims.

The authors stated that despite their widespread use, PFAS only recently emerged as one of the most active areas for civil litigation. "More than 6,400 PFAS-related lawsuits were filed in federal court between July 2005 and March 2022. These cases have resulted in some eye-opening settlements..." they added.

They discussed pollution exclusions, stating, "Many PFAS-related claims — depending upon the facts and controlling law — may be barred in whole or in part by the sudden and accidental pollution exclusion, the absolute pollution exclusion, the total pollution exclusion, or other forms of pollution exclusions." They added that specific PFAS exclusions may be included in recent policies and will likely become more common. They outline the range of issues that may be presented in PFAS-related insurance coverage litigation.

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

"Insurers, Prepare For Large Exposures From PFAS Claims" was published by *Law360* on August 23, 2023

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