



News

Scott Seaman Reviews Impact of New York Pandemic Coverage Ruling in Favor of Insurers via Law360

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Scott Seaman was quoted in *Law360 Insurance Authority*, analyzing the significance of a New York Court of Appeals' decision to deny insurance coverage to Consolidated Restaurant Operations (CRO). The court held that CRO did not provide adequate demonstration of physical damage resulting from the COVID-19 pandemic.

As a result, CRO's insurer, Westport Insurance Corporation, was not obliged to cover approximately \$50 million in business interruption losses related to the COVID-19 pandemic and government restrictions.

Seaman said the decision was not a surprise and added that policyholders are running out of time for major pandemic coverage wins.

He said that it was rare to see courts favor one side so heavily in widespread litigation as it has in lawsuits over pandemic coverage:

Policyholders may score occasional victories, but the direction of the COVID-19 business interruption coverage chapter has been set.

Policyholders were simply looking for coverage for the wrong type of claims and in the wrong places.

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

"[New York Pandemic Coverage Ruling Offers Few Surprises](#)" was published by *Law360 Insurance Authority* on February 23, 2024.

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