



Bradford S. Moyer

PARTNER

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Practice Areas

Commercial Litigation
Construction Law
Insurance Coverage Law
Motor Vehicle - No-Fault
Professional Liability
Torts & Litigation
Trucking Liability

Education

- Valparaiso University
School of Law, J.D.,
1994
- University of Michigan,
B.A., 1991

Admissions

Michigan, 1994
U.S. District Court, Eastern
District of Michigan, 1994
U.S. District Court, Western
District of Michigan, 1994
District of Columbia, 1996
U.S. District Court, Northern
District of Ohio, 1996
U.S. Court of Appeals for
the Sixth Circuit, 1996
U.S. District Court, Northern
District of Oklahoma, 2000

Co-leader of the firm's Insurance Coverage Practice Group, Bradford S. Moyer focuses his practice on insurance coverage matters encompassing a variety of litigated and non-litigated disputes involving pollution, environmental law, toxic tort, construction defects, product liability, opioids, COVID-19, business income and extra expense, errors and omissions, professional liability, commercial property, and many other issues in both the third-party and first-party coverage settings. Mr. Moyer also actively handles cases for major insurance companies and other companies and enterprises involving insurance defense, class actions, federal, state, and local environmental issues, construction disputes, regulatory, transportation liability, product liability, consumer protection, Constitutional claims, contract disputes, and other commercial litigation matters.

In representing insurance providers, Mr. Moyer's experience includes litigating complex, emerging risk, and multi-party coverage disputes throughout the country. This experience includes regular involvement in handling a range of complex claims involving suits and sites throughout the United States, Europe and Asia.

A former Chair of the American Bar Association's TIPS Insurance Coverage Litigation Committee, Mr. Moyer remains an active member of that committee. He is also actively involved in The DRI - The Voice of the Defense Bar, Claims and Litigation Management Alliance (CLM), the Insurance and Indemnity Section of the State Bar of Michigan, and the Insurance Coverage Executive Committee of the Indianapolis Bar Association. Mr. Moyer regularly speaks at conferences and programs at the national, state, and local level.

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U.S. District Court, Northern
District of Indiana, 2002

Indiana, 2006

U.S. District Court, Southern
District of Indiana, 2007

U.S. District Court, District
of North Dakota, 2012

U.S. Court of Appeals for
the Eighth Circuit, 2015

Pro Hac Vice Admissions in
state courts in Ohio, Illinois,
Minnesota, Wisconsin,
Wyoming, Mississippi and
North Dakota

In addition to his insurance coverage practice, Mr. Moyer is a member of the firm's Construction Law and Transportation Law practice groups. He has built a successful track record representing clients in litigation involving a range of claims and disputes involving defective products, construction defects, professional liability, malpractice, and errors and omissions. Additionally, Mr. Moyer has experience with a range of matters involving products, property, premises, fire/arson, automobile negligence, No-Fault and PIP, UM/UIM, personal injury matters, and workers' compensation, as well as credit card chargeback and FACTA claims. His experience also includes defending class actions and litigation involving Constitutional and Section § 1983 claims, alleged violations of state consumer protection laws, UCC, and other statutory claims under federal and state law.

Mr. Moyer has also successfully handled litigation, transactions, regulatory and permitting issues involving numerous state and federal environmental statutes and Indiana's Voluntary Remediation Program. He has experience litigating environmental, toxic tort, indoor air, personal injury claims and other matters involving forensic, medical and scientific experts. Additionally, Mr. Moyer has experience in the areas of cyber and internet law, software licensing and information technology-related liability and litigation.

Representative Client Work

- Represented insurance companies in multi-million-dollar coverage litigation involving complex multi-party bodily injury and property damage class actions and numerous individual lawsuits involving alleged PFAS exposure.
- Represented insurance companies in multiple multi-million-dollar coverage actions involving property damage claims involving pollutants and environmental exposures from alleged soil, groundwater and air emissions.
- Represented insurance companies in multi-million-dollar coverage litigation involving complex multi-party bodily injury class action and property damage claims involving alleged exposure to solvents and chemicals at former electronic manufacturing facilities in Asia, Europe and the United States

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- Represented insurance companies in coverage litigation involving claims for business income and extra expense coverage for alleged COVID-19 related losses
- Represented insurance companies in coverage litigation and disputes involving claimed multi-million dollar commercial property losses
- Represented companies in complex multi-party commercial litigation matters involving alleged construction defects resulting in substantial injuries and losses
- Represented entities and individuals in toxic tort, indoor air and chemical exposure cases alleging extensive injuries and losses
- Represented companies in multi-million-dollar class action and numerous individual lawsuits involving alleged Constitutional violations and consumer protection claims relating to private party operations and activities, food services, diets and menus, commissary items, and product sales in state prisons
- Represented companies in commercial contract disputes
- Represented numerous entities and individuals in personal injury actions involving a wide variety of alleged injuries
- Represented insurance companies in numerous large scale, multi-party coverage actions involving asbestos containing products and hundreds of thousands of underlying claims
- Represented insurance companies in numerous several large scale, multi-party environmental coverage actions involving numerous sites throughout the United States
- Represented entities and individuals in automobile negligence, No Fault, PIP benefit, and UM/UIM litigation
- Represented insurance companies in multi-million dollar, multi-party construction defect coverage actions
- Represented insurance companies in multi-million dollar coverage litigation relating to defective medical implants and medical equipment
- Represented insurance companies in multi-million dollar, multi-party oil and gas drilling coverage actions
- Represented insurance companies in large loss builders risk claims
- Represented insurance companies in multi-million dollar litigation involving claims seeking coverage for credit card chargebacks and claims seeking coverage for FACTA violations and fines
- Represented insurance companies in litigation involving multi-million dollar claims for coverage for livestock theft and mortgage losses
- Represented insurance companies in coverage litigation and claims involving automobile, property and casualty, and other insurance products

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- Represented clients in claims and litigation involving toxic tort, mold, sick building, and indoor air claims
- Represented clients in software, computer and licensing disputes and issues
- Represented clients in litigation, negotiations and transactions involving the Comprehensive Environmental Response, Compensation & Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), the Michigan Environmental Response Act and Michigan's Natural Resources and Environmental Protection Act (NREPA)

Notable Cases

- *Brown Jug Inc. v. Cincinnati Insurance Co.* (6th Cir., Feb. 23, 2022)
- *Kensu v Michigan Department of Corrections, et al.*, 2020 WL 1698662 (E.D. Mich., April 8, 2020), aff'd, In Re Kensu, No. 20-0105 (6th Cir., Oct. 27, 2020)
- *Melms v Auto-Owners Insurance Company*, 2016 WL 7333455, Michigan Ct. of Appeals (Dec. 15, 2016)
- *Century Surety Co. v Jim Hipner, LLC, et al.*, 2015 WL 11143135, U.S. Dist. Ct., D. North Dakota (April 24, 2015)
- *United States Fidelity and Guaranty Co. v Warsaw Chemical Co., Inc.*, 990 N.E.2d 18 (Ind. App. 2013)
- *JetPay Merchant Services, LLC v General Fidelity Ins. Co., et al.*, No. 11-120855-CK (Oakland Cty. Cir. Ct.)
- *RCO Engineering, Inc. v ACR Industries, Inc.*, 246 Mich. App. 510, 633 N.W.2d 449 (2001), lv. denied, 642 N.W.2d 679 (Mich. 2002)
- *RCO Engineering, Inc. v ACR Industries, Inc.*, 235 Mich. App. 48, 597 N.W.2d 534 (1999)
- *GenCorp, Inc. v AIU Ins. Co, et al.*, 178 F.3d 804 (6th Cir. 1999), reh'g and reh'g en banc denied (1999)
- *GenCorp, Inc. v AIU Ins. Co., et al.*, 104 F. Supp.2d 740 (N.D. Ohio 2000)
- *GenCorp, Inc v AIU Ins. Co., et al.*, 970 F. Supp. 1253 (N.D. Ohio 1997)

Professional Affiliations

- Michigan Economic Developers Association
- Michigan Association of Environmental Professionals
- Michigan Information Technology Roundtable
- Indianapolis Bar Association (Insurance Coverage Executive Committee, 2019 - 2020; Education Co-Chair, 2020 - 2021)

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- State Bar of Michigan (Insurance & Indemnity, Environmental Law and Computer Law sections)
- State Bar of Indiana (Environmental Law Section)
- District of Columbia Bar
- American Bar Association (Tort Trial & Insurance Practice Section: Insurance Coverage Litigation Committee, Chair 2013-14, Chair Elect, 2012-13, Vice Chair, 2006-2017; Membership Committee, 2014-2016; Annual Meeting Program Standing Committee, 2007-2009; ICLC Midyear Meeting, Chair, 2010-2011, Co-Chair, 2009-2010; Excess, Surplus Lines & Reinsurance Committee; Professionals, Officers and Directors Liability Committee)
- Federal Bar Association
- DRI
- Council on Litigation Management (CLM) (Insurance Coverage and Extra-Contractual committees)
- ALFA International (Construction Conference Steering Committee)

Publications and Lectures

- Indianapolis Bar Association's Winter Insurance Symposium, Insurance Coverage Section, Co-chair, IndyBar Education Center, Dec. 9, 2021
- TIPS Insurance Coverage Litigation Committee's 30th Annual Mid-Year Meeting, Panelist, Arizona Biltmore, Phoenix, Arizona, February 24-26, 2022
- "Reasonable Expectations: Interpreting Insurance Policies in Common Law Jurisdictions," Co-author, ABA Book Publishing, 2016
- American Bar Association Tort Trial & Insurance Practice Section's 19th Annual Insurance Coverage Litigation Committee Midyear Program, titled: "Finding Balance in the Shifting Sands of Insurance Coverage," Moderator, Phoenix, Arizona, Feb. 25, 2011
- American Bar Association Tort Trial & Insurance Practice Section's 2010 Annual Insurance Coverage Litigation Committee Midyear Program, titled: "Insurance Coverage on The Horizon: Oasis or Mirage?" Speaker; Phoenix, Arizona, Feb. 25, 2010
- American Bar Association Tort Trial & Insurance Practice Section's 2009 Annual Insurance Coverage Litigation Committee Midyear Program, titled: "California Coverage Dreaming on a Winter's Day," Speaker, Los Angeles, Feb. 26, 2009
- "Effectively Utilizing Computer Animation in Environmental Litigation," co-author, Michigan Bar Journal, February 1997

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Honors & Recognitions

- Martindale-Hubbell's highest rating-AV Preeminent™ Peer Review Rated
- Leading Lawyer in Insurance/Insurance Coverage & Reinsurance Law, Leading Lawyers Magazine Michigan, 2021
- Valparaiso University Law Review, Executive Editor
- Indiana Litigation Forms and Analysis, Lawyers Cooperative Publishing Co., Editor (1994)
- University of Michigan Football Team, Former Member