



→ Preston B. Bennett

Associate

501 West Broadway
18th Floor
San Diego, CA 92101

T: +1.619.338.6641

F: +1.619.515.4171

pbennett@sheppardmullin.com

Preston Bennett is an associate in the Business Trial Practice Group in the firm's San Diego office. He previously served as an Adjunct Professor at the University of San Diego School of Law.

Areas of Practice

Preston represents insurance companies in bad faith litigation. He has represented insurers in a wide spectrum of first- and third-party bad faith matters, including “cap off” cases, coverage disputes, unfair business practices claims, uninsured motorist matters, equitable subrogation cases, and insurance fraud cases. He represents his clients at all stages of litigation, including discovery, motion practice, case-dispositive hearings, mediations, pre-trial preparation, and post-judgment debtor examinations and motions. Preston also advises clients on issues related to general claims handling, med pay reimbursement best practices, the made-whole rule, and policy language interpretation and amendments.

Experience

Preston has successfully represented clients in a wide variety of insurance coverage and bad faith cases at all stages of litigation, including the pleading stage, dispositive motions, and before and after trial.

Notable Recent Experience

- Won summary judgment on insured's bad faith suit seeking half a million dollars in damages because, despite the disputed evidence regarding misrepresentations, the court agreed that the insured breached the cooperation clause by failing to provide requested financial records.
- Won summary judgment establishing non-coverage for \$300,000 property damage claim that fell within policy exclusion.
- Obtained dismissal on the pleadings of an insured's action alleging unfair business practices based on insurer's handling of her auto property damage claim.
- Won summary judgment on insured's bad faith and breach of contract claims seeking hundreds of thousands of dollars in relief based on novel interpretation of the made-whole doctrine.
- Negotiated cost-waiver settlement for insurer in bad faith action after uncovering evidence in discovery to support CCP 128.7 sanctions motion that plaintiff filed a frivolous complaint.
- Won demurrer on plaintiff's complaint for breach of contract and fraud against insurer, several of its employees, and its CEO.
- Obtained summary judgment establishing non-coverage for a \$100,000 auto property damage claim in which the plaintiff alleged negligent misrepresentation and sought reformation of the policy to provide coverage.

- Successfully represented liability insurer in bad faith failure to settle case in which the claimant obtained a \$2 million judgment after the insurer allegedly failed to accept a settlement offer for its \$100,000 policy limits.

Representative Clients

- Allstate Insurance Company
- GEICO General Insurance Company
- Wawanesa General Insurance Company
- Automobile Club of Southern California
- Travelers Insurance Company
- Intact Insurance Specialty Solutions
- Infinity Insurance Company
- James River Insurance Company
- The Loya Insurance Group
- QBE Insurance Corporation

Articles

- 2023 Insurance Team Year-In-Review
04.03.2024
- New Court of Appeal Decision Allows Insureds to Video Record Examinations Under Oath
Daily Journal, 03.18.2024
- How Calif. Video Recording Ruling May Affect Insured Exams
Law360, 03.13.2024
- Sheppard Mullin Celebrates Stellar Year in Insurance Litigation
03.30.2023

Memberships

Member, San Diego County Bar Association

Member, Association of Business Trial Lawyers of San Diego

Practices

Insurance

Litigation

Industries

Insurance

Education

J.D., University of San Diego School of Law, 2018, Valedictorian

- Editor-in-Chief, *San Diego Law Review*
- Teaching Assistant, Legal Writing and Research
- CALI Award for Excellence – Constitutional Law, Legal Writing and Research, Property, Evidence, International Sales Transactions, Corporations, California Civil Procedure

B.A., University of Notre Dame, 2010

Clerkships

Judicial extern for the Honorable M. James Lorenz of the United States District Court for the Southern District of California

Admissions

California

U.S. District Court, Southern District of California

U.S. District Court, Central District of California

U.S. District Court, Eastern District of California

U.S. District Court, Northern District of California