

Scott C. Hecht

He/Him

PARTNER

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Scott has more than 25 years' experience helping business clients solve problems and manage significant exposures with commercial insurance.

Scott represents businesses by litigating against insurers, facilitating insurance coverage, advising on insurance program structure, placements and renewals, and assisting with insurance aspects of transactions and contracts. Scott's experience spans the full range of business insurance policies, including Directors & Officers (D&O); Errors & Omissions (E&O); Employment Practices (EPL); Fiduciary; Cyber; Property/Business Interruption; Product Recall and Contamination; Commercial General Liability (CGL); Crime; and, Transactional Risk Policies. While much of Scott's practice involves day-to-day insurance advice, clients also seek his insurance counsel when facing man-made and natural disasters, financial distress and bet-the-company litigation.

Scott also defends class actions and represents clients in governmental investigations and proceedings involving employee benefit plans and alleged violations of ERISA.

Scott serves as a mediator, helping others resolve insurance and other complex disputes.

PRACTICES & INDUSTRIES

- Business Policyholder Insurance Coverage
- Employee Benefits Litigation
- Class Action
- Business Litigation

ADMISSIONS

- Missouri, 1993
- Kansas, 1994
- U.S. District Court for the District of Kansas
- U.S. District Court for the Eastern District of Missouri
- U.S. District Court for the Western District of Missouri
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Tenth Circuit

EDUCATION

- Harvard Law School, J.D., 1993
- Southwestern College, B.A., 1990

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EXPERIENCE

Policyholder Insurance Counseling & Advice

Ongoing insurance representation of corporate policyholders, concerning:

- Business insurance program structure, policy placement and renewal.
- Drafting manuscript policies and endorsements to address unique exposures.
- Policy compliance, policyholder/insurer relationship management and coverage issues related to underlying lawsuits and first-party losses.
- Insurance-related support in M&A transactions and contracts.
- Financial distress, including receiverships and bankruptcies.

Policyholder Insurance Recovery—Claims and Litigation

- Prosecuted and resolved a lawsuit against property insurers that denied coverage for claim by a refinery suffering in excess of \$100 million in losses relating to a catastrophic flood.
- Prosecuted and resolved a lawsuit against property insurers that refused to pay policy limits to a public utility in respect of over \$70 million in losses caused by a series of earthquakes and tsunamis.
- Resolved before litigation a multimillion dollar claim against a property insurer for business interruption losses arising from a mass shooting incident.
- Prosecuted a lawsuit and secured summary judgment in favor of a public company food industry client against a pollution liability insurer that refused to provide coverage for bodily injury lawsuits arising from air pollution event.
- Prosecuted a lawsuit on behalf of a pet food ingredient supplier against a general liability insurer that refused to provide insurance coverage for pet food contamination claim; secured summary judgment against insurer in case of first impression under North Carolina law and favorable settlement for amount in excess of policy limits.
- Resolved a multimillion dollar claim under product contamination/recall policy concerning losses related to pathogen contamination of food products.
- Represented public energy company with respect to D&O insurance and indemnification issues occasioned by alleged multimillion dollar embezzlement by CEO and CFO leading to SEC and state securities commission investigations, criminal prosecutions, and multiple shareholder securities class actions and derivative actions.
- Represented a public technology company with respect to D&O liability insurance and indemnification issues occasioned by SEC investigation and derivative action based on CEO's alleged use of corporate assets for personal purposes.

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- Resolved before litigation a claim against a professional liability insurer involving multimillion dollar claim arising from alleged error in NAV calculation pertaining to an ETF.
- Secured coverage under fiduciary liability insurance policy for multimillion dollar settlement of consolidated class and mass actions alleging improper modification/termination of retiree welfare benefits in violation of ERISA.
- Helped secure approximately \$170,000,000 in insurance proceeds as insurance coverage counsel to the unsecured creditors committee in the bankruptcy of the Roman Catholic Archdiocese of Saint Paul and Minneapolis.

RECOGNITIONS

Scott is a Fellow in the American College of Coverage Counsel

Listed in *Chambers USA: America's Leading Lawyers for Business* for Insurance, 2020-2023

Scott is recognized for Insurance Law in *The Best Lawyers in America*[®] and Missouri & Kansas *Super Lawyers*[®]

PROFESSIONAL & CIVIC ACTIVITIES

Southwestern College, Board of Trustees, Chair

Historical Society of the United States District Court for the Western District of Missouri, Treasurer and Board Member

CLJ Foundation, past board member of non-profit providing life skills and job training to developmentally disabled adults

Lansing Educational Foundation, past Secretary and board member of non-profit providing supplemental educational funding to USD 469 in Lansing, Kansas

NEWS

Super Lawyers Recognizes 29 from Stinson on Missouri and Kansas Top Lists

11.14.2023

SEC Cybersecurity Rules, Impact on Business Insurance Detailed by Hecht in *Global Data Review*

09.13.2023

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175 Stinson Attorneys Selected to the 2024 *Best Lawyers in America* List
08.17.2023

Chambers USA 2023 Legal Guide Recognizes Stinson Attorneys and Practice Groups
06.05.2023

Super Lawyers® Recognizes 26 Stinson Attorneys in Missouri and Kansas
11.14.2022

152 Stinson Attorneys Selected to the 2023 *Best Lawyers in America* List
08.18.2022

The 2022 *Chambers USA* Guide Recognizes Stinson Attorneys and Practice Groups
06.02.2022

Super Lawyers Recognizes 21 Stinson Attorneys in Missouri and Kansas
11.15.2021

103 Stinson Attorneys Selected to the 2022 *Best Lawyers in America* List
08.19.2021

Scott Hecht Interviewed by *Law360* on Cyberattack Class Suits
07.06.2021

Chambers USA Recognizes Stinson Attorneys and Practice Groups Nationwide
05.25.2021

Stinson Attorneys Named to 2020 Kansas & Missouri *Super Lawyers* and Rising Stars
11.16.2020

112 Stinson Attorneys Selected to the 2021 *Best Lawyers in America* List
08.20.2020

Chambers USA Recognizes Stinson Attorneys and Practice Groups Nationwide
04.29.2020

SPEAKING ENGAGEMENTS

Presentation, "Business Insurance for Employee Benefits Attorneys: Fiduciary Liability Insurance and More," Minnesota State Bar Association, Employee Benefits Section, Minneapolis, MN, June 2022

Insurance Issues in Commercial Lending Banking Seminar, Stinson LLP, December 2019

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Panelist, "Crisis Management and Response," GRC Roundtable Series, Interlachen Country Club, Minneapolis, MN, November 2019

Panelist, "Are Two Policies Better Than One?," American College of Coverage Counsel Annual Meeting, Chicago, IL, May 2018

Panelist, "Crisis Management and Response," Heartland GRC Roundtable Series, Mission Hills, KS, April 2018

Presentation, "Untangling the Knot of Indemnity and Insurance in Construction Contracts," December 2016, Stinson LLP, Construction Litigation Seminar

Presentation, "Representations & Warranties Insurance," American College of Coverage & Counsel Annual Meeting, Chicago, IL, May 2016

Panelist, "D&O Insurance and Indemnification," Women Corporate Directors Institute, Kansas City Chapter, May 2016

Presentation, "The Yates Memo: D&O Indemnification and Insurance Problems and Solutions", Stinson LLP, Directors' Institute and Proxy Season Workshop, November 2015

Presentation, "Representations & Warranties Insurance," Stinson LLP, seminar on "Hot Topics in Insurance Law," September 2015

Presentation, "Selected Insurance Issues Relevant in Commercial Lending," April 2015

Panelist, "Cyber Insurance: Perspectives from the Insurer, Broker, and Counsel," Stinson LLP, March 2015

Presentation, "Cyber Insurance: From Nice to Necessity," Stinson LLP Business Law Update, February 2015

Presentation, "Business Liability Insurance Basics: Scope and Recurring Issues," Stinson LLP, January 2015

Business Insurance for Computer Crime and Other Cyber-Related Losses
Stinson, 06.13.2023

Business Insurance for Computer Crime and Other Cyber-Related Losses
Stinson LLP, 02.16.2023

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PUBLICATIONS

Scott is a founder of, and primary contributor to, Biz Ins. & Outs, a blog dedicated to providing practical advice and useful information concerning business insurance. See <http://bizinsandouts.com/>

"Mo' Coverage Mo' Problems: Allocation and Related Complications When Multiple Types of Liability Insurance Apply to a Single Lawsuit," American College of Coverage Counsel Annual Meeting, Chicago, IL, May 2018

Insurance Coverage for Protest-Related Property Damage & Civil Closure Orders
06.04.2020