Insurance Coverage and Bad Faith

The Insurance Coverage and Bad Faith group is experienced in complex and emerging coverage issues through decades of work in this area, establishing a national reputation as a "go-to" firm in the industry. We have market-leading professionals with real-world experience that enables us to understand the business and legal challenges our clients face in this highly regulated arena. We have a comprehensive knowledge of coverage nuances—as well as the "nuts and bolts" of policy interpretation—to secure the most favorable outcomes.

We understand the broader impact of individual cases and counsel clients on coverage questions. We partner with claim professionals in investigating and handling sensitive claims and represent carriers in prosecuting and defending coverage and bad faith actions in federal and state courts and through other forms of alternative dispute resolution. Among our clients are major property and casualty insurers, reinsurers, and regional insurance companies, for whom we do work on a national or regional basis.

We are at the forefront representing clients in complicated and cutting-edge coverage matters involving issues that continue to challenge insurers and which have been hotly contested by policyholders. We collaborate with lawyers from our varied practice groups to bring a wider understanding of issues affecting the insurance industry and holistically address client needs. Areas where advise clients include:

- environmental, social and governance (ESG)
- Per- and Polyfluorinated Substance (PFAS)
- asbestos
- advertising injury
- antitrust
- bad faith
- construction defect
- drugs and medical devices
- environmental pollution and toxic tort
- employment practices
- ERISA
- intellectual property
- mortgage insurance
- residual value leases

PRACTICE CONTACTS

Robert F. Walsh, Chair
215.864.7045
walshr@whiteandwilliams.com

Patricia B. Santelle
Chair Emeritus
215.864.6205
santellep@whiteandwilliams.com

RELATED PRACTICES

Corporate and Securities

Finance

Financial Lines

Financial Restructuring and Bankruptcy

First-Party Property

Insurance Fraud

Life, Health, Disability and ERISA

Professional Liability

Real Estate

Reinsurance

RELATED INDUSTRIES

Food and Beverage

Insurance

Technology

Transportation

PRACTICE HIGHLIGHTS

- A national reputation, particularly in the area of complex and emerging coverage issues
- Understanding of coverage nuances and the nuts and bolts of policy interpretation
- Industry-leading professionals dedicated to clients and the insurance industry as a whole

- personal and product disparagement
- professional liability
- public entities
- technology and trade secret misappropriation
- transportation liability

We are not only dedicated to our clients, but to the insurance industry as a whole. Many of our lawyers have held leadership positions in various insurance-related associations, including the Federation of Defense and Corporate Counsel (FDCC), DRI, Professional Liability Underwriting Society (PLUS) and Lawyers for Civil Justice. We share the skills we have honed through experience and leadership by regularly speaking and writing on topics of interest to the insurance industry. In 2007, we developed Coverage College®, the firm's premier educational program for insurance industry professionals. Each year hundreds of professionals from across the country gather for a day of insurance focused programming taught by White and Williams lawyers.

Bad Faith and Extracontractual Liability

In high-stakes coverage litigation, policyholders increasingly assert claims of bad faith and extracontractual liability against their insurers. Our lawyers have years of experience defending insurance carriers against these allegations. Our understanding of the insurance industry and extensive trial skills have enabled us to successfully counsel clients to avoid bad faith claims in the first place or to take a matter to trial if those claims cannot be otherwise resolved. When punitive and bad faith damages are on the line, it is critical to have attorneys who understand your business and have the skill set necessary to focus discovery and aggressively litigate a matter to conclusion, if necessary.

We have an active bad faith and extracontractual practice that involves counseling, and litigating on behalf of, insurers around the country. Our experience in bad faith and extracontractual matters is extensive and diverse. We handle extracontractual disputes involving general liability, life, health and disability, business auto, property, liquor liability, construction, directors and officers, professional liability (including architect and engineers), municipal liability, and school errors and omissions. Our practice includes litigation in state and federal trial and appellate courts, as well as extensive experience in mediation and other types of ADR.

Our experienced lawyers provide significant bad faith avoidance counseling at the claim level for over 40 insurance company clients. We regularly speak on punitive damages, bad faith and bad faith avoidance before industry and professional groups including FDCC, Coverage College, ABA, Tort Trial and Insurance Section, CLM, The Institutes, ACI, CPCU and client-requested seminars. We also hold a Board of Regents seat at the American College of Coverage and Extra-Contractual Counsel.

First-Party Property

The property interests of a business or individual are among their most valuable, and yet, those interests are constantly at risk from various hazards, including weather, accidents, and mischief. When such a loss occurs, policyholders turn quickly to their first-party property policy to respond. Our lawyers are called upon by our insurer clients to assume various roles in such first-party claims – from spearheading a claim investigation to defending the insurer's coverage position in litigation and on appeal – and everything in between. At each step, our lawyers carefully examine the facts of the loss, the language of the policy, and the applicable law to work through the contested issues of coverage and the scope and value of the loss.

When our clients are sued for extra-contractual claims challenging their process and/or decision, we recognize that our client's name, good standing, and reputation are on the line. Our lawyers are equally well adept at defending these often-frivolous claims and aggressively seek their dismissal through pre-trial motions.

Whatever our role, we work collaboratively with our clients and spare no effort to achieve a favorable result.

Reinsurance

With extensive trial and arbitration experience, the Reinsurance group balances aggressiveness and efficiency to achieve positive results for clients. We have a reputation for being exceptionally focused and analytical. While there may be similarities, no two reinsurance disputes are the same, and drawing from our years of experience and applying a strategic focus, we are able to uncover nuances in a case that allow us to achieve the best possible outcome for our clients.

We not only understand reinsurance, but also the underlying insurance claims and coverage issues. We represent both ceding companies and assumed reinsurers in helping to avoid disputes before they develop, as well as arbitrating or litigating disputes when the parties cannot otherwise amicably resolve them. By working with our clients before a dispute develops, and while the underlying claim is ongoing, we are able to anticipate possible solutions and develop a strategy which can often lead to the quick resolution of disputes, saving the client both time and significant transactional expense.

In the last 15 years, we have litigated or arbitrated more than 100 reinsurance cases to final conclusion – resulting in awards in the hundreds of millions of dollars to ceding company clients, and very substantial savings to reinsurer clients. Numerous additional cases have been favorably resolved by settlement during the same time period.

Our lawyers have been involved in ground-breaking disputes including those involving:

- follow-the-fortunes
- environmental allocation
- workers' compensation
- numerous kinds of financial instruments
- insurer and reinsurer insolvency
- offsets
- reinsurance for asbestos losses
- actuarial issues in life reinsurance
- pools
- surety

We have negotiated market agreements with regard to major repetitive issues and have made substantial use of professional mediation in reinsurance disputes. We bring years of trial and arbitration experience to bear on clients' concerns and are very knowledgeable about the leading industry arbitrators and experts.

RECOGNITIONS AND AWARDS

Since 2015, White and Williams has been recognized by *Chambers USA* as a "Leading Law Firm" in Pennsylvania for achievements and client service in the area of insurance law. The firm is recognized for offering advice to insurers and reinsurers across a range of areas, including coverage, bad faith, and excess liability. The firm is also recognized for its adroit handling of complex alternative dispute resolution cases, with clients saying "they have very formidable folk" and "provide great value."

The insurance practice has also achieved national recognition from *U.S. News and World Report* as a "Best Law Firm," with a National Tier 1 ranking. Firms included in the "Best Law Firms" list are recognized for professional excellence with persistently impressive ratings from clients and peers. Achieving a tiered ranking signals a unique combination of quality law practice and breadth of legal experience.

REPRESENTATIVE MATTERS

Numerous significant jury and bench trials, including but not limited to, multiphase environmental coverage matters involving manufactured gas plants, other plant sites, waste disposal sites/landfills, as well as confirmation hearings in bankruptcy court

Successful appeals, including issues of first impression, such as adoption of pro rata allocation under both Massachusetts law and New York; limitation of allocation to portion of policy period "triggered"; no coverage for extension of policy period; dismissal of claims against excess insurers as a result of insured's "selection" of primary insurers/pro rata allocation under Ohio law; dismissal of claim seeking unaggregated coverage for asbestos-related bodily injury claims

Representation of a group of property-casualty insurers who are signatories to the landmark "Wellington Agreement"

Limiting attempts by underlying claimants and/or policyholders to pursue direct claims against or get broad declaratory relief from insurers in New Jersey and Pennsylvania

Successful arbitrations enforcing releases under settlement agreements

CASES & DEALS

Ohio Court Refuses to Annualize Multi-Year Policies' Per Occurence Limits
6.8.23

Third Circuit Affirms - Assault and Battery Exclusion Bars Coverage For Sex-Trafficking Claims
10.28.22

Court Rules That Assignment of Claims Against Insurance Broker Was Void
11.15.21

District Court in The Middle District of Pennsylvania Dismisses Hotel's Claim for Lost Business Income Due To COVID-19
6.1.21

Second Circuit Court of Appeals Affirms Summary Judgment in Favor of Arch Insurance Company
5.12.21

Media Coverage Team Obtains Summary Judgment in Connection with Underlying Defamation Lawsuit
1.23.19

NY Federal Court Reaffirms White and Williams Win in Former Gas Plant Pollution Coverage Dispute
5.17.18

White and Williams Secures Summary Judgment in Dispute Over Coverage for Breach of Contract Claims
5.3.18

White and Williams Secures Decision on Application of Pollution Exclusion in Ohio Court of Appeals
12.28.17

Litigation Team Obtains Summary Judgment in Case Involving Sinkholes at Bulk Propane Storage Facility
9.27.17

Coverage Team Obtains Summary Judgment Based on Employer's Liability Exclusion
6.13.17

Coverage Team Obtains Summary Judgment in Case Involving Insurability of Punitive Damages
5.15.17

Insurance Coverage Team Defeats Bad Faith Claim that Insurer Wrongfully Settled Some Claims to Avoid Payment on Others
5.4.17

Insurance Coverage Team Obtains Rescission of Policy in Multi-Million Dollar Collapse Case
5.4.17

Coverage Team Obtains Summary Judgment in Faulty Workmanship Case
5.2.17

Coverage Team Successfully Defends Insurer In Medical Product Class Action
3.31.17

Coverage Team Successfully Protects Insurer from Covering Sexual Abuse Claims Against School Teacher
10.19.16

White and Williams Recovers High-Six Figure Damages for Insurer in Settlement of Unpaid Premium Dispute
6.29.16

White and Williams Defeats Claims Brought by Insured's Alleged Successor in Environmental Coverage Dispute
3.23.16

White and Williams Secures Favorable Ruling for Insurer in Delaware Supreme Court
10.20.15

White and Williams Obtains Favorable Ruling for Insurer in New Jersey District Court
4.20.15

Coverage Team Secures Significant Choice-of-Law Victory in Ohio State Court
4.14.15

NEWS

Best Lawyers® Recognizes 49 White and Williams Attorneys
8.15.24

White and Williams Announces Partner and Counsel Promotions
Press Release, 1.17.24

PBA Large Law Firm Committee Increases Engagement/Requests Feedback
12.4.23

White and Williams Welcomes New Lateral Partners and Counsel
9.26.23

Best Lawyers® Recognizes 45 White and Williams Lawyers
Firm News, 8.18.23

Who's Who Legal Recognizes Two White and Williams Lawyers as Thought/Global Leaders in Insurance and Reinsurance
8.7.23

White and Williams recognized with Multiple Honorees in the Chambers 2023 USA Guide
6.9.23

Congratulations to all of our 2023 Attorneys Named as Super Lawyers and Rising Stars
5.25.23

Best Lawyers® Recognizes 40 White And Williams Lawyers
Firm News, 8.18.22

Four White and Williams Lawyers Recognized as "Lawyer of the Year" by Best Lawyers®
8.18.22

Congratulations 2022 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
7.13.22

Two White and Williams Lawyers Included In City & State PA's Law Power 100
6.28.22

Chambers USA 2022 Ranks White and Williams as a Leading Law Firm
6.1.22

Gregory LoCasale Selected as Member of the Federation of Defense & Corporate Counsel
4.15.22

White and Williams Announces 15 Lawyer Promotions
1.3.22

White and Williams Adds Insurance Coverage Partner
12.10.21

A Barrier-Breaking Barrister
Rutgers Camden Magazine, 11.21

White and Williams Ranked in Top Tiers of "Best Law Firms"
11.5.21

White and Williams Welcomes Ten New Associates
11.4.21

White and Williams Lawyers Recognized as Super Lawyers and Rising Stars
11.1.21

Best Lawyers® Recognizes 38 White and Williams Lawyers
8.19.21

Christopher Leise Recognized by US News – Best Lawyers 2022 "Lawyer of the Year"
8.19.21

5th Edition of "General Liability Insurance Coverage - Key Issues in Every State" Now Available
7.13.21

Rafael Vergara Weighs In On New Jersey Assisted Living Decision
McKnight's Senior Living, 7.2.21

Chambers USA 2021 Ranks White and Williams as a Leading Law Firm
5.20.21

Anthony Miscioscia Recognized by JD Supra 2021 Readers' Choice Awards
3.31.21

White And Williams Announces Lawyer Promotions
Three Lawyers Elected to Partnership and Eight Associates Promoted To Counsel
1.4.21

Congratulations 2020 DE, MA, NY and PA Super Lawyers and Rising Stars
11.5.20

White and Williams Earns Tier 1 Rankings from U.S. News "Best Law Firms" 2021
11.5.20

Best Lawyers® Recognizes 43 White and Williams Lawyers
8.20.20

Eric Hermanson Comments on COVID-19 MDL Proceedings
A.M. Best BestWeek, 8.18.20

Eric Hermanson Comments on Proposed Federal Consolidation of COVID-19 Coverage Litigation
A.M. Best BestWeek, 7.14.20

Insurance Lawyers Recognized by JD Supra 2020 Readers' Choice Awards
4.29.20

Chambers USA 2020 Ranks White and Williams as a Leading Law Firm
4.23.20

White and Williams Announces Lawyer Promotions
Two Lawyers Elected to Partnership and Eight Associates Promoted to Counsel
1.2.20

13th Annual Coverage College Hosts Over 400 Insurance Professionals
11.1.19

White and Williams Earns Tier 1 Rankings from U.S. News "Best Law Firms" 2020
11.1.19

Congratulations 2019 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
10.17.19

Best Lawyers® Recognizes 29 White and Williams Lawyers
8.15.19

Randy Maniloff Signs "Key Issues" Book at 26th Annual West Coast Casualty Construction Defect Seminar
May 9 - 10, 2019

Chambers USA 2019 Ranks White and Williams as a Leading Law Firm
4.26.19

White and Williams Announces Lawyer Promotions
Six Lawyers Elected to Partnership and Four Associates Promoted to Counsel
1.2.19

White and Williams Earns Tier 1 Rankings from U.S. News "Best Law Firms" 2019
11.1.18

12th Annual Coverage College Features Current Trends and State of the Insurance Claims Industry
10.23.18

Congratulations 2018 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
10.18.18

Randy Maniloff Weighs In on Potential Golf Lawsuit
Golf.com, 10.9.18

Best Lawyers Recognizes Twenty White and Williams Lawyers
8.15.18

Randy Maniloff Interviews Former US Senator Chris Dodd for Law360
7.23.18

Randy Maniloff Interviews ABC News' Dan Abrams For Law360
6.6.18

Chambers USA 2018 Ranks White and Williams as a Leading Law Firm
5.10.18

Randy Maniloff Interviews Former New York Governor George Pataki For Law360
3.2.18

Randy Maniloff Teaching Insurance Law At Temple Law School
1.15.18

White and Williams Announces Lawyer Promotions
Two Lawyers Elected to Partnership and Six Associates Promoted to Counsel
1.4.18

Congratulations 2017 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
11.11.17

White and Williams Earns National "Best Law Firm" Rankings from US News
11.1.17

Best Lawyers Recognizes Fifteen White and Williams Lawyers
8.15.17

Chambers USA 2017 Ranks White and Williams as a Leading Law Firm
5.26.17

White and Williams Elects Four Lawyers to Partnership, Promotes Six Associates to Counsel
1.6.17

White and Williams Earns Tier 1 Rankings from U.S. News "Best Law Firms" 2017
11.1.16

Congratulations 2016 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
10.18.16

White and Williams' Insurance Practice Receives Top Honors
9.22.16

Coverage College Celebrates Its 10th Anniversary
9.22.16

Partners Patti Santelle and Gale White honored as "Top Women in Law" by *The Legal Intelligencer*
9.16.16

Best Lawyers Recognizes Twelve White and Williams Lawyers
8.15.16

Chambers USA 2016 Ranks White and Williams as a Leading Law Firm
5.31.16

White and Williams Announces the Election of Five Lawyers to the Partnership and the Promotion of Five Associates to Counsel
1.14.16

White and Williams Earns "Best Law Firm" Distinction by US News and World Report
11.3.15

Congratulations 2015 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
10.21.15

The Ninth Annual Coverage College Features True-to-Life Case Study
10.8.15

White and Williams Lawyers Recognized by *Best Lawyers*
8.17.15

Chambers USA 2015 Ranks White and Williams as a Leading Law Firm
5.19.15

PUBLICATIONS

Crisis Averted! Pennsylvania Supreme Court Joins Other Courts in Finding that Covid-19 Presents No Physical Loss or Damage for Businesses
Insurance Coverage and Appellate, 10.1.24

The Complex Insurance Coverage Reporter: September 2024
The Complex Coverage Insurance Reporter, 9.27.24

First Circuit Limits Insurers' Right to Recoup Defense Costs or Settlement Payments
Insurance Coverage and Bad Faith, 2.28.24

Arrowood Indemnity – The Latest U.S. Insurer to Enter Liquidation
Insurance Coverage and Bad Faith and Financial Restructuring and Bankruptcy, 11.9.23

Supreme Court Agrees to Consider Standing of Insurers in Chapter 11 Cases
Insurance Coverage and Bad Faith and Financial Restructuring and Bankruptcy, 10.13.23

Montana Trial Court Holds That Youths Have Standing to Bring Constitutional Claims Against State Government For Alleged Climate Change-Related Harms
Insurance Coverage and Bad Faith, 8.15.23

First Circuit Holds That Notice Provisions in Claims Made Policies Must Be Strictly Enforced
Insurance Coverage and Bad Faith, 8.11.23

The Complex Insurance Coverage Reporter – July 2023
The Complex Insurance Coverage Reporter, 6.30.23

Consent to General Jurisdiction by Registration Affirmed … But Only In Pennsylvania, and Perhaps Not For Long
Client Alert, 6.28.23

Ohio Court Refuses to Annualize Multi-Year Policies' Per Occurrence Limits
Insurance Coverage Alert, 6.8.23

The Complex Coverage Insurance Reporter – March 2023
The Complex Insurance Coverage Reporter, 3.27.23

New Hampshire Supreme Court Declines to Recognize Cause of Action for Medical Monitoring in Context of PFAS Claims
Insurance Coverage and Bad Faith Alert, 3.22.23

Fourth Circuit Holds That Cooperation Clause Does Not Apply to Insured's Conduct in Negotiating Bankruptcy Plan
Insurance Coverage and Bad Faith Alert, 2.16.23

Third Circuit Dismisses Chapter 11 Filing by Johnson & Johnson Subsidiary Formed to Segregate Talc Liabilities
Insurance Coverage and Bad Faith Alert, 1.30.23

North Carolina Supreme Court Addresses "Trigger of Coverage," Allocation and Exhaustion-Related Issues Arising Out of Benzene-Related Claims
Insurance Coverage and Bad Faith Alert, 12.19.22

Georgia Federal Court Holds That Pollution Exclusion Bars Coverage Under Liability Policy for Claims Arising From Discharge of PFAS Into Waterways
Insurance Coverage and Bad Faith Alert, 12.9.22

Hurricane Ian: Discussing Wind-Water Disputes
Insurance Coverage and Bad Faith Alert, 9.30.22

ISO's Flood Exclusion Amendments and Hurricane Ian Claims
Insurance Coverage and Bad Faith Alert, 9.29.22

Insurance Enters the Fray: Southern District of New York Finds Insurrectionary Intent Sufficient to Apply War Exclusion
Insurance Coverage and Bad Faith Alert, 9.28.22

Significant Ruling in PFAS Litigation Could Impact Insurance Coverage
Insurance Coverage and Bad Faith Alert, 9.20.22

Top Developments – September 2022
The Complex Insurance Coverage Reporter, 9.13.22

Minnesota Federal Court Rejects Insured's Attempt to Cast Social Engineering Fraud As Computer Fraud Under Crime Policy
Insurance Coverage and Bad Faith Alert, 8.16.22

Just Decided – New Jersey Supreme Court: Insurers Can Look To Extrinsic Evidence To Deny a Defense

No Need for Insurers Dancing in the Dark

Insurance Coverage and Bad Faith Alert, 8.15.22

MA Business Court Reverses Itself on Reconsideration; Finds No Right to Defense Cost Contribution From Insureds
Insurance Coverage and Bad Faith Alert, 8.15.22

To Be or To Be On Behalf Of: That Is the Question
Insurance Coverage and Bad Faith Alert, 8.15.22

A Changing Climate: The Rising Tide of ESG Liability and Implications for D&O Coverage
Financial Lines Alert, 8.2.22

Two Decades Into Opioid Crisis, Insurance Coverage Questions Only Beginning to Find Answers
The Legal Intelligencer, 7.18.22

MA SJC Rules Attorney's Fees Awarded Under G. L. c. 93A Are Not Covered by Liability Policy
Insurance Coverage and Bad Faith Alert, 7.11.22

Pennsylvania Federal Court Finds No Coverage For Hacking Claim Under E&O Policy
Insurance Coverage and Bad Faith Alert, 6.20.22

Massachusetts Federal Court Rejects *Adria Towers*, Finds Construction Defects Not an "Occurrence"
Insurance Coverage and Bad Faith Alert, 6.1.22

Delaware District Court Holds D&O Policy Does Not Cover Acts Prior to Insured's Formation, and Rejects Attempt To Obtain Coverage for Post-Policy Claim by Linking It to a Non-Covered Claim
Insurance Coverage and Bad Faith Alert, 5.25.22

The Complex Insurance Coverage Reporter – May 2022
The Complex Insurance Coverage Reporter, 5.18.22

Wave of Deceptive Marketing PFAS Claims Raises "Personal and Advertising Injury" Coverage Issues
Insurance Coverage and Bad Faith Alert, 4.19.22

SC Supreme Court Adopts "Post-Loss" Exception to Enforcement of Consent-to-Assignment Clauses in Liability Policies
Insurance Coverage and Bad Faith Alert, 4.15.22

Delaware Law May Govern D&O Coverage Dispute Transferred to Another District
Financial Lines Alert, 4.13.22

Federal Courts Reject Insurers' Attempts to Recoup Defense Costs Expended Under Reservation of Rights
Insurance Coverage and Bad Faith Alert, 4.4.22

Next, Please: The Fast Food Industry Is Hit With the Latest PFAS Suit
Insurance Coverage and Bad Faith Alert, 3.29.22

Florida Court Holds Ignorance Is No Defense in Case of Late Notice to Insurer
Insurance Coverage and Bad Faith Alert, 3.28.22

New York Appellate Court Restores Insurer's Right to Seek Pro Rata Allocation of Settlements Between Insured and Uninsured Periods
Insurance Coverage and Bad Faith and Financial Restructuring and Bankruptcy Alert, 3.23.22

Declarations: The Coverage Opinions Interview With Keyshawn Johnson - NFL #1 Overall Draft Pick
Coverage Opinions, 2.28.22

Massachusetts Business Court Addresses Defense Cost Allocation and Non-Cumulation Provisions in Long-Tail Context
Insurance Coverage and Bad Faith Alert, 2.24.22

The Complex Insurance Coverage Reporter – 2021 Year in Review
The Complex Insurance Coverage Reporter, 1.14.22

Fifth Circuit – Damage to Property Beyond Insured's Product/Work Not Precluded By 'Your Product/Your Work Exclusion'
Insurance Coverage and Bad Faith Alert, 1.12.22

NY State Appellate Court Holds That Pollution Exclusions Bar Duty to Defend Under Liability Policies for Claims Alleging Exposure to PFAS
Insurance Coverage and Bad Faith Alert, 1.7.22

Delaware Superior Court Finds Pollution Exclusion Precludes Coverage for COVID-Related Claims
Leaves Door Open on Whether the Presence of COVID-19 Virions is Direct Physical Loss or Damage
Insurance Coverage and Bad Faith Alert, 12.15.21

Montana Supreme Court Tackles Decade-Old Coverage Dispute Concerning Asbestos Mineworker Claims
Insurance Coverage and Bad Faith Alert, 11.29.21

New York Court Permits Asbestos Claimants to Proceed Against Insurers with Buyout Agreements
SUGGESTS CIRCUMSTANCES WHERE SUCH AGREEMENTS MAY CONSTITUTE FRAUDULENT CONVEYANCES
Insurance Coverage and Bad Faith and Financial Restructuring and Bankruptcy Alert, 11.12.21

NJ Supreme Court Declines to Review Decision that Exxon Has No Duty to Indemnify Insurers for Environmental Liability Under Prior Settlement Agreement
Insurance Coverage and Bad Faith Alert, 11.11.21

ALI Restatement of the Law of Liability Insurance: Lessons Learned After Three Years
The Complex Insurance Coverage Reporter, 11.2.21

GA Federal Court Holds That Jury, Not Judge, Generally Must Decide Whether Notice Was Given "As Soon as Practicable" Under First-Party Property Damage Policies
Insurance Coverage and Bad Faith Alert, 10.7.21

SDNY Holds Claims-Made-and-Reported Reporting Requirement Not Waivable
Insurance Coverage and Bad Faith Alert, 9.27.21

Eleventh Circuit Finds No "Property Damage" Where Defective Component Failed to Cause Damage to Other Non-Defective Components
Insurance Coverage and Bad Faith Alert, 9.13.21

When Can Liability Insurers Sue Appointed Underlying Defense Counsel for Malpractice?
The Complex Insurance Coverage Reporter, 9.13.21

Delaware District Court Finds CGL Insurer Owes Condo Builder a Duty to Defend Faulty Workmanship Claims — Based on the Subcontractor Exception to the Your Work Exclusion
Insurance Coverage and Bad Faith Alert, 9.8.21

NJ Court Reaffirms Rule Against Coverage for Faulty Workmanship Claims and Finds Fraud Claims Inherently Intentional
Insurance Coverage and Bad Faith Alert, 8.11.21

Duty To Defend PFAS MDL Lawsuits: Texas Federal Court Weighs In
Insurance Coverage and Bad Faith Alert, 8.6.21

The 'Forever Chemical' That Will Impact the Insurance Industry for Years to Come
The Legal Intelligencer, 7.26.21

Are Insurance Brokers the Next Target for Claims Arising From the Pandemic?
The Legal Intelligencer, 7.26.21

Middle District of Florida Court Rejects Claim that Negligence is Sufficient to Support a Finding of Bad Faith
Insurance Coverage and Bad Faith Alert, 6.25.21

Eleventh Circuit Finds No Bad Faith Where Insurer Failed to Provide "Mirror-Image" Response to Claimant's Demand
Insurance Coverage and Bad Faith Alert, 6.2.21

New Jersey Law Requires Insurers to State Whether Business Interruption Policies Cover Global Virus Transmission, Pandemic Coverage
Insurance Coverage and Bad Faith Alert, 5.17.21

Alabama Federal Magistrate Recommends Dismissal of Construction Defect Declaratory Judgment Action Due to Expanded Duty to Defend Standard
Insurance Coverage and Bad Faith, 5.3.21

How COVID Impacts Insurance in Unforeseen Ways
The Insurance Journal, 5.3.21

Declarations: The Coverage Opinions Interview with Carolyn Cox
Coverage Opinions, 4.28.21

Pennsylvania Legislature Advances Bill to Open Immediate 2-Year Window for Sexual Abuse Claims
Insurance Coverage and Bad Faith Alert, 4.22.21

District of New Jersey Court Clarifies Primary Insurer's Duty of Good Faith to Excess Insurer
Insurance Coverage and Bad Faith Alert, 4.1.21

Connecticut Appellate Court Breaks New Ground on Policy Exhaustion
The Complex Insurance Coverage Reporter, 3.30.21

Eastern District of Pennsylvania Confirms Carrier Owes No Duty to Defend Against Claims for Faulty Workmanship
Insurance Coverage and Bad Faith Alert, 3.18.21

Declarations: The Coverage Opinions Interview With Pretzel & Stouffer's Robert Chemers
Coverage Opinions, 3.8.21

Declarations: The Coverage Opinions Interview With Judge Jed Rakoff
Coverage Opinions, 3.8.21

3 Courts, In 3 Days, Seek Guidance From The ALI Restatement Of Liability Insurance
Coverage Opinions, 3.8.21

The Delaware Supreme Court's *Murdock* Coverage Ruling is a Challenge for D&O Insurers
Financial Lines Alert, 3.5.21

NYDFS Announces Cyber Insurance Risk Framework to Address Increasing Cyber Risk
Insurance Industry Alert, 2.5.21

The ABCs of PFAS: What You Need to Know About Liabilities for the "Forever Chemical"
The Complex Insurance Coverage Reporter, 2.3.21

The Complex Insurance Coverage Reporter – 2020 Year in Review
The Complex Insurance Coverage Reporter, 2.3.21

Noticing Error Derails Efforts to Open Two-Year Window Reviving Time-Barred Sexual Abuse Claims in Pennsylvania
Insurance Coverage and Bad Faith Alert, 2.2.21

New York Court Finds No Coverage Owed for Asbestos Losses Because Insured Failed to Prove Material Terms
Insurance Coverage and Bad Faith Alert, 1.29.21

Declarations: The Coverage Opinions Interview With Judge Judy
Coverage Opinions, 1.11.21

First Circuit Holds Conflicting Policy Provisions Require Coverage for Petroleum Spill
Insurance Coverage and Bad Faith Alert, 12.22.20

How Are Insurers And Policyholders Faring in COVID-19 Business Interruption Coverage Litigation?
The Complex Insurance Coverage Reporter, 12.17.20

Judicial Feat: Bicyclist is a "Pedestrian:" Coverage Owed
Insurance Coverage and Bad Faith Alert, 12.11.20

Declarations: The Coverage Opinions Interview With Former U.S. Senator Joe Lieberman
Coverage Opinions, 12.7.20

Car Crashes Through Restaurant Window. Result: Lesson in the History of Additional Insured Coverage
Insurance Coverage and Bad Faith Alert, 12.3.20

Insurer Fails to Provide Notice of ROR to Claimant and Waives Strong Defense: No, This Was Not a New York Case
Insurance Coverage and Bad Faith Alert, 11.30.20

The Coverage Fun House Mirror: When Things Are Not What They Seem
Insurance Coverage and Bad Faith, 11.16.20

Between a Rock and a Hard Place: Advisories Target Ransomware Victims, Insurers
The Legal Intelligencer, 11.2.20

Declarations: The Coverage Opinions Interview with Donald Shelton
Coverage Opinions, 10.30.20

North Carolina Federal Court Holds "Hazardous Materials" Exclusion Does Not Bar Duty to Defend Under CGL Policy for Bodily Injury Claims Arising Out of Direct Exposure to PFAs
Insurance Coverage and Bad Faith Alert, 10.22.20

New York Appellate Court Addresses "Trigger of Coverage" for Asbestos Claims and Other Coverage Issues
The Complex Insurance Coverage Reporter, 10.13.20

The Goldilocks Rule: Panel Rejects Proposed Insurer-Specific MDL Proceedings for Four Large Insurers, but Establishes MDL Proceeding for the Smallest
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Strafford Webinar, 3.29.18

What's Hot in Coverage: A Survey of the Latest and Greatest in Construction Coverage
2nd Annual Construction Defect, Claims Litigation and Strategies ExecuSummit (Uncasville, CT), 12.5.17

Independent Counsel: When, How and Why?
White and Williams Coverage College, 10.26.17

The Duty to Defend: Advanced, Challenging and Unique Issues
The National Underwriting Company Webinar, 11.16.16

CGL Policy Road Trip: 66 Advanced Stops Along the Way
The National Underwriter Company Webinar, 3.30.16

Just When You Thought You Knew How to Allocate Long Tail Claims
Emerging Insurance Coverage & Allocation Issues (Perrin Conferences, Philadelphia, PA), 5.19.15

A Practitioner's Perspective on Rules of Insurance Contract Interpretation
Restatement of Law of Liability Insurance Conference, Rutgers School of Law-Camden, 2.27.15