

Gabriel E. Darwick

Partner

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OVERVIEW

Gabriel Darwick is a commercial litigator whose practice focuses on insurance coverage, reinsurance, and general commercial disputes.

As part of his insurance coverage practice, Gabe assists clients on claims arising under commercial general liability, cyber, errors and omissions, LPL, and product recall policies. Known for his result-oriented approach, Gabe helps clients develop efficient and creative solutions in an increasingly challenging legal landscape. When litigation ensues, Gabe has substantial experience litigating in state and federal courts, has tried multiple cases to verdict, and prevailed on appeals in some of the toughest jurisdictions.

Gabe routinely advises clients on risks implicating Coverage A and Coverage B of CGL policies. In recent years, he has represented insurers in claims arising from hazards such as tainted baby foods, hair straighteners, benzene, mercury, asbestos, social media music infringement, and false arrest and malicious prosecution. In the realm of cyber insurance, Gabe has helped clients navigate coverage issues arising from security breach liability, media incidents, business email compromises, wire transfer fraud, business interruption, and cryptojacking. Gabe has litigated and prevailed on several of these cutting-edge cyber issues in courts across the country.

As part of his commercial practice, Gabe represents individuals and small and mid-size business in various business litigation, including employment, professional liability, corporate governance, real estate, tax, and contract disputes. His recent representations include obtaining a voluntary dismissal of his client in a contentious family dispute over the ownership and operation of a well-known art gallery, obtaining a voluntary dismissal in a real estate litigation over unpaid broker commissions and corporate waste, and reaching a mid-trial nuisance value settlement in a cooperative dispute over a private nuisance.

PRACTICES

Commercial Litigation

Insurance Coverage and Bad Faith

BAR AND COURT ADMISSIONS

New Jersey

New York

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Third Circuit

U.S. District Court for the Eastern District of New York

U.S. District Court for the Southern District of New York

U.S. District Court for the District of New Jersey

EDUCATION

Benjamin N. Cardozo School of Law, J.D.,
2009

University of Maryland, College Park, BA,
2005

MEMBERSHIPS

Member, Defense Research Institute (DRI)

Member, Claims and Litigation Management
Alliance (CLM)



RECOGNITION AND INVOLVEMENT

New York Metro Super Lawyers Rising Stars (2013 - 2020)

Super Lawyers (2021-2023)

REPRESENTATIVE MATTERS

Member of team representing excess insurers in coverage dispute arising from settlement of false arrest claims.

Secured a finding of no coverage after bench trial concerning the applicability of a Mold Exclusion to a multi-million dollar consent judgment arising from exposure to toxins.

Secured a defense verdict for an insurer in a multi-week jury trial arising from an environmental contamination claims.

Secured a finding of no coverage after a two-week bench trial concerning the applicability of the retroactive date in an underground storage tank policy to a petroleum discharge.

Obtained affirmance before the Second Circuit Court of Appeals of district court determination applying the anti-subrogation rule to prohibit an excess insurer from passing through eight figure settlement to employer's liability insurer.

Represented excess insurer in long-tail claim alleging exposure to carbon black in West Virginia, resulting in favorable settlement.

Represented excess insurer in long-tail claim alleging exposure to benzene, resulting in favorable settlement.

Part of team that obtained summary judgment for an insurer in the NFL concussion litigation finding at least one "occurrence" per claimant.

EVENTS

2025 Environmental & Emerging Claim Manager Association (EECMA) Annual Conference
Orlando, FL, April 9-11, 2025

Coverage College 2024
Philadelphia, PA, 10.30.24

Gabe Darwick to Present on Cyber Coverage at the Insurance Coverage and Allocation Issues Conference
Perrin Conferences
Union League of Philadelphia, 5.8.24

PUBLICATIONS

Key Takeaways – Coverage College 2024
12.12.24

18th Annual Coverage College

10.30.24

