

## Robert F. Walsh

Partner

Chair, Insurance Coverage and Bad Faith Group

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Clients value Bob's responsiveness and ability to provide successful and cost-effective representation that focuses on both the case at hand and the client's broader strategic concerns.

### OVERVIEW

In over 35 years of practice, Robert Walsh has developed a national practice representing insurance companies in coverage litigation and providing claim advice and claim monitoring. He is the Chair of the firm's Insurance Coverage and Bad Faith Practice Group. Clients value Bob's responsiveness and ability to provide successful and cost-effective representation that focuses on both the case at hand and the client's broader strategic concerns. While he is based in the firm's Philadelphia office, he is also admitted in New York and New Jersey and maintains an active practice in those states. Overall, Bob has handled insurance coverage litigation in more than 20 states ranging from Maine to California and Florida to Washington.

Bob has developed a particular focus in the area of complex claims involving environmental damage, asbestos, toxic tort liabilities and employer's liability claims. He also has extensive experience litigating coverage disputes and providing coverage advice for other diverse matters, such as construction defect claims, claims under professional liability and other "claims made" policies, and cutting-edge product liability claims involving pharmaceuticals and food additives. In addition, Bob has represented policyholders in the direct defense of a variety of claims.

Bob is a Fellow of the American College of Coverage Counsel. He is a regular presenter at White and Williams' Coverage College. He has also spoken at Perrin Conferences and other conferences on insurance litigation topics and he provides regular training to the firm's insurance company clients.

### PRACTICES

Catastrophic/Excess Liability

Insurance Coverage and Bad Faith

Product Liability

### BAR AND COURT ADMISSIONS

Pennsylvania

New Jersey

New York

U.S. Court of Appeals for the Second Circuit

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

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

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

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

U.S. District Court for the Eastern District of Pennsylvania

### EDUCATION

Seton Hall University Law School, JD, *cum laude*, 1984

Rutgers College, BA, 1981

### MEMBERSHIPS

American Bar Association



## RECOGNITION AND INVOLVEMENT

Bob has been AV® rated by the Martindale-Hubbell peer review rating system.

Fellow of the American College of Coverage Counsel.

## REPRESENTATIVE MATTERS

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

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

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

Handled coverage litigation nationwide and provided claim advice for primary and excess insurers involving hundreds of contaminated waste sites and thousands of asbestos and silica claims

Handled coverage litigation and provided claim advice involving a wide cross-section of underlying claims, including employer's liability, professional liability, construction defect, and product liability

Obtained summary judgment in in large environmental coverage action involving manufactured gas plant sites in New York involving multi-million dollars of potential liability

Successfully arbitrated several disputes involving the scope and application of prior settlement agreements involving the release of future claims

Prosecuted successful action to rescind professional liability policy based on fraud in the application process

Handled the direct defense of policyholders in numerous premises liability, products liability and negligent hiring/negligent supervision claims

Monitored and provided claim advice for underlying product liability claims, including claims involving pharmaceuticals and food additives, and professional liability/errors and omissions claims, including claims against attorneys, physicians, insurance adjusters and environmental contractors

Assisted clients in developing strategies and procedures for handling litigation in particular jurisdictions and developing consistent approaches to discovery and settlement in complex litigation

Co-authored successful amicus brief in *Carter-Wallace, Inc. v. Admiral Ins. Co.*, 712 A.2d 1116 (N.J. 1998), one of the leading cases nationwide on allocation of long-tail claims

Handled numerous cases limiting the obligations of excess insurers where underlying insurance has become insolvent or exhausted, including *Werner Industries, Inc. v. First State Ins. Co.*, 548 A.2d 188 (N.J. 1988), a leading case finding no "drop down" due to underlying insolvency

Prosecuted successful appeals for insurance company clients in other leading cases, including, *Keyspan Gas East Corp. v. Munich Re*, 15 N.E.3d 1194 (N.Y. 2014) (leading case rejecting waiver of coverage defenses), *Con Edison v. Allstate Ins. Co.*, 774 N.E.2d 687 (N.Y. 2002) (leading case on allocation and burden of proof re existence of an occurrence)

## IN THE NEWS

13th Annual Coverage College Hosts Over 400 Insurance Professionals  
11.1.19

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

Coverage College Celebrates Its 10th Anniversary  
9.22.16

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

## EVENTS

2024 Environmental & Emerging Claim Manager Association Annual Conference (EECMA)  
Savannah, GA, April 3-5, 2024

Coverage College 2023  
Philadelphia, PA, 10.12.23

The Hidden Cost of Clean Energy  
2023 Environmental & Emerging Claim Manager Association Annual Conference (EECMA), 4.20.23

Coverage College 2022  
10.13.22

Coverage College 2021  
10.21.21

PFAS are Here to Stay: The "Forever Chemical" That Will Impact the Industry for Years to Come  
In2Risk 2021, 9.24.21

Coverage College 2020  
10.22.20

COVID-19 Insurance Program  
Webinar, 8.11.20

Emerging Issues in Long-Tail Exposure Insurance  
Webinar, 11.18.19

Coverage College 2019

10.24.19

Long-Tail Insurance: An Update on Coverage Issues Concerning Asbestos, LTE and Environmental Claims

12th Annual Coverage College, 10.4.18

Long-Tail Coverage: An Update on Coverage Issues Concerning Asbestos/LTE/Environmental Claims

White and Williams Coverage College, 10.26.17

Long-Tail Coverage: An Update on Coverage Issues Concerning Asbestos/LTE/Environmental Claims

White and Williams Coverage College, 9.22.16

Special Issues in Claims-Made Coverage

White and Williams Coverage College, 10.8.15

## PUBLICATIONS

The Complex Insurance Coverage Reporter - November 2022 - Special Edition

*The Complex Insurance Coverage Reporter*, 11.21.22

Next, Please: The Fast Food Industry Is Hit With the Latest PFAS Suit

*Insurance Coverage and Bad Faith Alert*, 3.29.22

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

The ABCs of PFAS: What You Need to Know About Liabilities for the "Forever Chemical"

*The Complex Insurance Coverage Reporter*, 2.3.21

New York's Highest Court Rejects "Unavailability" Exception to Pro Rata Allocation in Long-Tail Claims

*Complex Insurance Coverage Reporter*, 5.4.18

New York Court of Appeals Rejects Unavailability Exception to Pro Rata Allocation

*Insurance Coverage and Bad Faith Alert*, 3.28.18

Connecticut Supreme Court to Review Several Issues in Asbestos Coverage Case

*Complex Insurance Coverage Reporter*, 11.8.17

Complex Insurance Coverage Reporter

*Complex Insurance Coverage Reporter*, 10.17