

# Insurance Coverage



## REPRESENTATIVE EXPERIENCE

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Representing an insurance carrier in nationwide class action involving use of software to evaluate first party claims.

Representing an insurance carrier in statewide class action involving payment of medical benefits to third party providers.

Representing an insurance carrier in statewide class action involving payment of local premium taxes.

Representing a title insurance company in class action involving mortgage rescue transactions.

Obtained reversal of a \$1 million bad faith judgment against an insurer in a case handled by other counsel in the trial court. The insurer had never responded to a time-limited policy limits settlement demand in a brain injury case. The jury returned an excess judgment against the insured after trial.

Defended numerous multi-million dollar Scott-Pontzer uninsured motorist cases in both trial and appellate courts.

Obtained summary judgment of non-coverage for the insurer in a wrongful death case stemming from a bar shooting. The plaintiff claimed that the decedent was caught in the insured's crossfire, and that the insured was negligent in firing his gun in a public place.

Obtained summary judgment for an insurer where another insurer settled a quadriplegia case and sought contribution toward the settlement. The court held on summary judgment that the settling insurer was a volunteer.

Represented insurers in complex environmental coverage lawsuits.

Obtained summary judgments for insurers in numerous bad faith lawsuits.

Obtained summary judgment for an insurer in a multi-million dollar suit by a claimed additional insured seeking coverage under a general contractor's policy for a construction accident.

Obtained jury verdict for the insurer in \$2 million commercial arson/misrepresentation case.



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ATTORNEYS

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## REPRESENTATIVE EXPERIENCE

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Obtained numerous jury verdicts for insurers in both commercial and residential arson/fraud cases in state and federal court.

Obtained summary judgment for an insurer in a suit filed by an insured who sought compensatory and bad-faith damages after the insurer denied claim based on policy's vacancy exclusion. The insurer asserted that the insured premise was vacant at time of theft. The court agreed, and rejected the insured's argument that the vacancy exclusion was ambiguous or in the alternative, against public policy.

Obtained summary judgment on a loss payee claim involving the theft of a car used by the named insured's son. The son had loaned the car to another person to obtain drugs and the car was not returned.

Obtained summary judgment on an underinsured motorist claim brought by a trucker and his wife passenger for an accident in Ohio with an Ohio motorist. Successfully argued that the trucker's claim was governed by Tennessee law which made a policy exclusion applicable to the claim, that was otherwise not available under Ohio law. The wife's claim was then voluntarily dismissed as it was within the tortfeasor's limits of coverage.

Resolved subrogation claims arising out of a house fire allegedly caused by the insured, an electrician. Following depositions of the proposed experts of the claimants, one insurer settled the claim for the home for approximately 7 percent of the amount it paid. The personal property insurer voluntarily dismissed its claim without any payment.

Obtained summary judgment of non-coverage for the insurer in a wrongful death case where the insured sold drugs to two boys who, after ingesting the drugs, died in a traffic accident. Successfully argued that an exclusion for injuries resulting from the insured's "willful and malicious" conduct precluded coverage.

Obtained summary judgment of non-coverage for insurers in numerous cases arising out of violent altercations and incidents involving their insureds.

Prepared countless opinion letters regarding coverage for both first-party property and third-party liability claims under personal and commercial insurance policies.

Obtained summary judgment for an insurer in a multi-million dollar suit by a claimed additional insured seeking coverage under a general contractor's policy for a construction accident.



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