

INSURANCE COVERAGE



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In the increasingly complex world of insurance matters and risk, getting coverage right matters. At HBS, our National Coverage Practice team has deep expertise in a wide range of coverage issues from policy procurement through claim resolution. We provide sound coverage advice and litigate when necessary to protect our clients' rights and defend against bad faith claims.

About Our Practice

Our experienced team of national insurance coverage attorneys represents clients across the full spectrum of complex property and casualty matters in both the state and federal courts.

Special Investigations Unit (SIU): Our team has expertise in investigating and resolving matters of insurance fraud including the misrepresentation of a material fact as to the cause, extent or nature of a loss to obtain a payment by the insurance provider that would not otherwise be made. We handle a variety of insurance fraud matters, including the intentional destruction of insured property by or on behalf of an insured, fraudulent theft losses, staging accidents, exaggeration of the cause and extent of injuries.

Property Coverages: Our representation covers all manner of large and complex first-party property loss usually involving significant business income loss and extra expense. We have extensive experience in property losses to commercial buildings, hotels, apartments, retail facilities, manufacturing and chemical plants, refineries, bridges, goods/cargo in truck, air or ocean transit. Our expertise extends to residential property and specialized property caused by construction, design and engineering defects during and after construction, natural disasters, earth movement and subsidence; explosions; fires; collapse; water intrusion and theft. To provide reliable and accurate coverage opinions, we conduct effective examinations under oath (EUOs) and work with credible forensic and loss valuation experts to investigate the loss and adjust the claim. When necessary, we pursue declaratory judgment actions, rescission actions or reformation actions to resolve coverage disputes and defend our insurers from breach of contract and bad faith suits. We also prosecute subrogation to recover payments made on large loss claims.

Liability Coverages: Our team is uniquely qualified to handle significant liability coverage cases involving extracontractual exposure. We counsel clients, issue reservations of rights and litigate on their behalf coverage disputes involving all manner of occurrence and claims made under primary, excess and umbrella policies, including: CGL policies, OCIP and CCIP liability policies, professional/technical services policies, professional E&O policies, environmental liability policies; D&O policies, warehouse liability policies, marine P&I policies and marine terminal operators liability policies. Where appropriate, we also prosecute equitable subrogation and "other insurance" actions to enforce allocation or recover payments made on liability claims.

Transportation Risk: Our transportation services combine our expertise in liability and property coverages. We have extensive experience representing clients on wrongful death and multiple bodily injuries cases, which often involve excess exposure, time-limited demands and dangerous venues. We protect the interests of insurers under motor truck liability and cargo policies, ocean and air carrier cargo policies, transportation risk policies and warehouse legal liability policies.

London Market: Our attorneys have extensive experience working with brokers, underwriters and claim professionals in the international insurance market, particularly with Lloyd's of London. Our firm has handled many matters on behalf of various Syndicates at Lloyd's, and our attorneys are deeply familiar with how this unique global market works. We leverage these long-standing relationships to assist foreign insurers in managing their domestic litigation, and assist domestic clients in gaining access to the Lloyd's market.

Surety/Bond: We have a tremendous track record and depth in handling all manner of losses and disputes that arise from large construction projects. Our breadth of experience gives us advantages in representing the interest of the Surety in performance bond claims, payment claims, and prosecuting indemnity claims on behalf of the Surety. Understanding all

elements of the construction process allows us to better facilitate bond conferences and dispute resolution between owners and construction principals.

History of Coverage Representation: Throughout their distinguished careers, HBS attorneys have handled substantial and complex coverage matters and disputes in the state and federal courts in the majority of states across this country. Through the links below we provide greater detail of our experience that extends to almost every facet of insurance coverage:

- [Special Investigations Unit/SIU](#)
- [Casualty/Liability](#)
- [First Party/Property](#)
- [Surety/Bonds](#)

Our attorneys have extensive experience working with brokers, underwriters and claim professionals in the international insurance market, particularly with Lloyds of London. Our firm has handled many matters on behalf of various Syndicates at Lloyds, and our attorneys understand how this unique market works. We utilize these long-standing relationships to assist foreign insurers in managing their domestic litigation. We also assist domestic clients to gain access to the Lloyds market.

We represent clients in state and federal courts across the country in almost every facet of insurance coverage, including:

- Legal opinions
 - Rescission actions
 - Declaratory judgment actions
 - Bad faith defense
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- Contracts
 - Defense of first-party claims alternative dispute resolution

Teams

Leadership



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Related Industries

Health Care

Already among the most regulated industries, and now grappling with the uncertainty regarding the impact of the Patient Protection and Affordable Care Act and other reforms, the health care industry and those doing business with the sector rely on HBS to advise on and effectively resolve their business, legal, and regulatory challenges. We advise on all aspects of our clients' healthcare related businesses from structuring, employment issues, office management, corporate governance and transactional matters to malpractice issues, patient privacy, records retention and data protection.

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Insurance

From appraisals, coverage, claims and adjusting issues to drafting and review of insurance policy, regulatory compliance advice and dispute resolution, HBS assists insurance industry clients with resolving the many challenges they face.

In addition to managing risk and defending liability claims, we regularly advise clients on the full range of insurance products, services, and coverages, including general liability, automotive, life, property and casualty, director and officers' liability, professional malpractice, errors & omissions coverage, business interruption and environmental, cyber-risk and other specialty coverages and exclusions.

Our lawyers represent clients in courts of all levels throughout the United States, litigating class actions,

multiparty and multi-district cases as well as individual lawsuits involving virtually every type of claim, coverage, fraud and bad faith action. We handle regulatory investigations and enforcement actions and are experienced with all forms of alternative dispute resolution. Active insurance coverage attorneys in the international insurance markets, we also help domestic clients gain access to the overseas market and assist foreign insurers in managing their domestic litigation.

As industry leaders, HBS Insurance Coverage lawyers have been recognized as Super Lawyers and Rising Stars in the field of insurance. Team members regularly write and lecture on insurance and property SIU issues, and are active members in insurance industry groups. As a value-added, we offer clients employee training to help their staff understand the laws and regulatory requirements impacting their industry and strategies to minimize risk exposure.

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