

## INSURANCE COVERAGE

HBS offers a team of experienced attorneys that can help your business get insurance coverage right in order to minimize risk from policy procurement through claim resolution.

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### Overview

In the increasingly complex world of insurance matters and risk, getting coverage right matters. At HBS, our Insurance Coverage Service Area 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.

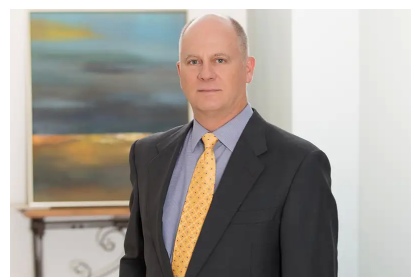
### Experience

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.

#### Casualty/Liability

Our team is uniquely qualified to handle significant liability coverage cases involving extracontractual exposure.

### Leadership



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# HALL BOOTH SMITH, P.C.

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.

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## First-Party Property Loss

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.

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**Full Team**

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## Transportation Risk

Our transportation services combine our expertise in liability and property coverage.

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.

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## 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.

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## 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

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insured, fraudulent theft losses, staging accidents, and exaggeration of the cause and extent of injuries.

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## 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.

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## Blog



The HBS [National Insurance Coverage Blog](#) explores evolving trends in coverage and underwriting in addition to legal challenges and claims that are likely to impact future decisions by insurers and insureds. The blog covers a wide variety of news and precedent cases in the property coverage, liability coverage, transportation risk, surety/bond, and London market sectors at both the state and federal level.

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Posts also share best practices for policy procurement, dispute resolution, and strategies that help our clients ensure that their legal rights and obligations are being met.

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## **Fourth Circuit Reiterates South Carolina's High Standard for Insurers' Reservations of Rights**

[August 21, 2023](#)

In a decision issued on December 13, 2022, the Fourth Circuit Court of Appeals affirmed the district court's ruling that two insurers insufficiently reserved their rights under general liability policies issued to their insureds for claims arising out of construction defect litigation and, therefore, could not disclaim coverage...

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## **South Carolina Court of Appeals Gives Insurance Company a Reprieve when Complying with a Time-Demand**

[July 7, 2023](#)

Recently, the South Carolina Court of Appeals' enforcement of a settlement resulted in favor of an insurer in the case styled O'Conner v. Collier. The court enforced a settlement where the claimant argued that the insurer had not properly complied with the terms of its settlement demand...

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## **New Changes to Oklahoma Law Regarding Wind & Hail Claims Could Bring Much-Needed Clarity to Claims-Handling & Possible Litigation**

June 27, 2023

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