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Insurance Policyholder

OVERVIEW

Our Insurance Policyholder group pairs extensive knowledge of insurance law and policies with unrivaled litigation capabilities to maximize insurance recoveries for corporate policyholders, claimants, and other business professionals. We represent clients in helping to review, negotiate and draft the broadest coverage available in the market and then when claims arise we handle all dispute resolution proceedings ranging from complex litigation and arbitration claims to mediations and appraisals in multiple jurisdictions across the U.S.

Strategic Coverage Counsel

We proactively partner with our clients to strategically advise on coverage negotiation, litigation and risk management issues, bringing to bear our experience in handling insurance disputes. We work with underlying litigation and arbitration teams, who are prosecuting or defending injury, damage and commercial claims in which insurance assets are needed to conclude or fund settlements; we counsel on policy procurement and renewals, analyzing proposed and existing policies and negotiating and drafting manuscript provisions; and we advise on insurance requirements in mergers, acquisitions, contracts and risk management programs and assist with insurance due diligence; and consulting.

Insurance Coverage Litigation

We leverage our preeminent experience as insurance coverage litigators to maximize the use of insurance assets to settle and cover verdicts in liability litigation and to procure reimbursement for clients with property, business interruption, cyber and other first party claims. Working as aggressive and zealous advocates for our clients, we provide business-oriented, no-nonsense representation and counseling that delivers prompt, favorable and cost-effective results. The depth of our experience

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encompasses the banking, building products, chemicals, construction, consumer products, electric utilities, financial services, health care, manufacturing, pharmaceutical, real estate development, retail, securities, telecommunications and transportation sectors.

Top-Ranked Insurance Coverage Counsel

Neal Gerber Eisenberg provides a leading edge on insurance matters through the unique resources and experience that set the firm apart as an insurance law leader. As a reflection of our talent, our attorneys are top-ranked insurance coverage counsel in leading legal directories, including Chambers USA, U.S. News-Best Lawyers, BTI, LawDragon 3000, Super Lawyers, and Law 500. Our Policyholder Insurance blog offers key insights about insurance coverage law.

EXPERIENCE

Representative Experience

- Ongoing representation of utility company against excess liability insurers in coverage dispute arising out of \$177 million settlement with the State of Missouri for damages caused by the catastrophic failure of a hydroelectric dam.
- Secured one of the largest settlements in the world for a catastrophic property loss on behalf of utility company arising out of failure of hydroelectric dam.
- Representation of law firm and individual attorneys against primary and excess E&O insurers in coverage dispute arising out of \$20 million claim alleging legal malpractice, conspiracy and fraud.
- Ongoing representation of municipality in coverage litigation arising out of \$11 million judgment in underlying 42 U.S.C. § 1983 lawsuit.
- Representation of life insurer against E&O insurers in coverage litigation arising out of underlying “disappearing premium” class actions seeking tens of millions of dollars for alleged fraudulent conduct and deceptive sales schemes.
- Ongoing representation of major online retailer in coverage litigation arising out of underlying class actions alleging violations of the Song Beverly Act.
- Ongoing representation of coal company in litigation against third-party administrator regarding fee dispute for handling Federal Black Lung claims.
- Ongoing representation of managed care company against its E&O insurers in coverage disputes arising out of underlying class actions seeking damages in excess of \$100 million for alleged improper administration of PPO networks.



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- Ongoing representation of law firm and individual attorneys sued by bankruptcy trustee to secure funding from E&O insurers for settlements of claims alleging breach of fiduciary duty, dishonest acts, fraud and statutory violations.
- Ongoing representation of managed care companies in securing coverage under E&O and Managed Care Liability policies for class action lawsuits arising from privacy claims, civil rights violations and other statutory violations in Illinois, California, Florida and Colorado.
- Representation of medical provider and managed care professional during Department of Justice investigation to secure coverage for individuals and entity under D&O liability policy.
- Representation of Bankruptcy Trustee for not-for-profit debtor to investigate potential coverage for directors and officers for fraudulent transfers.