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Insurance Law

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Chamberlain Hrdlicka has extensive experience in insurance coverage litigation. Our cases have involved a wide array of matters, including rendering coverage opinions, handling declaratory judgment and bad faith actions arising out of coverage disputes between insurers and policyholders, as well as handling allocation and subrogation issues between insurers. Our insurance attorneys have an in-depth knowledge of general, business, and tort litigation, insurance coverage issues, and the insurance industry in general.

Our attorneys have successfully handled virtually every type of coverage issue including interpretation of insuring agreements and exclusions, an insurer's duty to defend, duty to indemnify, duty to settle, duty to appeal, and duty to post bonds, and the policyholder's duty to cooperate, duty to supplement disclosures on insurance applications, and duty to notify. Our attorneys have handled these coverage issues in connection with a variety of insurance policies, including commercial general liability, commercial property, disability, employer's liability, errors and omissions, homeowners, professional liability, workers' compensation, umbrella, and excess policies.

Chamberlain Hrdlicka also partners with our clients' risk management teams in developing risk management policies that reduce losses without unnecessarily limiting activities that advance the unique mission and goals of each of our clients. Our insurance attorneys evaluate and make recommendations regarding the sufficiency of our clients' insurance coverage and indemnity arrangements to protect their customers, visitors, personnel, financial resources, and property from unintended and unanticipated losses. We also provide counseling and training that allow our clients' management and staff to manage and balance risks created by each client's operations—including the development of industry and regulatory compliance programs and incident reporting guidelines.

Areas of Expertise

- Coverage Opinions
- Declaratory Judgment Actions
- Bad Faith and Extra-Contractual Claims Litigation
- Advice Regarding Maximizing Insurance Assets in Business Transactions, Including Corporate Purchase/Sales and Indemnity Arrangements
- Counseling Regarding Risk Management Program and Scope of Insurance Products
- Tracing Corporate Histories to Establish Terms of Lost Policies

Insurance Law, *Continued*

- Auto
- Premises Liability

Representative Matters

- Negotiated settlement of an insurance coverage allocation dispute involving over \$25 million in toxic tort claims arising out of alleged workplace exposure at industrial facility.
- Represented managing general agent in wrongful policy cancellation lawsuit. Summary judgment was granted in favor of managing general agent and affirmed on appeal by the Fourteenth Court of Appeals.
- Represented consumer in negligent policy procurement and Deceptive Trade Practices lawsuit against retail agent arising out of wrongful death case at governmental facility. Settlement was reached for recovery of costs of defending and settlement of underlying wrongful death action as well as other consequential damages.

