

## Insurance Coverage

**Your goal is to make sure your insurance carriers fulfill their obligations. Carrington Coleman's job is to ensure that happens. It can be overwhelming to sift through insurance policies, figure out which policies or carriers may respond to your claim, and properly advocate for coverage. Let us help. We know insurance, we know business, and we're here to maximize your recovery.**

Honestly, insurance coverage is geeky stuff. Commercial insurance claims often involve millions of dollars, multiple policies, a slew of interested parties, and nuanced, complex coverage arguments. Insurance policies are dense; sometimes it may even feel like they're written in another language. As a business executive or in-house counsel, your responsibilities are extensive, so let us take insurance off your plate.

**We've got you covered with comprehensive insurance coverage services.**

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Carrington Coleman's insurance recovery team works to understand your business objectives with the goal of creating a comprehensive coverage strategy that starts with honest risk assessment and clear communication. Our job is to distill complicated coverage arguments into plain English, so you have the necessary information to make educated business decisions and meet your risk transfer objectives.

**We have experience in a broad range of commercial insurance policies and coverages.**

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Our coverage team has represented clients in a variety of industries involving insurance issues under the following types of coverage:

- Builders Risk
- Commercial Auto
- Commercial General Liability (CGL)
- Commercial Property
- Crime
- Cyber
- Directors and Officers (D&O)
- Errors and Omissions (E&O)
- Excess and Umbrella
- Employment Practices Liability (EPL)
- Fiduciary Liability
- Inland Marine
- Professional Liability

## If you could combine chess with Tetris. . .

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Insurers are some of the most experienced litigators in the world. Carriers participate in litigation all day, every day either as a purchaser of legal services or a participant in litigation. Coverage cases are often complicated, outcome-driven affairs that require your lawyers to think several moves ahead to structure a meaningful solution that benefits your business. Experience drives strategy, which is why it's so important to have Carrington Coleman's coverage team at your back. We know which pieces to move, which levers to pull, and we carry the credibility necessary for insurers to sit up and pay attention. We look for early, pragmatic solutions to any dispute, but we've also got the depth to go toe-to-toe with any carrier refusing its obligations.

**Policy analysis and counsel.** Clients often call on us to evaluate individual policies or entire insurance programs to ensure that they're covered for the risks that keep them up at night. Sometimes your risk profile changes – you introduce a new product, go through a merger, or maybe downsize. It's always best to understand if your insurance is meeting your needs *before* a claim happens.

**Claims track and pre-litigation advice.** We provide strategic advice on coverage issues on the front end before a coverage suit is filed. Our clients engage us to help with large loss claim preparation, handle information sharing with insurers defending litigation, devise underlying case strategies to maximize coverage, and negotiate with insurers taking unreasonable coverage positions. We leverage our credibility and know-how to get coverage disputes settled as early (and as favorably) as possible.

**Coverage litigation.** Carrington Coleman's insurance recovery regularly handles six to nine figure insurance claims, involving the most complex of coverage issues and every major insurer on the market. At the outset of each case, our question is the same: what coverage strategy will support our client's objectives? We work from that foundation to devise the right approach for your business.

## Areas of Focus

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### Across all Industries

Every business needs insurance. From technology to manufacturing, hospitality, retail, nonprofit, and more, we've dealt with all manner of coverage conundrums. The coverage issues specific industries face can be unique, but we've advised and represented clients in just about all of them.

### Fortune 500 Companies

We've represented many of the largest commercial policyholders in the world. Our clients keep coming back because we're nimble, efficient, and come up with creative solutions to complex insurance problems. Carrington

Coleman's goal is always to maximize insurance recovery while minimizing business disruption; that combination has proved valuable to our clients.

### **Additional Insured Issues**

Many of our clients maintain insurance policies through vendors or other contractual partners under an agreement that requires our client be listed as an additional insured. Unique dynamics arise in the additional insured context, leading our clients to call on us to make sure their contractual (and insurance) rights are properly preserved.

### **Cutting Edge Insurance Issues**

Believe it or not, novel issues often arise in insurance. Emerging cyber risks perpetuated by state actors, climate change and related property concerns, and losses stemming from the COVID-19 pandemic are just a few of the issues we've seen explode in recent years. Because we're steeped in insurance coverage, we're on the forefront of insurance industry developments, new risks and related coverage, and contemporary caselaw.

### **Providing Clarity**

Insurance policies are long, multifaceted documents. Carrington Coleman lawyers make it our job to read and understand every sentence and nuance. We'll distill our advice into plain English, allowing you to make informed business decisions that feed your strategy. We are as driven by the bottom line as you are.

### **Significant Matters**

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- Represented a publicly traded heating, cooling, and refrigeration manufacturer in coverage litigation against its first-layer excess insurers related to a \$100 million insurance program providing coverage for a nationwide asbestos docket; ultimately negotiated a favorable cost-sharing agreement with the excess carriers.
- Represented an aerospace manufacturer in coverage litigation against its commercial property insurers for \$30+ million in business interruption losses resulting from hurricane-related flooding.
- Advised an international retailer on coverage issues to favorably structure a business income loss claim under a commercial property policy for losses sustained by its Puerto Rico properties following Hurricane Maria.
- Completed a comprehensive cyber policy analysis for an airline client, including a comparison of 30+ risk scenarios against cyber policy language and recommendations to resolve gaps in policy language.
- Engaged by a global telecommunications technology company to challenge denials from cyber, commercial general liability, and directors and officers insurers for defense costs related to a series of high-stakes patent infringement and unfair competition lawsuits; secured insurer payment of millions in defense costs without coverage litigation.
- Advised a Fortune 500 retailer on coverage issues under cyber and commercial general liability policies (both as a named insured and as an additional insured) in connection with a multistate MDL consumer class action; analyzed class action settlement insurance policy; and challenged the insurers' coverage positions on various issues.



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## Primary Contacts

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### **Marisa O'Sullivan**

Partner

214.855.3015

[mosullivan@ccsb.com](mailto:mosullivan@ccsb.com)