



Insurance Coverage Litigation

In an increasingly litigious society, the importance of insurance in protecting businesses and individuals from potential liability is widely recognized. Simply put, appropriate insurance is a "must have" for businesses, property owners and affluent individuals in today's environment. Not only is the number of insurance claims on the rise, but the dollar value of those claims continues to climb. There is an increasing amount at stake, therefore, when disputes arise between insurance companies and the parties they insure.

Solving Questions of Insurance Coverage

No matter how hard insurers try to draft clear and concise policies, situations always develop which do not fall neatly into the categories of "Covered Losses" or "Exclusions." Changing laws, regulations, and contradictory court opinions only add to the confusion, despite insurance companies' best efforts to adapt to changes through new policy language. Questions about the existence of coverage and whether an insurer should bear responsibility for a given loss often lead to litigation. And in today's environment, the answers to these questions are of significant value.

A Team of Experienced Insurance Coverage Attorneys

When disputes arise, Williams Mullen's Insurance Coverage Team can tackle the complex legal issues presented by insurance coverage claims and help you navigate the unique judicial process for such claims. Our attorneys have experience handling insurance disputes involving policies for personal, commercial, and/or excess/surplus liability lines of coverage. We've represented clients in disputes over corporate policies covering directors and officers, professional policies involving errors and omissions coverage, employment policies guarding against discrimination and other employment claims and claims for life and/or disability benefits, just to name a few.

The Experience to Guide Clients Through Insurance Disputes

We routinely advise clients concerning potential risks and coverages afforded by given policies. If a loss does happen, we have the experience and skills necessary to determine whether coverage should be provided by an insurer. If the matter proceeds to litigation, our insurance coverage attorneys can help you in all phases of the dispute process. We have years of experience researching policies, analyzing current case law and presenting arguments in civil trials, arbitrations and other adversarial proceedings.

Whether it's a claim for breach of contract, declaratory judgment, allegations of bad faith by an insurer, insurance fraud or an action between insurers regarding the priority of coverage between various applicable policies, Williams Mullen has the skills and the resources to provide the legal assistance our clients need.

Representative Experience

- Represented domestic distributor of products containing asbestos in coverage dispute with domestic and foreign underwriters, ensuring payment on current and future claims.
- Represent national insurance companies in coverage disputes with various insureds involving personal and commercial lines of insurance.
- Defended one of world's largest insurance carriers in \$23 million bad faith litigation (excess carrier v. primary carrier) in federal district court.
- Represented national shopping center developer in various insurance coverage disputes.
- Recovered over \$100,000 for warehouse for losses in roof collapse due to snow load.
- Represent multiple municipalities on insurance coverage issues relating to pollution and environmental claims.
- Represent various entities in ERISA benefit claims for disability and/or life benefits.
- Represent various residential and commercial landlords regarding casualty losses to property and coverage for claims by tenants.
- Represent large car dealership in numerous issues arising out of insurance for inventory held for sale.
- Represent large insurance company in coverage dispute arising out of insurance fraud under individual homeowner's policy.
- Represent retailer in dispute with specialized industry insurer in dispute over losses arising under employee dishonesty policy.
- Represent large insurance company in various disputes arising out of disability and death benefits purchased in connection with purchase of automobiles.
- Advise Fortune 500 company regarding appropriate insurance coverage and impact of policy language and terms.

Experience

- **Defended Insurance Agent Against Malpractice Claims**

Defended insurance agent claims alleging that our client did not properly advise its client of potential liability claims against the client, which resulted in the carrier's denial of an eventual claim on grounds of late notice.

- **Defended Commercial Construction Company from Premises Liability Claim**

Defended commercial construction company against a \$1M premises liability claim resulting from when the Plaintiff entered a construction site at night, fell, and impaled his face on a piece of uncapped rebar.

- **Defended National Concrete Manufacturer Against Personal Injury Claim**

Defended concrete manufacturer against personal injury action for severe burns and permanent scarring to plaintiff's legs.

- **Defended Construction Company Against Personal Injury Claim**

Defended construction company against multi-million dollar personal injury claim.

- **Defended University Against FERPA claim**

Defended university against FERPA claim brought by the parent of a student arising from the student's performance at the university.

- **Defended Medical Laboratory Against Traumatic Brain Injury Claim**

Defended national medical laboratory against traumatic brain injury claim Plaintiff alleged to have suffered due to seizures brought on by severe lithium toxicity.

- **Represented Reinsurer Against Claim for Coverage**

Filed declaratory judgment action on behalf of reinsurer for declaration of noncoverage based on nondisclosure.

- **Represented Reinsurer on Appeal to the 4th Circuit in Coverage Dispute**

Represented reinsurer on appeal to the 4th Circuit in coverage dispute.

- **Defended Insurance Carrier in Coverage Suit Arising Out of Multiple Pharmaceutical Claims**

Defended excess insurer in coverage dispute with insured over hundreds of claims involving injury resulting from use of the insured's medical products.

- **Advised Consortium of Insurers Regarding Insurance Coverage for Oil Spill in Panama**

Drafted detailed coverage opinion for various excess insurers regarding coverage obligations arising out of oil spill in Panama.

- **Represented Internationally-known Entertainer to Secure Insurance Coverage for Multiple Personal Injury Claims**

Represented internationally known entertainer to secure insurance coverage following a dispute over coverage arising out of an incident with a tour bus that resulted in multiple personal injury claims.

- **Defended Insurance Carrier Against Suit Arising Out of Disability Claim of Medical Professional**

Defended insurance company against coverage and bad faith claims made by doctor who claimed disabilities under a policy.

Related News

- [Avoiding Contempt: Responding to Non-Party Subpoenas](#)
- [Beware of Potential Pitfalls in Directors & Officers Insurance Policies](#)
- [Superstorm Sandy: Best Practices for Preserving Your Right to Insurance Coverage](#)
- [James M. Burns Quoted in Pharmaceutical Law & Industry Report](#)
- [Williams Mullen's Litigation Practice Honored by Benchmark Litigation](#)
- [Elizabeth Scott Named to 2017 Class of Leaders in the Law by North Carolina Lawyers Weekly](#)
- [Williams Mullen's Litigation Practice Recognized in 2018 Edition of Benchmark Litigation](#)
- [Elizabeth Scott Profiled in Business North Carolina's 2019 Legal Elite Issue](#)
- [6 Williams Mullen Attorneys Ranked on 2019 Top Lists by Virginia Super Lawyers](#)
- [119 Williams Mullen Attorneys Listed in 2020 Edition of The Best Lawyers in America®](#)
- [Hal Johnson Quoted in Virginia Lawyers Weekly Story on Insurance Coverage](#)
- ["An Ounce of Prevention is Worth a Pound of Cure" - Commercial Contracts in the Era of Coronavirus \(COVID-19\)](#)
- [116 Williams Mullen Attorneys Listed in 2021 Edition of The Best Lawyers in America®; Most Total Lawyers in Virginia](#)
- [Williams Mullen Bolsters Litigation Practice with Two Hires](#)
- [124 Williams Mullen Attorneys Listed in 2022 Edition of The Best Lawyers in America®](#)
- [Williams Mullen Nationally Ranked in 16 Practice Areas by U.S. News - Best Lawyers® Best Law Firms® 2023](#)

Related Events

- [Unprecedented: Force Majeure and Other Contractual Issues in the COVID-19 Crisis](#)
- [Insurance 101 for Businesses](#)

Related Attorneys

- Calvin W. "Woody" Fowler, Jr. ? 804.420.6442 ? wfowler@williamsmullen.com
- Harold E. Johnson ? 804.420.6447 ? hjohnson@williamsmullen.com
- Richard H. "Dick" Willis ? 803.567.4611 ? rwillis@williamsmullen.com