



Insurance Recovery

PRACTICES

OVERVIEW

Businesses today encounter highly complex insurance questions, whether considering insurance issues during diligence for a potential business transaction, assessing insurance coverage for potential or actual claims, or confronting a coverage dispute with their insurance companies. We have the knowledge, experience and insight to guide you skillfully and cost-effectively through the challenging insurance mine-field and to help enforce the rights you have under your insurance policies.

We provide advice regarding insurance policies and related agreements in an effort to help you understand your insurance and avoid disputes - from negotiating insurance policy terms, to analyzing and submitting insurance claims, and to communicating with insurance companies after a claim is submitted to increase the likelihood of obtaining coverage. When disputes arise, we advocate for your rights under your policies and, when necessary, litigate to enforce your rights.

We advise corporate policyholders on insurance coverage in a variety of areas, including directors and officers, representations and warranties, commercial general liability, cybersecurity, crime/dishonesty, errors and omissions, employment practices liability, property and environmental policies. We handle significant insurance-related disputes in North Carolina and other states, including arbitration proceedings and state and federal court litigation. In addition to our insurance expertise, we offer the benefits of a full-service corporate law firm with experienced lawyers in many related areas.

SERVICES

- Advising policyholders with regard to their rights and obligations under a variety of commercial policies
- Representing insureds in coverage litigation and other contractual and extra-contractual disputes relating to commercial policies
- Advise policyholders regarding the impact to insurance policies as a result of an acquisition or other change of control event
- Work with policyholders' brokers to negotiate policy terms when binding new policies

EXPERIENCE

- Represented multiple corporate insureds in negotiations with primary and excess D&O carriers regarding coverage for defense costs and investigation expenses incurred in connection with shareholder litigation and related proceedings

- Represented general contractor in dispute with subcontractor's insurance carrier who denied coverage under additional insured endorsement for multiple wrongful death lawsuits arising from subcontractor's work
- Represented retail store chain in disputes with pollution liability carriers regarding coverage for costs to clean up environmental contamination at numerous sites
- Represented corporate insured in bad faith action in Mississippi relating to carrier's denial of coverage for dozens of commercial properties damaged by Hurricane Katrina
- Represented national bank in bad faith action relating to carrier's refusal to indemnify insured for multi-million-dollar settlement of asset-backed securities litigation
- Represented helicopter operator in bad faith action against carrier that refused to defend or indemnify its insured in underlying litigation arising from helicopter crash
- Represented mortgage lender in action seeking mortgage insurance coverage for numerous defaulted loans
- Represented real estate broker in action filed against E&O carrier seeking a declaration of coverage for defense costs incurred and any additional amounts paid to defend or resolve an ongoing lawsuit

PROFESSIONALS

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