



# Insurance Coverage

360°

## **ABOUT OUR INSURANCE COVERAGE PRACTICE**

Insurance coverage has been a core component of **Morris Polich & Purdy's** practice since the firm was founded in 1969. We have played a leading role in shaping California insurance law by successfully litigating some of the State's most significant insurance cases in both the trial and appellate courts.

Our coverage work extends nationwide and our practice includes coverage evaluation and claim administration for mass tort and catastrophic event claims arising throughout the country. The firm has provided advice and representation for insurers in literally thousands of matters involving virtually every type of coverage. We have litigated individual coverage cases involving billions of dollars in underlying claims. In recent months, for example, our insurance group has handled coverage matters involving asbestos exposure claims, business interruption losses, pesticide exposure injuries, class action employment discrimination, and feature film production losses.

The firm's insurance group is composed of top-rated insurance coverage advisors and litigators. We represent numerous longstanding insurance industry clients.

## A CROSS SECTION OF OUR EXPERIENCE

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### Shaping California Insurance Law

- The firm has played a leading role in litigating some of California's most significant insurance cases.
- For example, we have successfully argued precedent-setting cases establishing the rights of excess insurers (*Signal Ins. Co. v. Harbor Ins. Co.*), defeating insurance coverage for punitive damages (*Ford v. Home Ins. Co.*), enforcing pollution exclusions (*Hydro Systems v. Continental Ins. Co.*) and defining the timing of an "occurrence" (*Hallmark Ins. Co. v. Superior Court*).

### National Scope

- We have litigated coverage issues in numerous federal and state courts throughout the U.S.
- We have served as National Coordinating Counsel for a major insurer's environmental liabilities.
- The firm has served as Claims Counsel and Administrator in processing, evaluating and monitoring thousands of underlying claims against particular insureds.

### Mass Tort and Catastrophic Losses

- The firm advises and represents insurers with respect to insurance coverage for major losses, involving billions of dollars in underlying claims.
- For example, we have served as insurer coverage counsel for claims arising from: the Northridge Earthquake, asbestos exposure injuries, heart valve defects, lead paint exposures, manufacture of defective construction materials, and environmental contamination at thousands of major oil company locations, including Superfund sites.

### Extra Contractual Claims

- The firm has defended a multitude of cases alleging liability against insurers beyond policy limitations.
- We regularly advise insurers concerning procedures and strategies to avoid payment of meritless claims and exposure to extra contractual liability.
- We have litigated insurance/bad faith claims arising from: construction defects, environmental damage, drug and chemical exposures, arson, fraud, employment-related torts, intellectual property infringement, medical device malfunction, tenement house conditions, business interruption losses, and entertainment industry losses.

### Breadth of Expertise

- We regularly advise insurers concerning claims arising under a broad spectrum of coverages, including:

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General liability  
Professional liability  
Employment practices liability  
Directors and officers liability  
Property insurance  
Specialty insurance products, including various forms of pollution coverage  
Personal lines coverages

### **Environmental Coverage**

- The firm has played an active role in litigating coverage issues arising from toxic tort and environmental liabilities on a nationwide basis.
- We have been in the forefront of a number of large insurance coverage trials in this area, and we have served as appellate counsel in arguing cutting edge issues such as “trigger of coverage,” “known loss,” “as damages”, and interpretation of pollution exclusions.

### **Claims Between Insurers**

- We regularly handle and, if necessary, litigate claims between insurers for contribution or indemnity.
- Our expertise extends to complex issues of loss allocation in matters involving different layers of coverage and/or multiple policy periods.

### **Attorney Fee Review and Arbitration**

- The firm has been retained to review and evaluate attorneys’ fee submissions by insured-retained defense counsel.
- We advise insurers concerning rights and obligations under statutes dealing with selection of defense counsel, and we represent insurers in arbitration of attorney fee disputes.

### **Suspicious Claims**

- Our practice includes advice, investigation and litigation of suspicious claims, including suspected arson.
- The firm is a leader in its knowledge, resources, and development of techniques to assist insurers in fighting fraud and misrepresentation.

### **Policy Drafting**

- We have assisted insurers in drafting policy language for several different types of coverage forms and endorsements, including professional liability, employment practices liability, and personal automobile policies.



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