

Subrogation

New Assignment Forms

[New Loss Subrogation Referral](#)

After-Hours Contacts

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Speaker Engagements

Our attorneys have spoken at various industry events or been recognized as leaders in their fields over the last year or so, as follows: [Speaker Engagements](#)

Summary of Services

[Summary of Services Brochure](#)

50 STATE RESEARCH CHARTS

[View our Research Charts on Subrogation-Related Topics here.](#)

White and Williams LLP has the oldest and one of the largest subrogation practices in the nation. Lawyers in the subrogation department practice throughout the United States and provide 24/7 access for assignments. The department offers an aggressive early intervention program, utilizing a vast network of screened experts and consultants and covering a wide variety of subrogation-related disciplines. We routinely receive new referrals in all fifty states.

The subrogation department handles, among other things, high-profile commercial property, inland marine, cargo and construction defect losses as well as losses associated with high-net-worth residential homes. From case referral

PRACTICE CONTACTS

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PRACTICE HIGHLIGHTS

- After-hours Contacts
- Represents clients in property loss, cargo, inland marine, fidelity, catastrophic commercial loss, cyber and workers' compensation subrogation matters
- One of the largest practice groups dedicated to workers' compensation subrogation
- Practice group dedicated to small water loss subrogation
- Utilizes special programs with experienced attorneys to represent clients across a wide array of disciplines

through the end of each case, our lawyers work with our insurance and self-insured clients to develop cost-effective strategies for identifying and pursuing subrogation targets. Our lawyers provide timely and thoughtful reports and pride themselves on being responsive to our clients' inquiries.

In addition to handling large-dollar losses, the department has experienced lawyers focusing on mid-level and arbitration losses involving appliance, chimney and electrical malfunctions as well as pipe failures and other failures common in both commercial and personal lines cases. The department also has a special program for smaller water loss cases, offering our customers reduced expert rates and a cost-effective way to handle cases that qualify for the program.

Partners in the subrogation department are members of the National Association of Subrogation Professionals (NASP), Property Loss Research Bureau (PLRB) and Loss Executives Association (LEA). Our partners are frequent speakers at national conferences on subrogation and litigation related topics for these organizations.

Value-Added Services

Most subrogation cases are handled on a contingent-fee basis. As an added-value service, we offer our clients closed file reviews and in-house training seminars upon request. We also maintain a policy of providing courtesy "brain storming" teleconferences on matters that are not likely to turn into assignments but are of importance to our clients. In addition, we maintain a blog – Subrogation Strategist – that discusses current subrogation cases and trends. Because we monitor issues that arise around the country, we are able to quickly identify new trends and advise our clients accordingly.

As part of our effort to provide outstanding customer service, the subrogation department provides a quarterly report summarizing each client's pending cases. The department also offers periodic, comprehensive, in-person reviews of each client's pending cases at the client's locale or in our offices. In addition, in recognition of our clients' concerns for securing cost-effective subrogation returns, we track and periodically review expenses for each file to perform a cost-benefit analysis for each case.

As part of our value-added services, we also maintain Research Charts on Subrogation-Related Topics.

The subrogation department has the advantage of access to many other professionals within our 200+ lawyer firm. Our lawyers practice in areas such as environmental law, construction defect litigation, bankruptcy, financing, legal malpractice, class action litigation and other fields. When needed, lawyers from other practice areas are enlisted to assist on subrogation cases as part of the litigation team, or on a consulting basis. Their services, when necessary, are typically included in the services covered under the contingent fee agreement applicable to the case.

Environmental Losses

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Our clients encounter a wide variety of environmental contamination claims, ranging from leaking underground storage tanks for residential heating oil to historical industrial pollution uncovered during the redevelopment of a commercial property. Whatever the case may be, our subrogation attorneys delve into the history of the affected site and navigate the often daunting patchwork of state

and federal statutes and regulations to identify potential avenues for recovery. Where necessary, they work closely with technical consultants to identify the scope and extent of the pollution and where it came from. The type of contaminant(s) at issue and whether groundwater or navigable waters have been impacted will determine what remedies are available and how much time you have to pursue them. Depending on the circumstances of the loss, you may be entitled to make a claim against the Oil Spill Liability Trust Fund even if there is no outside third party responsible for the loss.

Once potential targets are identified, our subrogation lawyers aggressively pursue recovery and work to overcome potential defenses. When pre-suit settlement negotiations fail, our experienced, multi-disciplinary team of litigators pursue potential targets through litigation.

Large Loss Property Subrogation

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Our lawyers practice throughout the United States and routinely investigate and litigate large losses, including warehouse fires, manufacturing plant fires, apartment and condominium complex fires, lumber mill fires and residential house fires. We also regularly handle losses involving building collapses, construction defects, equipment failures, flooding, water main breaks, gas leaks, windstorms, fire suppression failures and plumbing system failures.

Our lawyers have extensive experience working with insurers, third-party administrators, self-insureds and a nationwide network of highly-qualified investigators and forensic consultants. We quickly and efficiently develop liability theories and evaluate potential recovery impediments, allowing our clients to make educated and cost-effective decisions related to the pursuit of responsible third parties.

White and Williams is a recognized leader in the subrogation industry and our lawyers are active members of the National Association of Subrogation Professionals (NASP), where they frequently lecture at the organization's conferences, present webinars and publish in NASP's industry publications. Our lawyers are also active in other insurance-related groups, including the Property & Liability Resources Bureau (PLRB) and the CLM. The department's lawyers are also frequent lecturers at and instructors for the International Association of Arson Investigators (IAAI), who offer a Certified Fire Investigator (CFI) designation. As leaders in the subrogation industry, our lawyers have unique insights into all aspects of subrogation and have made significant recoveries for our clients on matters that other subrogation firms closed or rejected.

Our large loss property subrogation clients have the added advantage of access, where needed, to over 200 other lawyers in the firm that specialize in environmental law, bankruptcy law, cyber law and class action litigation. These lawyers become part of the litigation team when a loss requires specialized expertise in one of those fields.

Cyber Subrogation

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In light of the almost daily news stories about cybersecurity breaches, cybersecurity is a concern for businesses of all sizes and in every industry. When a data security breach provides subrogation opportunities, our subrogation lawyers work closely with the Cyber Law and Data Protection Group to investigate the cause of the loss and identify potential targets. Depending on the cause of the loss, potential targets include network security companies, vendors providing technology services and businesses or parents who fail to take reasonable measures to guard against viruses that can infect an insured's computer.

Although the investigation of cyber-related loss claims can be a daunting task, utilizing standard subrogation investigation techniques designed to ensure early intervention by cyber-security experts, the preservation of evidence, the development of legal theories and the identification of potential targets helps our clients maximize their recoveries. Working with forensic experts, we oversee the examination of affected computers to identify the virus that attacked the system and its source to discover how the virus got into the insured's computer. Once potential targets are identified, our subrogation lawyers aggressively pursue the targets and work to overcome defenses such as those based on contractual waiver, damages limitation and indemnification clauses. When pre-suit settlement negotiations fail, our experienced, multi-disciplinary team of litigators pursue potential targets through litigation.

Construction Defects

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Whether the matter at issue involves a large loss construction-related subrogation claim – such as a catastrophic condominium loss – or a residential construction loss, our lawyers have the experience to assist you with handling your complex claim. Our subrogation team works with you to promptly investigate the loss and identify possible targets no matter whether the loss at issue results from a fire, water loss, collapse, the removal of lateral support or an equipment failure or an explosion.

As part of our subrogation investigation, we work with a nationwide panel of experts and analyze possible defenses. In construction cases, where there are frequently multiple tiers of contractors, the parties often use American Institute of Architects (AIA) contracts that expressly address subrogation claims. Our lawyers routinely analyze these clauses and, consequently, they understand the nuances of these form contracts' terms and can determine whether the applicable jurisdiction applies these clauses to, for example, post-construction losses or losses to non-work or adjacent property. We are proud to have been involved in one of the leading cases addressing the scope of an AIA subrogation waiver clause (*John L. Mattingly Constr. Co. v. Hartford Underwriters Ins. Co.*, 999 A.2d 1066 (Md. 2010)), where the court, agreeing with our position, found that the phrase "the Work" in the AIA contract clause at issue was ambiguous and, thus, the defendant was not entitled to summary judgment.

In addition to having experience analyzing waiver of subrogation clauses, our lawyers have experience with, among other things, the following:

- arguments based on the insurer being a mere volunteer;
- defense contentions that equitable principles apply to conventional subrogation claims and, thus, the insured should be made whole before the insurer;
- disputes based on the economic loss doctrine;
- arguments contending that a lawsuit should be dismissed in favor of arbitration;
- determining whether a waiver of subrogation or other clause is unenforceable as against public policy;
- analyzing whether the applicable jurisdiction's Right to Repair Act, Residential Construction Liability Act or similar statute impacts the construction defect claim at issue;
- evaluating whether, in addition to contractual claims, an insurer can pursue claims based on state consumer protection or Deceptive Trade Practices Act laws; and
- determining how a state's statute of repose impacts the claim and whether, in cases involving multiple contractors, there are different accrual dates.

Whether your case involves a waiver of subrogation clause, the economic loss doctrine or another construction-related issue, you can be sure that White and Williams stays informed on construction-related developments taking place around the nation. In addition to keeping its lawyers informed on these issues, our subrogation department frequently provides updates regarding construction-related trends and cases in its blog, Subrogation Strategist, which we hope that you follow.

Fidelity

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A business does not expect to suffer losses because of deceit by its employees, but it happens. Our lawyers have many years of experience identifying and pursuing all potential avenues of recovery when an employee steals from his or her employer. Recognizing that claims against financial institutions such as banks have short time limitation periods, our lawyers work closely with insurers and bonding companies to quickly engage forensic accountants to unravel the often-times, complex criminal schemes at issue to determine how thefts were accomplished and quantify the amount of the loss. Once we identify potential targets, our lawyers aggressively pursue recovery from the responsible parties through civil litigation and, where appropriate, work with government authorities to obtain criminal restitution.

To maximize recovery, we also pursue potentially liable third parties, such as outside auditors and accountants who fail to detect the wrongdoer's criminal scheme or weaknesses in the insured's internal controls. Financial institutions such as banks are also potential targets and our lawyers are well-versed in the provisions of the Uniform Commercial Code governing actions against banks in cases involving forged or misappropriated checks.

We have made numerous, significant subrogation recoveries in fidelity matters of this type and are ready to assist you in evaluating all potential recovery targets presented by the specific circumstances of each claim.

Food Recall Subrogation

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When contaminated food claims arise, for example, in cases involving allergens contaminating raw ingredients such as spices, it is important to move quickly to recall and, as appropriate, destroy the contaminated products. Our team of experienced subrogation lawyers works closely with claim professionals, insureds and forensic experts to analyze and minimize the costs involved in an insured's recall efforts. More importantly, our lawyers work with our insurance and food industry clients to maximize the recovery of direct and subrogation claims against the responsible suppliers, vendors or other parties. In conjunction with the pursuit of the responsible parties, our lawyers negotiate and, where appropriate, litigate indemnity claims. In addition, our lawyers analyze and, as needed, defend against defenses based on "other insurance" clauses and, similarly, defenses arguing that a target's insurance is "excess" rather than "primary" insurance.

Inland Marine

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While a standard property insurance policy insures stationery property, such as a home, an inland marine policy insures property in transit, transportation-related property – such as bridges – and some types of moveable property, such as fine arts, construction equipment and jewelry. Despite the differences between a standard property insurance policy and an inland marine insurance policy, the pursuit of an inland marine subrogation claim or a direct claim for self-insured clients operates under principles similar to property subrogation claims. Under these principles, a prompt and effective investigation helps to maximize a loss recovery when an insurer or a self-insured entity suffers a loss. To assist with the investigation process, we have a national network of skilled and experienced forensic experts who efficiently assist the investigation by providing expert opinions on causation or damages.

In addition to investigating the cause of a loss, our experienced lawyers review contract documents, bills of lading, limitation of liability clauses and subrogation waivers to identify barriers to recovery and to efficiently and cost effectively analyze the merits of each particular claim. Once our investigation identifies subrogation targets and after analyzing any barriers to recovery, our lawyers aggressively pursue identified targets. Where appropriate, our lawyers pursue alternative dispute resolution (ADR) procedures and, if the ADR process does not resolve the matter, our lawyers aggressively pursue litigation. In pursuit of subrogation targets, our lawyers have experience litigating cases around the country.

Maritime Losses

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Whether you have suffered a loss arising from damage to a pleasure craft, commercial vessel, marina or pier or to cargo shipped pursuant to a marine bill of lading, our experienced admiralty, ocean marine and transportation lawyers can help both insurers and

companies with large deductibles or self-insured retention limits recover the amount lost from the responsible parties. Like other subrogation claims, a successful recovery depends, initially, on a prompt and effective loss investigation. Therefore, when we receive a notice of loss, our lawyers work with you and a national network of forensic investigators to promptly investigate the loss and identify the responsible parties. In addition, they promptly review applicable admiralty and cargo-related laws – including the Carriage of Goods by Sea Act – as well as contractual barriers to recovery. Consequently, our lawyers have experience analyzing subrogation waivers, limitation of liability clauses, tariff provisions and contractual, bill of lading defenses such as Himalaya clause defenses. Using their extensive experience, our lawyers can help you identify and analyze the strength and weakness of your particular claim.

Once our investigation identifies subrogation targets and after analyzing any barriers to recovery, our lawyers aggressively pursue identified targets. Where appropriate, our lawyers pursue alternative dispute resolution (ADR) procedures and, if the ADR process does not resolve the case, our lawyers aggressively pursue litigation. In pursuit of subrogation targets, our lawyers have experience litigating cases around the country.

Product Liability Losses

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Our experienced subrogation lawyers routinely handle products liability cases arising from fires, explosions, water losses and appliance, equipment and machinery failures. The types of product failures that our lawyers are familiar with include, but are not limited to:

- Dishwasher defects that cause fires or flooding
- Alarm/security system failures that allow for the theft of an insured's property or the spread of a fire
- Furnace and boiler part defects that result in fires
- Shredders, loaders and other large equipment failures that cause fires
- Defects in plumbing system components that lead to water losses
- Washer and dryer failures that cause fires or flooding
- Defective product warnings that cause fires, explosions or water damage
- Crane engine and part failures that cause fires or lead to a crane collapse
- Electrical panel failures that cause fires
- Defective solvents and other cleaning products that cause spontaneous combustion fires
- Defects in lithium batteries that lead to fires
- Defects in utility company equipment that lead to fires or explosions
- Solar panel defects that result in fires

When insurers or self-insured clients refer a products liability case to us, our lawyers work with the client to coordinate a prompt investigation that identifies target defendants and preserves evidence. To identify target defendants, our lawyers consider all potential theories of liability, such as liability based on design or manufacturing defects, the malfunction theory, *res ipsa loquitur*, successor liability, breach of implied or express warranties and the defendant's failure to warn of foreseeable risks. In addition, our lawyers analyze potential recovery bars, such as limitation of liability clauses, warranty exclusions, statutes of limitations, the economic loss doctrine

and waiver of subrogation clauses. They also analyze the relevant jurisdiction's common law and/or Products Liability Acts to determine the proper standard for imposing liability on target defendants and identify parties in the supply chain who can be held liable for a manufacturer's defective product. In addition, our lawyers analyze potential defenses based on a lack of personal jurisdiction over the target defendants to make informed recommendations as to the best forum in which to pursue the defendants.

Once our investigation identifies subrogation targets and, after analyzing any barriers to recovery, our lawyers aggressively pursue identified targets. Where appropriate, our lawyers engage in alternative dispute resolution (ADR) procedures and, if the ADR process does not resolve the case, our lawyers aggressively pursue litigation. In pursuit of products liability subrogation targets, our lawyers have experience litigating cases around the country.

Self-Insured Retention

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Many large companies self-insure part of the risks of doing business either through utilizing a self-insured retention (SIR) limit or a high deductible. Whether a company has a high deductible or an SIR limit, the company, like an insurance company, can pursue tortfeasors to recover the amount of money the company paid for a particular loss. Our dedicated subrogation lawyers, operating on a contingency basis and using their extensive experience pursuing subrogation claims against third-party tortfeasors, can work with you to develop a cost-effective recovery program.

Like subrogation claims, the success of a company's pursuit of its SIR limit loss depends, initially, on a prompt investigation, which is the key to maximizing the company's recovery. Working with a nationwide network of forensic experts, our lawyers promptly respond to accident sites and direct the investigation of losses resulting from a multitude of accident scenarios. For instance, our experienced lawyers frequently handle investigations of fire and water damage claims, maritime claims, machinery and equipment failure claims, cargo and transportation claims and construction defect claims. When investigating these claims, our lawyers remain aware of cost concerns associated with recovery efforts and, consequently, promptly investigate barriers to recovery – such as contractual waivers and damages limitations clauses – to eliminate cases that have little or no recovery potential in a timely and cost-effective manner.

Transit/Cargo

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When a cargo shipment is lost or damaged, insurers, trucking companies, freight forwards, and shippers have an opportunity to subrogate and/or otherwise pursue their claims against tortfeasors and other parties within the shipment chain. Cargo and transportation losses implicate a variety of laws, including the Carmack Amendment (now the Interstate Commerce Commission Termination Act) to the Interstate Commerce Act and the Carriage of Goods By Sea Act (COGSA), laws with which our experienced lawyers are familiar. Utilizing their experience, our lawyers assist insurers and self-insured clients with conducting a prompt investigation of the loss and aggressively pursuing the responsible parties. In addition, our lawyers assist investigations by promptly reviewing bill of lading clauses, tariffs, limitation of liability clauses and analyzing the interplay between various laws - such as the Carmack Amendment and the COGSA - to determine the maximum available recovery and develop an effective strategy for pursuing

claims against the responsible parties.

Once our investigation identifies subrogation targets and after analyzing any barriers to recovery, our lawyers aggressively pursue identified targets. Where appropriate, our lawyers pursue alternative dispute resolution (ADR) procedures and, if the ADR process does not resolve the case, our lawyers aggressively pursue litigation. In pursuit of subrogation targets, our lawyers have experience litigating cases around the country.

Water Loss

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White and Williams is the industry leader when it comes to subrogating water loss claims. We regularly investigate losses arising from defective water supply lines, water valves, sump pumps, water filters, dishwashers, washing machines, dehumidifiers, toilet tank components, faucets and solenoid-controlled valves.

The advantages of our water loss program include:

- A streamlined process that allows for a greatly reduced period between the time when a claim is reported and the subrogation claim is settled.
- The ability to track and analyze data on similar and/or recurring product failures and defects, thereby increasing subrogation recovery potential.
- Bundling similar claims together, resulting in greater leverage during settlement negotiations.
- A dedicated team of lawyers focused exclusively on the subrogation of water loss claims.
- Online process reporting of claims.
- Cost-effective strategies for handling small water losses.

By taking advantage of negotiated discounts with engineering firms and expert vendors and the efficiencies that come with focusing solely on a single type of claim, our lawyers are able to take cases that would otherwise be closed and, oftentimes, turn them into worthwhile recoveries.

REPRESENTATIVE MATTERS

Litigated subrogation claims in losses as high as \$70 million arising from fires in large commercial properties and residences

Litigated multi-million dollar subrogation claims arising from water losses

Obtained a \$1.45 million recovery from a plumbing contractor for a water loss occurring at an apartment complex in Pittsburgh, PA

Handled several multi-million dollar losses involving train derailments in Pennsylvania, Maryland and Virginia

At pre-suit mediation, favorably resolved a \$2 million sprinkler malfunction loss in New Jersey occurring in a newly constructed university library

Litigated a \$1.9 million subrogation claim arising from a residential fire involving a gas leak in Delaware

Litigated a \$3 million subrogation claim arising from dock collapse in New York

Worked with an insurer to recover damages arising from contaminated, misbranded food (spices) containing allergens, work that included an analysis of complex and detailed financial records

Handled numerous fidelity subrogation matters including multi-million dollar matters in Pennsylvania and Florida

Partnered with an insurer to investigate claimed property damage losses associated with computer virus attacks

Litigated a \$2 million subrogation claim arising from collapse of television station transmission tower in Pennsylvania

Litigated a \$1.9 million subrogation claim arising from roof failure in Delaware

Negotiated a settlement in excess of \$1 million dollars in a complex products liability case filed in Pennsylvania Federal Court against an agricultural manufacturer for injuries involving an arm amputation while operating 40-year old farm equipment

Successfully litigated and resolved a \$1 million water damage loss in Massachusetts involving recently installed HVAC equipment in a bio-medical facility

NEWS

Chris Konzelmann Appointed to NASP Board of Directors
11.3.25

White and Williams Relaunches The Subrogation Strategist Blog
1.15.25

White and Williams Appoints New Subrogation Department Leadership
1.8.25

Congratulations 2022 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
7.13.22

William Doerler Recognized by JD Supra 2022 Readers' Choice Awards
3.7.22

White and Williams Announces 15 Lawyer Promotions
1.3.22

White and Williams Lawyers Recognized as Super Lawyers and Rising Stars
11.1.21

Subrogation Lawyers Get Real Life Fire Training
10.27.21

Best Lawyers® Recognizes 38 White and Williams Lawyers
8.19.21

PUBLICATIONS

White and Williams Elevates New Subrogation Dept. Chair
Law360, 1.10.25

Texas Allows Wide Scope for Certificate of Merit
The Subrogation Strategist, 12.20.24

From Freeze to Flow: Investigating and Subrogating Winter Water Damage Claims
Winter 2024, 12.18.24

Update: Amazon Can (Still) Be Liable in Louisiana
The Subrogation Strategist, 12.13.24

Key Takeaways – Coverage College 2024
12.12.24

Do You Have the Receipt? Pennsylvania Court Finds Insufficient Evidence That Defendant Sold the Product
The Subrogation Strategist, 12.3.24

Following Precedent Forces Alabama Court to Follow Outdated Law
The Subrogation Strategist, 10.29.24

Federal Court Sets High Bar for Pleading Products Liability Cases in New Jersey
The Subrogation Strategist, 10.28.24

Arizona Court Affirms Homeowners' Association's Right to Sue Over Construction Defects
The Subrogation Strategist, 9.20.24

Not a Waiver for All: Maryland Declines to Apply Subrogation Waiver to Subcontractors
The Subrogation Strategist, 9.4.24

Georgia's Products Liability Statute of Repose: "First Sale" vs. "A Sale"
The Subrogation Strategist, 8.16.24

Definitions Matter in Illinois: Tenant Held Liable Only for Damage to Apartment Unit
The Subrogation Strategist, 7.18.24

West Virginia Addresses Its Strict Liability Standard
The Subrogation Strategist, 7.17.24

Amazon Can be Liable in Louisiana
The Subrogation Strategist, 7.8.24

Oh, THAT Contract: Ohio Court Bars Plaintiff's Negligence Claim Based on Subrogation Waiver and Accelerated Limitations Period in Contract
The Subrogation Strategist, 7.2.24

Negligent Undertaking Claim Against Amazon May Succeed Where a Products Liability Claim Fails
The Subrogation Strategist, 4.29.24

Subrogation Waiver Unconscionable in Residential Fuel Delivery Contract
The Subrogation Strategist, 3.26.24

Missouri Protects Subrogation Rights
The Subrogation Strategist, 3.19.24

A Matter Judged: Subrogating Insurers Should Beware of Prior Suits Involving the Insured
The Subrogation Strategist, 2.28.24

Fine Art Losses – "Canvas" the Subrogation Landscape
The Subrogation Strategist, 2.7.24

The Sounds of Silence: Pennsylvania's Sutton Rule
The Subrogation Strategist, 12.29.23

Certificates of Merit: Is Your Texas Certificate Sufficient?
The Subrogation Strategist, 12.27.23

I Spy Claims Against Amazon
The Subrogation Strategist, 12.11.23

Don't Spoil Me: Oklahoma District Court Rules Against Spoliation Sanctions
The Subrogation Strategist, 11.21.23

Beware: A Security Company's Contract May Eliminate Your Causes of Action
The Subrogation Strategist, 11.13.23

Drawing the Line: In Tennessee, the Economic Loss Doctrine Does Not Apply to Contracts for Services
The Subrogation Strategist, 11.9.23

What a Difference a Day Makes: Mississippi's Discovery Rule
The Subrogation Strategist, 10.18.23

Amendments to Federal Rule of Evidence 702 – Expert Testimony
The Subrogation Strategist, 10.5.23

New York Court Holds Insurer Can Recover Before Insured Is Made Whole
The Subrogation Strategist, 10.2.23

Whirlpool Agrees to Pay \$11.5 Million Civil Penalty

The Subrogation Strategist, 8.31.23

Insurer Doomed in Delaware by the Sutton Rule

The Subrogation Strategist, 8.15.23

New York Preserves Subrogation Rights

The Subrogation Strategist, 8.11.23

Insurer Springs a Leak in Its Pursuit of Subrogation

The Subrogation Strategist, 7.17.23

Improvement or Malpractice? Florida Court of Appeals Addresses Applicable Statute of Limitations

The Subrogation Strategist, 6.30.23

Indiana Appellate Court Allows Third-Party Spoliation Claim to Proceed

The Subrogation Strategist, 6.26.23

Let's Give 'Em Sutton to Talk About: Tennessee Court Enforces Sutton Doctrine

The Subrogation Strategist, 6.21.23

In Pennsylvania, Contractors Can Be Liable to Third Parties for Obvious Defects in Completed Work

The Subrogation Strategist, 6.13.23

ELD Strikes Again! Michigan Court Hits the Brakes on Plaintiffs' Economic Loss Claims

The Subrogation Strategist, 5.30.23

New York Court Enforces Economic Loss Doctrine

The Subrogation Strategist, 5.17.23

Montana Significantly Revises Its Product Liability Laws

Subrogation Strategist, 5.15.23

Waiver of Subrogation and Lack of Contractual Privity Bars Commercial Tenants' Claims

The Subrogation Strategist, 4.25.23

New Mexico Adopts Right to Repair Act

The Subrogation Strategist, 4.14.23

A Tort, By Any Other Name, is Just a Tort: Massachusetts Court Bars Contract Claims That Sound in Negligence

The Subrogation Strategist, 3.3.23

Michigan Court Waives Goodbye to Subrogation Claims, Except as to Gross Negligence

The Subrogation Strategist, 2.28.23

Florida Court Puts the Claim of Landlord's Insurer In The No-Fly Zone

The Subrogation Strategist, 2.27.23

Family Matters: United States District Court Extends Sutton Rule to Undefined "Family"

The Subrogation Strategist, 12.22.22

Supreme Court of Illinois Clarifies Who Qualifies as a Co-Insured

The Subrogation Strategist, 12.16.22

Eggshell Plaintiffs Can Help Maximize Your Subrogation Recovery to Include Building Code Upgrades

The Subrogation Strategist, 12.14.22

Too Costly to Be Fair: Texas Appellate Court Finds the Arbitration Clause in a Residential Construction Contract Unenforceable

The Subrogation Strategist, 11.16.22

The Final Nail: Ongoing Repairs Do Not Toll the Statute of Repose

The Subrogation Strategist, 10.28.22

Public Policy Prevails: Homebuilders and Homebuyers Cannot Agree to Disclaim Implied Warranty of Habitability in Arizona

The Subrogation Strategist, 10.26.22

Gone Fishing: Tenant's Insurer Casts A Line Seeking To Subrogate Against The Landlord

The Subrogation Strategist, 9.22.22

Part of the Whole: Idaho District Court Holds Economic Loss Rule Bars Tort Claims Related to Water Supply Line that was Part of Home Purchase

The Subrogation Strategist, 9.16.22

ASUS Computer International Recalls ASUS ROG Maximus Z690 Hero Motherboards

The Subrogation Strategist, 8.22.22

Mind Over Matter: Court Finds Expert Opinion Based on NFPA 921 Reliable Despite Absence of Physical Testing

The Subrogation Strategist, 8.17.22

In All Fairness: Illinois Appellate Court Finds That Arbitration Clause in a Residential Construction Contract Was Unconscionable and Unenforceable

The Subrogation Strategist, 7.19.22

Amazon Can be Held Strictly Liable as a Product Seller in New Jersey

The Subrogation Strategist, 7.11.22

Hold on Just One Second: Texas Clarifies Starting Point for Negligence Statute of Limitations

The Subrogation Strategist, 6.3.22

The Blame Game: Georgia Updates Its' Apportionment of Fault Statute to Apply to Single-Defendant Lawsuits

The Subrogation Strategist, 6.1.22

Where-Forum Art Thou? Is the Chosen Forum Akin to No Forum at All?

The Subrogation Strategist, 5.19.22

Waive Your Claim Goodbye: Louisiana Court Holds That AIA Subrogation Waiver Did Not Violate Anti-Indemnification Statute and Applied to Subcontractors

Subrogation Strategist, 5.9.22

Oh Snap! Georgia Supreme Court Revives Suit Against Snapchat for Alleged Faulty Speed Filter

The Subrogation Strategist, 4.28.22

Waive It Goodbye: Despite Evidence to the Contrary, Delaware Upholds an AIA Waiver of Subrogation Clause

The Subrogation Strategist, 4.12.22

Pump the Brakes: Indiana Rules MCS-90 Endorsement Does Not Apply to Intrastate Trips

The Subrogation Strategist, 3.11.22

Too Late for The Blame Game: Massachusetts Court Holds That the Statute of Repose Barred a Product Manufacturer from Seeking Contribution from a Product Installer

The Subrogation Strategist, 3.9.22

Tick Tock: Don't Let the Statute of Repose or Limitations Time Periods Run on Your Construction Claims

The Subrogation Strategist, 2.23.22

Who's on First: How First-Party Claims Adjusters Add Value to Subrogation Recovery Efforts

Subro Sessions, 12.30.21

Title or Possession Required . . . Louisiana Court Rules That Amazon Is Not Liable for a Defective Product

The Subrogation Strategist, 12.22.21

An Interview with Captain Chris Konzelmann: Public and Private Sector Fire Investigations

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