

Insurance

The insurance industry is constantly adapting to address fluctuations in risks and to take advantage of new opportunities caused by changing markets, shifting economic policies, climate change and other natural occurrences, geopolitical conditions, and emerging technologies. Insurers, in turn, must adapt and evolve. White and Williams' insurance industry team helps insurers capitalize on legal and business opportunities to navigate these challenges and understand how they impact their business in the short term and the long term.

Our attorneys work collaboratively across diverse practice groups to advise insurers and provide well-rounded, business-sensitive advice about virtually every facet of the business of insurance. Clients rely on the White and Williams insurance team for advice regarding the evaluation and litigation of the most sophisticated complex coverage disputes arising out of primary and excess general and professional liability insurance, financial lines insurance, cyber insurance, employer liability insurance, life and health insurance, commercial property insurance, reinsurance and subrogation matters.

Additionally, our attorneys advise insurers with respect to general commercial disputes, the negotiation and drafting of commercial contracts, vendor and outsourcing arrangements, strategic alliances, joint ventures, acquisitions, investments, real estate and labor and employment needs. The insurance industry team also has dedicated attorneys who can advise insurers regarding their intellectual property needs as they develop new and proprietary claim and risk management tools and products to meet the most current insurance industry needs.

White and Williams' deep and varied resources for servicing insurers' business and legal needs, coupled with its many decades of insurance industry experience, provide insurers with unmatched insight to meet both today's business and legal challenges as well as tomorrow's growth opportunities.

Areas of Focus

Restrictive Covenant, Trade Secret & Unfair Competition Services

The Restrictive Covenant, Trade Secret & Unfair Competition Team at White and Williams understands what it means to protect your business. We have litigated hundreds of restrictive covenant, trade secret and unfair competition matters throughout the United States. In addition to our litigation experience, we serve as trusted advisors to our business clients by providing advice regarding the drafting

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RELATED PRACTICES

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Commercial Litigation
Construction and Surety
Corporate and Securities
Cyber Law and Data Protection
Financial Lines
Financial Restructuring and Bankruptcy
First-Party Property
Healthcare
Insurance Coverage and Bad Faith
Intellectual Property
Labor and Employment
Life, Health, Disability and ERISA
Litigation
Reinsurance
Subrogation
Tax

and enforceability of restrictive covenant, trade secret and confidentiality agreements. Our advice helps our clients ensure that they have the proper protective measures and strategies in place to prevent damage and loss to their business. Our clients come from a wide variety of industries, including insurance, aerospace, executive recruiting, petrochemical, real estate, technology, media, and other professional services. Sometimes, even with protective measures and strategies in place, litigation is inevitable and the Restrictive Covenant, Trade Secret & Unfair Competition Team at White and Williams is always ready to go into court on a moment's notice to enforce your agreements, to stop wrongful conduct through obtaining injunctive relief, and to protect your business.

Fraud Investigation and Prosecution

Fraud is widely prevalent across the insurance industry, and can cost insurers millions of dollars per year. White and Williams' attorneys work closely with their insurer clients to investigate and combat insurance fraud, to recover moneys lost, and to formulate strategies designed to mitigate future risk. Whether on our own or in close collaboration with an insurer's in-house team of fraud investigators, our attorneys dig deep to identify and unravel complex instances of fraud, and formulate effective and aggressive strategies for pursuing wrong-doers through affirmative litigation.

Subrogation

White and Williams has one of the oldest subrogation practices in the country practicing in all 50 states. The group offers an aggressive early intervention program utilizing a vast network of screened experts and consultants covering a wide variety of subrogation related disciplines. Subrogation lawyers handle high-profile commercial property, inland marine, cargo, fidelity, food recall, maritime, small water, and cyber losses. To learn more visit our subrogation page [here](#).

Bankruptcy and Reorganization

Our lawyers can expertly assist insurers in navigating safely through the sometimes treacherous intersections between insurance law and bankruptcy law. More and more insureds are using Chapter 11 as a means of resolving environmental, toxic tort, product defect and sexual abuse claims. Bankruptcy can have a significant impact on how claims are defended and settled, and on where and how coverage issues are litigated. Our bankruptcy, insurance coverage, and defense groups work together to protect the rights of insurers in the bankruptcy process and to resolve coverage issues fairly and efficiently, whether through bankruptcy litigation, plan negotiations or complex mediations.

Healthcare

Our multidisciplinary team of lawyers helps health insurers and providers alike navigate the ever-changing and increasingly complex world of health care payments and delivery. We represent insurers, employers, brokers, re-insurers, third-party administrators, self-insureds, ERISA plans and related entities in a wide array of matters. Our lawyers have a wealth of experience and broad knowledge from years of handling complex and unique issues under both individual and group plans. We also conduct audits for health insurance providers to assess policies/procedures, ensure compliance with contracts and stated policies/procedures, evaluate claims handling, and monitor/assess for proper reserves and risk management.

Litigation

White and Williams delivers premier liability defense for liability insurers and their insureds. Our team of subject matter experts handle all manner of liability claims including catastrophic personal injury and property loss as well as employment and complex corporate liability claims. We counsel insurers on claims handling processes and defend insurers against allegations of bad faith. Our appellate lawyers have had tremendous success overturning adverse or otherwise excessive verdicts against insurers and their insured alike.

Appellate

Insurers are often faced with matters surrounding the potential for appeals from trial court and the appellate process. The firm's Appellate group not only prepares creative and effective appellate papers and arguments, but also provides assistance to our insurance industry clients with the development of litigation strategy, preparation of dispositive motions, monitoring of trial and preparation of post-trial motions to effectively address issues impacting insurers and their insureds through the litigation process. The Appellate group is called upon to collaborate throughout the entire litigation process.

Construction and Surety

The attorneys in our Construction and Surety group have years of experience defending insurers and their insureds in construction defect litigation, including having served as national oversight counsel for insurance company clients for certain types of construction defect cases. We have tried cases throughout the country on behalf of insureds involved with construction-site accidents that have resulted in major property loss and serious personal injuries. Our Surety team regularly represents insurance/surety clients in regard to all aspects of suretyship, including drafting and enforcing indemnity agreements and equitable subrogation rights, managing defaults and takeover situations, and defending payment and performance bond claims and bad faith claims asserted against sureties.

CASES & DEALS

Ohio Court Refuses to Annualize Multi-Year Policies' Per Occurrence Limits
6.8.23

Third Circuit Affirms - Assault and Battery Exclusion Bars Coverage For Sex-Trafficking Claims
10.28.22

Court Rules That Assignment of Claims Against Insurance Broker Was Void
11.15.21

District Court in The Middle District of Pennsylvania Dismisses Hotel's Claim for Lost Business Income Due To COVID-19
6.1.21

White and Williams Team Wins Summary Judgment in Connecticut Declaratory Judgment Actions
9.16.19

Construction Group Wins Final Judgment on Indemnity Claims and Defeats Bad Faith Claims
7.19.19

Media Coverage Team Obtains Summary Judgment in Connection with Underlying Defamation Lawsuit
1.23.19

NY Federal Court Reaffirms White and Williams Win in Former Gas Plant Pollution Coverage Dispute
5.17.18

White and Williams Secures Summary Judgment in Dispute Over Coverage for Breach of Contract Claims
5.3.18

White and Williams Secures Decision on Application of Pollution Exclusion in Ohio Court of Appeals
12.28.17

Litigation Team Obtains Summary Judgment in Case Involving Sinkholes at Bulk Propane Storage Facility
9.27.17

Coverage Team Obtains Summary Judgment Based on Employer's Liability Exclusion
6.13.17

Coverage Team Obtains Summary Judgment in Case Involving Insurability of Punitive Damages
5.15.17

Insurance Coverage Team Obtains Rescission of Policy in Multi-Million Dollar Collapse Case
5.4.17

Insurance Coverage Team Defeats Bad Faith Claim that Insurer Wrongfully Settled Some Claims to Avoid Payment on Others
5.4.17

Coverage Team Successfully Defends Insurer In Medical Product Class Action
3.31.17

White and Williams Recovers High-Six Figure Damages for Insurer in Settlement of Unpaid Premium Dispute
6.29.16

White and Williams Defeats Claims Brought by Insured's Alleged Successor in Environmental Coverage Dispute
3.23.16

White and Williams Secures Favorable Ruling for Insurer in Delaware Supreme Court
10.20.15

White and Williams Obtains Favorable Ruling for Insurer in New Jersey District Court
4.20.15

Coverage Team Secures Significant Choice-of-Law Victory in Ohio State Court
4.14.15

NEWS

White and Williams LLP Opens New Morristown, NJ Office
12.23.25

Super Lawyers Names Five White and Williams LLP Attorneys to its Metro New York Lists
Super Lawyers, 11.7.25

White and Williams LLP is Honored to be Recognized Among the 2026 Best Law Firms Ranked by Best Lawyers®
Best Lawyers®, 11.6.25

White and Williams Announces Partner and Counsel Promotions
Press Release, 1.17.24

White and Williams Welcomes New Lateral Partner and Counsel in Boston
12.21.23

PBA Large Law Firm Committee Increases Engagement/Requests Feedback
12.4.23

Who's Who Legal Recognizes Two White and Williams Lawyers as Thought/Global Leaders in Insurance and Reinsurance
8.7.23

Congratulations to all of our 2023 Attorneys Named as Super Lawyers and Rising Stars
5.25.23

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

Chambers USA 2022 Ranks White and Williams as a Leading Law Firm
6.1.22

Gregory LoCasale Selected as Member of the Federation of Defense & Corporate Counsel
4.15.22

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

White and Williams Announces 15 Lawyer Promotions
1.3.22

A Barrier-Breaking Barrister
Rutgers Camden Magazine, 11.21

White and Williams Welcomes Ten New Associates
11.4.21

White and Williams Lawyers Recognized as Super Lawyers and Rising Stars

11.1.21

Best Lawyers® Recognizes 38 White and Williams Lawyers

8.19.21

5th Edition of "General Liability Insurance Coverage - Key Issues in Every State" Now Available

7.13.21

Chambers USA 2021 Ranks White and Williams as a Leading Law Firm

5.20.21

PUBLICATIONS

Massachusetts Nuclear Verdict Leads To \$90M Bad Faith Award

Insurance Coverage and Bad Faith Alert, 2.2.26

First Circuit Limits Insurers' Right to Recoup Defense Costs or Settlement Payments

Insurance Coverage and Bad Faith, 2.28.24

Arrowood Indemnity – The Latest U.S. Insurer to Enter Liquidation

Insurance Coverage and Bad Faith and Financial Restructuring and Bankruptcy, 11.9.23

Montana Trial Court Holds That Youths Have Standing to Bring Constitutional Claims Against State Government For Alleged Climate Change-Related Harms

Insurance Coverage and Bad Faith, 8.15.23

First Circuit Holds That Notice Provisions in Claims Made Policies Must Be Strictly Enforced

Insurance Coverage and Bad Faith, 8.11.23

Ohio Court Refuses to Annualize Multi-Year Policies' Per Occurrence Limits

Insurance Coverage Alert, 6.8.23

For PA Employers: Defense Against Medical Marijuana Goes up in Smoke

Workers' Compensation Alert, 3.28.23

The Complex Coverage Insurance Reporter – March 2023

The Complex Insurance Coverage Reporter, 3.27.23

Fourth Circuit Holds That Cooperation Clause Does Not Apply to Insured's Conduct in Negotiating Bankruptcy Plan

Insurance Coverage and Bad Faith Alert, 2.16.23

Third Circuit Dismisses Chapter 11 Filing by Johnson & Johnson Subsidiary Formed to Segregate Talc Liabilities

Insurance Coverage and Bad Faith Alert, 1.30.23

Georgia Federal Court Holds That Pollution Exclusion Bars Coverage Under Liability Policy for Claims Arising From Discharge of PFAS Into Waterways

Insurance Coverage and Bad Faith Alert, 12.9.22

Hurricane Ian: Discussing Wind-Water Disputes

Insurance Coverage and Bad Faith Alert, 9.30.22

ISO's Flood Exclusion Amendments and Hurricane Ian Claims

Insurance Coverage and Bad Faith Alert, 9.29.22

Insurance Enters the Fray: Southern District of New York Finds Insurrectionary Intent Sufficient to Apply War Exclusion

Insurance Coverage and Bad Faith Alert, 9.28.22

Significant Ruling in PFAS Litigation Could Impact Insurance Coverage

Insurance Coverage and Bad Faith Alert, 9.20.22

To Be or To Be On Behalf Of: That Is the Question

Insurance Coverage and Bad Faith Alert, 8.15.22

MA Business Court Reverses Itself on Reconsideration; Finds No Right to Defense Cost Contribution From Insureds

Insurance Coverage and Bad Faith Alert, 8.15.22

A Changing Climate: The Rising Tide of ESG Liability and Implications for D&O Coverage

Financial Lines Alert, 8.2.22

Two Decades Into Opioid Crisis, Insurance Coverage Questions Only Beginning to Find Answers

The Legal Intelligencer, 7.18.22

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

The Subrogation Strategist, 7.11.22

Pennsylvania Federal Court Finds No Coverage For Hacking Claim Under E&O Policy

Insurance Coverage and Bad Faith Alert, 6.20.22

Massachusetts Federal Court Rejects *Adria Towers*, Finds Construction Defects Not an "Occurrence"

Insurance Coverage and Bad Faith Alert, 6.1.22

Delaware District Court Holds D&O Policy Does Not Cover Acts Prior to Insured's Formation, and Rejects Attempt To Obtain Coverage for Post-Policy Claim by Linking It to a Non-Covered Claim

Insurance Coverage and Bad Faith Alert, 5.25.22

The Complex Insurance Coverage Reporter – May 2022

The Complex Insurance Coverage Reporter, 5.18.22

SC Supreme Court Adopts "Post-Loss" Exception to Enforcement of Consent-to-Assignment Clauses in Liability Policies

Insurance Coverage and Bad Faith Alert, 4.15.22

Federal Courts Reject Insurers' Attempts to Recoup Defense Costs Expended Under Reservation of Rights
Insurance Coverage and Bad Faith Alert, 4.4.22

Next, Please: The Fast Food Industry Is Hit With the Latest PFAS Suit
Insurance Coverage and Bad Faith Alert, 3.29.22

Florida Court Holds Ignorance Is No Defense in Case of Late Notice to Insurer
Insurance Coverage and Bad Faith Alert, 3.28.22

New York Appellate Court Restores Insurer's Right to Seek Pro Rata Allocation of Settlements Between Insured and Uninsured Periods
Insurance Coverage and Bad Faith and Financial Restructuring and Bankruptcy Alert, 3.23.22

Declarations: The Coverage Opinions Interview With Keyshawn Johnson - NFL #1 Overall Draft Pick
Coverage Opinions, 2.28.22

Massachusetts Business Court Addresses Defense Cost Allocation and Non-Cumulation Provisions in Long-Tail Context
Insurance Coverage and Bad Faith Alert, 2.24.22

Fifth Circuit – Damage to Property Beyond Insured's Product/Work Not Precluded By 'Your Product/Your Work Exclusion'
Insurance Coverage and Bad Faith Alert, 1.12.22

NY State Appellate Court Holds That Pollution Exclusions Bar Duty to Defend Under Liability Policies for Claims Alleging Exposure to PFAS
Insurance Coverage and Bad Faith Alert, 1.7.22

Who's on First: How First-Party Claims Adjusters Add Value to Subrogation Recovery Efforts
Subro Sessions, 12.30.21

An Interview with Captain Chris Konzelmann: Public and Private Sector Fire Investigations
Subro Sessions, 11.22.21

GA Federal Court Holds That Jury, Not Judge, Generally Must Decide Whether Notice Was Given "As Soon as Practicable" Under First-Party Property Damage Policies
Insurance Coverage and Bad Faith Alert, 10.7.21

SDNY Holds Claims-Made-and-Reported Reporting Requirement Not Waivable
Insurance Coverage and Bad Faith Alert, 9.27.21

As Time Rolls On So Do Spoliation Claims
Subrogator Magazine, Fall/Winter 2021

Spoliation: Often Argued, Rarely Understood
Subro Sessions, 9.23.21

Eleventh Circuit Finds No "Property Damage" Where Defective Component Failed to Cause Damage to Other Non-Defective Components
Insurance Coverage and Bad Faith Alert, 9.13.21

The Malfunction Theory of Products Liability

Subro Sessions, 8.11.21

NJ Court Reaffirms Rule Against Coverage for Faulty Workmanship Claims and Finds Fraud Claims Inherently Intentional

Insurance Coverage and Bad Faith Alert, 8.11.21

The 'Forever Chemical' That Will Impact the Insurance Industry for Years to Come

The Legal Intelligencer, 7.26.21

Are Insurance Brokers the Next Target for Claims Arising From the Pandemic?

The Legal Intelligencer, 7.26.21

Mindful Mediation: Navigating the Path to Recovery (Part 2)

Subro Sessions, 7.16.21

Disputes Over Arbitrator Qualifications: The Northern District of California Offers Some Guidance

Reinsurance Alert, 7.14.21

District of New Jersey Court Clarifies Primary Insurer's Duty of Good Faith to Excess Insurer

Insurance Coverage and Bad Faith Alert, 4.1.21

Declarations: The Coverage Opinions Interview With Pretzel & Stouffer's Robert Chemers

Coverage Opinions, 3.8.21

Declarations: The Coverage Opinions Interview With Judge Jed Rakoff

Coverage Opinions, 3.8.21

3 Courts, In 3 Days, Seek Guidance From The ALI Restatement Of Liability Insurance

Coverage Opinions, 3.8.21

NYDFS Announces Cyber Insurance Risk Framework to Address Increasing Cyber Risk

Insurance Industry Alert, 2.5.21

Door Shut on Reviving All Time-Barred Childhood Sexual Abuse Claims, but Many Plaintiffs Can Still Get Into Court Through the Window...

Litigation Alert, 2.3.21

Noticing Error Derails Efforts to Open Two-Year Window Reviving Time-Barred Sexual Abuse Claims in Pennsylvania

Insurance Coverage and Bad Faith Alert, 2.2.21

EVENTS

Eric Hermanson to Present on "Fraud & Collusion? The Latest in the Assignment Wars"

ABA 34th Annual Insurance Coverage Litigation Conference (La Jolla, CA), 2.20.26

Austin Moody to Present on "Developments in Climate Change Litigation and Coverage Implications"

ABA 34th Annual Insurance Coverage Litigation Conference (La Jolla, CA), 2.20.26

Insurance Palooza: Randy Maniloff's Greatest Hits Webinar
Virtual, May 13, 2025 / 1:00-3:00 PM EDT

Patti Santelle to Moderate at Perrin Conferences Insurance Coverage and Allocation Issues Conference
Union League of Philadelphia, 5.1.25

2025 Environmental & Emerging Claim Manager Association (EECMA) Annual Conference
Orlando, FL, April 9-11, 2025

The Imitation Game - Using Exemplars at Product Examinations
2022 NASP Annual Conference, 11.8.22

Coverage College 2022
10.13.22

Insurer's Duties to Excess Carrier and Bad Faith
Strafford Webinar, 9.29.22

Civil Human Trafficking Lawsuits: A Growing Risk for Insurance
AIRROC Summer Membership Meeting 2022, 7.21.22

Class Action Lawsuits Series - Part Three
Webinar, 7.12.22

Class Action Lawsuits Series – Part Two
Webinar, 6.21.22

Class Action Lawsuits Series – Part One
Webinar, 6.14.22

36th Environmental & Emerging Claim Manager Association Annual Conference
Virtual, April 21-22, 2022

Latest Developments in the Opioids Crisis
AIRROC Spring Membership Meeting 2022, March 29-30, 2022

Per- and Polyfluoroalkyl Substances (PFAS) Panel
CPCU Reinsurance & Excess Surplus Lines Symposium, March 9, 2022—March 10, 2022

PFAS: Insurance Issues Arising From a Persistent and Ubiquitous Family of Chemicals
30th Annual ICLC Mid-Year Conference, February 24, 2022—February 26, 2022

Top 10 Duty to Defend Issues
PLRB Conquering Policy Coverage Issues Webinar Series, 2.17.22

Is Your Insured in a Financial Crisis? Not Sure What to Do Next? Part III: The Defunct Insured
Webinar, 12.14.21

Is Your Insured in a Financial Crisis? Not Sure What to Do Next? Part II: Assignments for Benefit of Creditors (ABCs)
Webinar, 12.7.21

Is Your Insured in a Financial Crisis? Not Sure What to Do Next?
Webinar, 11.30.21

Coverage College 2021
10.21.21

ALI Restatement of the Law - Liability Insurance: Lessons Learned After Three Years
Webinar, 10.4.21

PFAS are Here to Stay: The "Forever Chemical" That Will Impact the Industry for Years to Come
In2Risk 2021, 9.24.21

Functus Officio: Exploring Exceptions to the Finality of Arbitral Awards
ARIAS U.S. Live Webinar, 5.12.21

Perspectives on Climate Change and the Insurance Industry
CPCU Society 2021 Virtual Reinsurance, Excess & Surplus Line Symposium, 3.12.21