Insurance Coverage

Representing clients in industries ranging from agriculture to financial services and transportation to technology, Shartsis Friese's experienced insurance lawyers help clients mitigate risk and secure coverage rights under a wide range of scenarios.

While we always strive to resolve disputes short of full-blown litigation, our coverage lawyers are experienced trial lawyers who have the skills and credibility to litigate cases to resolution and, if necessary, on appeal.

Representing Policyholders in Litigation

We are insurance coverage trial lawyers. We exclusively represent insurance policyholders, both individuals and businesses, in disputes with their insurers arising under all kinds of policies. We defend our policyholder clients in declaratory relief coverage actions, and we prosecute bad faith actions on their behalf. We have recovered millions of dollars for our clients, often in bet-the-company situations or when clients face substantial risk to their business or personal assets.

Third-Party and First-Party Insurance Claims

We have handled third-party insurance claims under commercial general liability (CGL), toxic tort liability, director and officer liability (D&O), auto liability, errors and omissions, employment practices, cyber, and other policies. Clients often involve us from the outset of litigation to secure defense counsel of their choice and fair reimbursement rates.

In addition, we have handled first-party claims under property insurance, representations and warranties (R&W), and business interruption policies, among others. We also advise on complex insurance

RELATED ATTORNEYS

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products/terms (e.g. self-insured retentions, coinsurance and collateral requirements) and sufficiency of coverage (i.e., assessing our client's insurance portfolio for litigation risks, settlement and planning purposes).

Who We Represent

Our clients include public and private companies and individuals in construction, manufacturing, financial services, technology, transportation, real estate, food, beverage and the wine industry (including some of California's marquee wineries), and public entities. We also team up with plaintiff-side law firms on contingency matters to defend declaratory relief actions and/or prosecute bad faith actions.

Experience

- Secured a $3.2 million settlement with an insurer for bad faith denial of defense and indemnity (in excess of the policy limit). The client, who suffered significant physical injuries, ultimately recovered more than $7 million from defendants who collectively had only $2 million in insurance coverage.
- Represented a winery in a first-party claim arising from the Glass Fire. After defeating the insurer's summary judgment motion, settling the case for more than the policy limits.
- Advised a construction company facing a high-eight-figure indemnity claim by a general contractor. After a two-week arbitration and with a declaratory judgment action from the insurer pending, settled the case with substantial contribution from the insurer.
- Represented a residential landlord facing habitability and constructive eviction claims, with multiple first-layer and excess insurers on the risk across several years and complex coverage issues. Negotiated a settlement with no contribution from the client.
- Secured a $4.25 million settlement with several insurers who contested coverage on a liability claim for physical injury and property damage, including with an excess carrier who purported to rescind coverage based on alleged misrepresentations in the insurance application and filed a rescission action in federal court, as well as with the liability carrier for the insurance broker responsible for preparing the application for excess coverage.
- Defended a declaratory relief action and secured a large recovery from a general liability insurer in an auto-accident case, despite facial

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exclusions in the policy for accidents involving automobiles.

- Prosecuted an action for negligent destruction of property by a client's contractor, securing a $1.6 million settlement funded by the contractor's liability insurer.

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