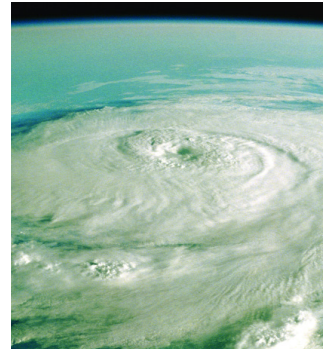


Insurance Recovery Following Catastrophic Losses



Despite the best precautions, many companies will face a catastrophic loss at some point, whether as the result of an accident such as a fire or explosion, or a natural disaster such as a hurricane. Such an event can threaten the existence of all but the largest and most profitable companies, and even those that survive frequently suffer immense losses. Obviously, the health and safety of the public, the company's personnel, and the environment are the primary concerns in these situations. Once these concerns are addressed, companies must turn quickly to the business of re-establishing operations, mitigating losses, dealing with their property/casualty insurers, and pursuing third parties who may be responsible for the loss.

Our Approach

While we believe it is imperative that policyholders engage legal counsel quickly following catastrophic losses, we recognize that it is usually in the best interest of every policyholder to obtain a fair insurance recovery amicably and without litigation. Our goal at the outset is to facilitate such an amicable resolution by working behind the scenes, advising the policyholder on legal issues, and identifying the pitfalls that can surprise policyholders faced with a catastrophic loss for the first time.

When an amicable resolution is not possible, King & Spalding's insurance recovery team is prepared to pursue a fair recovery through litigation, arbitration, or appraisal to the full extent justified by the facts and the law. We have recovered billions of dollars for policyholders for property damage and business interruption claims in trials, arbitrations, appraisals, mediations, and settlements in jurisdictions around the globe.

King & Spalding represents policyholders--not insurance companies--in insurance recovery matters, so we do not have the business or ethical conflicts that some firms have. Our exclusive focus on policyholder representation gives us the ability to fight for our clients without reservations to seek the maximum recovery provided by their insurance policies.

We recognize that while insurance recovery is important and sometimes crucial to a company's survival, the insurance adjustment is just one element of the complex job of business recovery and crisis management. We are sensitive to the need to coordinate the insurance recovery with the company's ongoing needs to conduct its business, communicate with employees and customers, and deal with investors and regulators.

Our in-depth knowledge of insurance law allows us to interpret complex policy provisions and formulate appropriate strategies to achieve a quick and full recovery.



Our Experience

As lawyers specializing in insurance recovery, we are able to analyze your insurance program to identify potential pitfalls and target additional sources of recovery. Our intimate familiarity with insurance law allows us to interpret complex policy provisions and formulate appropriate strategies to achieve a quick and full recovery.

We have established relationships with experienced insurance loss consultants and experts in various fields such as building and machinery valuations, construction scheduling, and financial analysis. We can assist in assembling the ideal team to pursue a fair insurance recovery efficiently, effectively, and aggressively.

Representative Matters

King & Spalding's Insurance Recovery Group has successfully handled numerous first-party property damage/business interruption claims following catastrophic losses. A few representative examples are as follows:

- Representing **AFC Enterprises, Inc.** in connection with recovery of insurance proceeds for losses sustained during the Gulf Coast hurricanes.
- Representing **The Home Depot, Inc.** in connection with insurance coverage issues and claims, including regarding losses from the 2011 Joplin, Missouri tornado.
- Representing **one of the largest U.S. providers of short-term and long-term health care services** in litigation seeking recovery for extensive property damage, business interruption, and other losses to 18 facilities resulting from the Gulf Coast hurricanes and involving more than \$70 million in damages.
- Represented **Milliken & Company** against syndicate of insurance companies in insurance litigation and arbitration arising out of catastrophic fire loss, achieving one of the largest insurance arbitration awards in U.S. history.
- Represented **Avondale Mills, Inc.** seeking recovery of insurance proceeds for losses incurred as a result of a train derailment on its premises in which chlorine gas escaped and permeated Avondale's adjoining facilities. Obtained a settlement in excess of \$200 million with insurers and obtained confidential settlement with railroad in tort/subrogation action in the midst of a month-long jury trial.
- Represented national poultry company, **ContiGroup**, in insurance coverage claims against five insurance companies arising out of fire loss, obtaining recoveries in excess of \$50 million.
- Represented a **major U.S. airline** in connection with recovery for property and business interruption losses incurred as a result of Gulf Coast hurricanes.

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