

# Insurance Coverage and Recovery

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Our Insurance Coverage and Recovery team represents companies in many industries, including pharmaceutical and healthcare, energy, financial services, manufacturing, food and beverage, retail, and the real estate industry, among others. We represent our policyholder clients in complex, oftentimes bet-the-company, coverage disputes with their insurance companies. We serve as trial counsel across insurance claim categories, including first- and third-party claims, and in matters involving captives and self-insurance. Our established willingness to pursue claims through trial increases our clients' opportunities for early settlement, and has allowed us to recover nearly \$4 billion for our policyholder clients over the last 15 years through a combination of trials, international and domestic arbitrations and mediations.

To ensure effective representation and eliminate the conflicts of interest that plague other firms, we serve policyholders exclusively. Our track record spans all lines of insurance coverage, including:

- property damage and business interruption;
- cyber liability;
- professional liability (E&O);
- directors and officers (D&O) liability;
- fiduciary liability;
- general liability;
- environmental, asbestos, mass tort and pollution claims;
- construction disputes;
- advertising injury and product recall;
- M&A/representations and warranty;
- bad faith denial of coverage; and
- other manuscripted lines of coverage.

## Capability Lawyers



Martin M. McNeerney (Marty)  
*Washington, D.C.*



Meghan Magruder  
*Atlanta*



Anthony P. Tatum (Tony)  
*Atlanta*



John H. Fonham (Jack)  
*Washington, D.C.*

## Recognition

2015 Litigation Department  
of the Year, Insurance  
THE DAILY REPORT

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2016 Litigation Department  
of the Year, Large Law Firm  
THE DAILY REPORT

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Whether a company is facing devastating business interruption losses resulting from a natural disaster, a fast-moving whistleblower investigation, or bet-the-company product liability, mass tort, or environmental claims, King & Spalding has repeatedly demonstrated its ability to help clients maximize their insurance assets when they need them, regardless of the type of coverage or industry sector. Our deep experience in international insurance markets and in handling cross-border disputes with insurers and our Firm's global platform allow us to efficiently and effectively pursue insurance recoveries around the globe in various venues. We also handle litigation of contractual indemnification and contribution claims for losses following breach of contract, or problems associated with asset sales, divestitures, and other corporate breakups.

To help position policyholders favorably for future coverage disputes or to help circumvent these types of disputes altogether, our team also provides the full range of insurance advisory services, including:

- Negotiating best-in-class terms and conditions, conducting insurance gap analysis of clients' insurance programs, and including analyzing consistency across clients' entire insurance programs;
- Analyzing contractual indemnification clauses and additional insured endorsements to confirm alignment of the provisions in order to minimize exposure;
- Assisting policyholders and their brokers with all phases of insurance claims analysis, claims submission, claims adjustment and pre-litigation settlement negotiations;
- Advising senior management and boards on various insurance related issues, including on D&O indemnification and insurance, cyber insurance and best practices, and enterprise risk management concerns; and
- Working with policyholder clients to best allocate insurance assets in corporate mergers and acquisitions, particularly where one or both of the parties have significant potential liabilities arising from asbestos, environmental, lead paint, or other long-tail exposure claims, as well as in related representations and warranties insurance policies.

## Cases & Deals

*May 20, 2015*

King & Spalding Obtains Complete Defense Verdict for Deloitte Following Six-Week Jury Trial

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### Insights

#### CLIENT ALERT

*August 16, 2019*

Biometric Data Regulations: Do Your Insurance Policies Cover This Emerging Risk?

#### NEWSLETTER

*August 15, 2019*

Autonomous Vehicles Speed Read – August 2019

#### NEWSLETTER

*July 19, 2019*

Autonomous Vehicles Speed Read – July 2019

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### Events

#### SPEAKING ENGAGEMENT

*January 17, 2019*

Jacqueline Seidel to Speak at New York State Bar Association's Annual Meeting

#### WEBINAR

*June 26, 2018*

The Changing Landscape of Cybersecurity: Trends and Developments for Pharmaceutical and Medical Device Companies

#### SPEAKING ENGAGEMENT

*February 22, 2018*

Tony Tatum, Shelby Guilbert, Joe Englert to Speak at Atlanta Risk and Insurance Management Society Conference

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### News

#### RECOGNITION

*August 12, 2019*

Benchmark Litigation Names Five King & Spalding Partners to its 40 & Under Hot List

#### RECOGNITION

*June 1, 2017*

Meghan Magruder Elected to Board of Regents of American College of Coverage and Extracontractual Counsel

#### RECOGNITION

*December 8, 2015*

Daily Report Names King & Spalding Top Insurance Litigation Department

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