



Subrogation

White and Williams LLP has the oldest and one of the largest subrogation practices in the nation, with 31 lawyers and 6 law clerks/paralegals. 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 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 contingency-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

Practice Contacts

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Related Practices

Construction Defects
Cyber Subrogation
Fidelity
Food and Beverage
Food Recall Subrogation
Inland Marine
Large Loss Property Subrogation
Maritime Losses
Product Liability Losses
Self-Insured Retention
Transit/Cargo
Water Loss
Workers' Compensation Subrogation

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

assignments but are of importance to our clients. In addition, we maintain a blog – Subrogation Strategist – that discusses current subrogation trends. Because we monitor issues that arise around the country for the blog, we are able to quickly identify new trends and advise our clients accordingly.

represent clients across a wide array of disciplines

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 provide a cost-benefit analysis for each case.

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

The subrogation department has the advantage of having 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.

Representative Matters

- Litigated subrogation claims in losses as high as \$70 million arising from fires in large commercial properties and residences
- Achieved successful resolution of a multi-million dollar claim in Maryland state court regarding negligent maintenance of a wooden railing that resulted in a traumatic brain injury to a worker who fell and struck his head on the stone pool deck below
- 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
- Negotiated a settlement of \$750,000 dollars in a products liability case filed in Pennsylvania against the supplier of a laundry press for injuries involving significant third-degree burns sustained when press closed down on top of the operator

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August 19, 2021

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March 31, 2021

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January 4, 2021

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November 5, 2020

[Insurance Lawyers Recognized by JD Supra 2020 Readers' Choice Awards](#)
April 29, 2020

White and Williams Announces Lawyer Promotions
January 2, 2020

Christopher Konzelmann Receives 2019 Spirit of NASP Award
October 30, 2019

Congratulations 2019 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
October 17, 2019

Chris Konzelmann Serves as Co-Chair of NASP 2019 Subrogation Litigation: Skills & Management Conference
March 28, 2019

Congratulations 2018 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
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January 4, 2018

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October 18, 2016

White and Williams Participates in American Red Cross "No More Fire Deaths" Campaign
October 10, 2016

White and Williams Announces the Election of Five Lawyers to the Partnership and the Promotion of Five Associates to Counsel
January 14, 2016

Congratulations 2015 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
October 21, 2015

Partner Chris Konzelmann Recognized as Moorestown, NJ Hometown Hero for Service as a Volunteer Firefighter
April 2, 2014

White and Williams Listed by A.M. Best for over 50 Years
February 12, 2014

White and Williams LLP Announces Lawyer Promotions
January 31, 2014

White and Williams LLP Receives AM Best's "Recommended Insurance Attorneys" Badge Again
February 11, 2013

Joe Kuffler Named Honorary Consul for Denmark in Eastern PA Region
November 20, 2012

Three Lawyers Elevated to Counsel
January 6, 2012

Eight Lawyers Admitted to U.S. District Court for Eastern District of PA
November 15, 2011

White and Williams Adds Five New Lawyers During Summer
September 2011

Publications

An Interview with Captain Chris Konzelmann: Public and Private Sector Fire Investigations
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Utah Digs Deep and Finds “Design Defect” Includes Pre-Construction Geotechnical Reports
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Kaboom! Illinois Applies the Anti-Subrogation Rule to Require a Landlord’s Subrogating Property Insurer to Defend a Third-Party Complaint Against Tenants
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Jurisdiction by Consent: Georgia Holds that Corporations Registered to do Business in the State Consent to Being Sued There
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Can You Prove It? New Jersey Court Holds That Plaintiff Alleging Negligent Destruction of Evidence Failed to Sufficiently Prove Proximate Cause in Underlying Claim
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The Right of Workers’ Compensation Reimbursement is Alive and Well in Indiana
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Nevada’s Common Law Meaning of the Term “Substantial Completion” in the Statute of Repose
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As Time Rolls On So Do Spoliation Claims
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Spoliation: Often Argued, Rarely Understood
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Pennsylvania Court Finds that Two Possible Causes Can Prove a Product Malfunction Theory of Liability
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Idaho Supreme Court Tells Wine Bottle Manufacturer to Stop Whining Over Personal Jurisdiction
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The Malfunction Theory of Products Liability
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Rhode Island Changes Its Products Liability Law
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An Insured In-Part: Michigan Court Holds That Tenant Is an Implied Co-Insured on Landlord's Property Insurance Only With Respect to the Leased Premises
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Florida Court Gives Parties Assigned a Subrogation Claim a Math Lesson
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The Adjuster's Role in the Subrogation Investigation
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Keep on Truckin': Indiana Applies MCS-90 Endorsement to Intrastate Trips
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MDL for Claims Against Manufacturers and Distributors of PFAS-Containing AFFFs Focuses Attention on Key Issues
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When an Insurer Proceeds as Subrogee, Defendants Should Not Assert Counterclaims Against the Insured/Subrogor
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Examination of the Product Does Not Stop a Pennsylvania Court From Applying the Malfunction Theory
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Industry Standard and Sole Negligence Defenses Can't Fix a Defect
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Amazon Can Be Held Strictly Liable For Hoverboard Sale
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New Hampshire Applies Crete/Sutton Doctrine to Bar Subrogation Against College Dormitory Residents
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Saved By The Statute: The Economic Loss Doctrine Does Not Bar Claims Under Pennsylvania's Unfair Trade Practices and Consumer Protection Law
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Original and Subsequent Homeowners in Rhode Island Are Subject to the Same Rules for Determining How Long a Breach of Implied Warranty Claim Is Actionable

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What's the Gist? Massachusetts Court Looks Past the Labels to the Gist of the Plaintiff's Allegations to Find Claims Barred by the Statute of Repose

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What the Jury Doesn't Know about Insurance Won't Hurt Them

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Idaho District Court Affirms Its Role as the Gatekeeper of Expert Testimony

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Pennsylvania Federal Court Excludes Expert Testimony That Tries To Force a Square Peg Into a Round Hole

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Amazon Loses (Again) . . . New York Court Rules That Amazon Can Be Liable for Defective Product

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Washington Court Finds that Statute of Repose Fraud Exception Argument Lacks Energy

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Massachusetts Pulls Phased Trigger On Its Statute of Repose

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Cooperation Between Public & Private Sector Fire Investigators - Always Room for Improvement

Fire & Arson Investigators Journal | October 2020

Nothing Personal – Missouri District Court Holds that Defendant's Nationwide Retail Website Does Not Subject it to Specific Jurisdiction

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Strictly Speaking, the Plaintiff's Fault Matters in Products Liability Actions in Georgia

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Eastern District of Pennsylvania Clarifies Standard for Imposing Spoliation Sanctions

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A Whole New World: Building Automated Systems (BAS) and Subrogation

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California Appellate Court Rules Amazon Can Be Strictly Liable for Defective Product

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In Nevada, Custom Sign Manufacturers Can Be Held Strictly Liable

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Massachusetts Court Clarifies Statute of Repose Trigger for Multi-Phase Construction Projects

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Update – Property Owner’s Defense Goes up in Smoke in Careless Smoking Case

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Arkansas Federal Court Fans the Product Liability Flames Utilizing the Malfunction Theory

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Massachusetts District Court Holds Contractors Are Not Additional Insureds on Developer’s Builder’s Risk Policy

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Wisconsin Court Applies the Economic Loss Doctrine to Bar Negligence Claims for Purely Economic Losses

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Texas Federal Court Rules Amazon Can Be Sued for Defective Product

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Virginia Allows Condominium Association’s Insurer to Subrogate Against a Condominium Tenant

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Illinois Federal Court Determines if Damages Are Too Remote

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COVID-19’s Effect on Property Losses and Subrogation Claims

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Parties’ Agreement Doesn’t Pull the Trigger on California’s Statute of Repose

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Mississippi Supreme Court Applies AIA Subrogation Waiver to Non-Work Property Damage

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Not so Fast – Florida’s Legislature Overrules Gindel’s Pre-Suit Notice/Tolling Decision Related to the Construction Defect Statute of Repose

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Viewpoint: The Coronavirus’ Impact on Property Losses and Subrogation Claims

Claims Journal | April 9, 2020

COVID-19 and Subrogation: The Coronavirus’ Impact on Property Losses and Subrogation Claims

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What Did the Contract Say Again? Preventing Application of a Prime Contract Based Solely on Generic Incorporating Language in the Subcontract

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Minnesota Addresses How Its Construction Statute of Repose Applies to Condominiums

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Commercial Tenant's Subrogating Insurer Barred by Lease Terms from Pursuing Landlord

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Avoiding the "S" Word: Cautionary Evidence Handling Folktales and How to Avoid Becoming Part of the Lore

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In Louisiana, If the Band Plays On, the Plaintiff Cannot Recover Loss of Use Damages

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Wisconsin Supreme Court Induced to Narrowly Interpret Exceptions to the Economic Loss Doctrine

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Massachusetts Court Holds Statute of Repose Does Not Apply to Claims for Failure to Maintain Property

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Not All Damages Are Created Equal – the Proper Application of the Economic Loss Doctrine

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Virginia Molds Tort Versus Contract Law in New Home Construction Case

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Establishing Proximate Cause Where Both Roads Lead to the Defendant

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Idaho Formally Adopts an Independent Tort for Third Party Spoliation

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Pennsylvania Superior Court Fires up a Case-By-Case Analysis for Landlord-Tenant, Implied Co-Insured Questions

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Tennessee Looks to Define Improvements to Real Property

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Amazon Feels the Heat From Hoverboard Fire Claims

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"Wait! Do You Have All Your Ducks in a Row?" Filing of a Certificate of Merit in Conjunction With a Complaint

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California Clarifies Its Inverse Condemnation Standard

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Crisis Averted: Why Having An Attorney At Inspections Can Avoid Catastrophes
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Careless Smoking Causation Defense Goes Up in Smoke in Connecticut
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“Slow and Steady Doesn’t Always Win the Race” – Applicability of a Statute of Repose on Indemnity/Contribution Claims in New Hampshire
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Connecting With the Modern Juror – Communication Strategies in the Age of Information
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Amazon Loses – It Is a Seller Under Wisconsin’s Products Liability Law
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Ohio Court Measures the Damage to a Computer Network by Its Value to the Owner, Not Its Fair Market Value
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In Indiana, Component Manufacturers Have a Limited Duty to Equip Products with Safety Features
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Superior Court Addresses Whether the Plaintiff Is the “Master of the Claim” in Post-Tincher Decision
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Florida Adopts Daubert Standard for Expert Testimony
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Wisconsin Supreme Court Holds that Subrogation Waiver Does Not Violate Statute Prohibiting Limitation on Tort Liability in Construction Contracts
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Texas Walks the Line on When the Duty to Preserve Evidence at a Fire Scene Arises
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Third Circuit Holds Amazon Liable As a Product Seller – Communications Decency Act Not Applicable to Sale and Distribution Strict Liability Claims
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New York Court Takes the Bite Out of a Food Manufacturer’s Request for Destructive Testing
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Arizona Purchaser Dwelling Actions Are Subject to a New Construction
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New York Court Holds That the “Lesser of Two” Doctrine Limits Recoverable Damages in Subrogation Actions
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Property Owner's Defense Goes Up in Smoke in Careless Smoking Case

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Insurers Subrogating in Arkansas Must Expend Energy to Prove That Their Insureds Have Been Made Whole

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Washington Court Tunnels Deeper Into the Discovery Rule

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California Court Invokes Equity to Stretch Anti-Subrogation Rule Principles

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Privileged Communications With a Testifying Client/Expert

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St. Bernard Parish: Federal Circuit Washes Away Takings Clause Claims Arising from Hurricane Katrina

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Arbitration: For Whom the Statute of Limitations Does Not Toll in Pennsylvania

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Fire Loss Subrogation Counsel and Origin and Cause Consultants Must Work Together in Responding to Opinion Admissibility Challenges

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New Jersey Court Washes Away Insurer's Waiver of Subrogation Arguments

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Fire Consultants Cannot Base Opinions on Speculation

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Tenants Who Negligently Cause Fires in Florida Beware: You May Be Liable to the Landlord's Insurer

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Minnesota "Fryes" the Difference Between Novel Scientific Theory and Novel Science

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Texas Court of Appeals Strictly Enforces Certificate of Merit Requirements for Claims Against Professionals

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District Court of Missouri Limits Whining About the Scope of Waiver of Subrogation Clauses in Wine Storage Agreements

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Rhode Island Examines a Property Owner's Intended Beneficiary Status and the Economic Loss Doctrine in the Context of a Construction Contract

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New Hampshire's Statute of Repose for Improvements to Real Property Does Not Apply to Product Manufacturers

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Indiana Court of Appeals Holds That Lease Terms Bar Landlord's Carrier From Subrogating Against Commercial Tenant

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South Carolina Clarifies the Accrual Date for Its Statute of Repose

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In New Jersey, Workers' Compensation Liens Are No Longer Subject to the Verbal Threshold

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Minnesota Reaffirms Statutory Anti-Subrogation Rule

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California Court of Appeals Holds Subrogating Carrier Cannot Assert Claims of Its Suspended Insured

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Illinois Supreme Court Holds That the Implied Warranty of Habitability Does Not Extend to Subcontractors

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California Court of Appeal Holds That the Right to Repair Act Prohibits Class Actions Against Manufacturers of Products Completely Manufactured Offsite

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In Massachusetts, the Statute of Repose Applies to Consumer Protection Claims Against Building Contractors

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Florida Decides Against Adopting *Daubert*

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Wisconsin Court of Appeals Holds Economic Loss Doctrine Applies to Damage to Other Property If It Was a Foreseeable Result of Disappointed Contractual Expectations

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"Bad Kamara/Good Karma" — Life After *Hartford v. Kamara*

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Ohio Rejects the Majority Trend and Finds No Liability Coverage for a Subcontractor's Faulty Work

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Strategies for Conquering Your Next Mediation

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Florida Court of Appeals Holds Underlying Tort Case Must Resolve Before Third-Party Spoliation Action Can Be Litigated
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A Tort Claim Is Not a Debt Within the Meaning of the Colorado's Fair Debt Collection Practices Act
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Florida's Fourth District Appeals Court Clarifies What Actions Satisfy Florida's Construction Defect Statute of Repose
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Courts Favor Arbitration in Two Recent Construction Dispute Cases
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California Supreme Court Holds That Evidence of Industry Custom and Practice May Be Admissible in a Design Defect, Strict Product Liability Case
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Georgia Court of Appeals Holds Lay Witness Can Provide Opinion Testimony on the Value of a Property If the Witness Had an Opportunity to Form a Reasoned Opinion
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Carmack Amendment Loss Claims Should Indicate a Specified or Determinable Amount of Money
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Rhode Island District Court Dismisses Plaintiff's Case for Spoliation Due to Potential Unfair Prejudice to Defendant
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Utah's Highest Court Holds That Plaintiffs Must Properly Commence an Action to Rely on the Relation-Back Doctrine to Overcome the Statute of Repose
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New York Federal Court Holds That the Montreal Convention Does Not Allow a Party to Recover Inspection Costs Where Cargo Suffers No Physical Damage
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Supreme Court of Kentucky Holds Plaintiff Can Recover for Stigma Damages in Addition to Repair Costs Resulting From Property Damage
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Supreme Court of Idaho Rules That Substantial Compliance With the Notice and Opportunity to Repair Act Suffices to Bring Suit
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Tennessee Court of Appeals Holds Defendant Has the Burden of Offering Alternative Measure of Damages to Prove that Plaintiff's Measure of Damages is Unreasonable
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Northern District of Mississippi Finds That Non-Work Property Damages Are Not Subject to AIA's Waiver of Subrogation Clause

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Pennsylvania Supreme Court Declares Future Credit on Medical Benefits Dead

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Minnesota Clarifies the "Machinery/Equipment" Exception to the Statute of Repose for Improvements to Real Property and Adopts Test for Establishing a Post-Sale Duty to Warn

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Florida Extends Filing Time for Claims Subject to the Statute of Repose

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Connecticut Supreme Court Holds That Landlord's Insurer Can Pursue Equitable Subrogation If Lease Requires Tenant Have Insurance and Holds Tenant Responsible for Damage

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Texas Court of Appeals Confirms That, in Order to "Bring Suit" Within the Statute of Limitations Period, a Plaintiff Must Exercise Due Diligence to Serve the Complaint

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Deconstructing Construction Claims: Issues to Consider When Handling Construction Defect Subrogation

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Holding Amazon Accountable: The Indecency of the Communications Decency Act Defense

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New York's Court of Appeals Clarifies the Burden of Proof in Summary Judgment Cases

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Supreme Court Holds That the Tolling Statute Applicable to State Law Claims Subject to Federal Supplemental Jurisdiction Stops the Statute of Limitations Rather Than According Plaintiffs a Grace Period

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Florida Court of Appeals Clarifies How the Statute Governing Indemnification Provisions in Construction Contracts Applies

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Finding Plaintiff Intentionally Spoliated Evidence, the Northern District of Indiana Imposes Sanctions

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Utah's Supreme Court Addresses When an Insurer Can, Despite the Made Whole Doctrine, Proceed in Its Own Name

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California's Right to Repair Act Applies to Construction Defects Resulting in Either Economic Loss or Property Damage

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Supreme Court of Virginia Holds that Intentional Spoliation of Evidence is Required for an Adverse Inference Jury Instruction

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Colorado Requires Privity to Pursue Warranty of Suitability Claim Against Developer

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Texas Clarifies the Notice Requirements for Damages Resulting from Construction Defects

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Contract Terms Can Impact the Accrual Date For Florida's Statute of Repose

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House Bill Clarifies Start Point for Florida's Statute of Repose

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California Limits Indemnification Obligations of Design Professionals

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West Virginia Enacts "Innocent Seller" Legislation

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Beyond the Scope: In Some Jurisdictions, You May be Able to Argue that a Subrogation Waiver Clause Does Not Apply to Damaged Areas Outside the Scope of the Work in Construction Contracts

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Applying the Statute of Repose for Construction Claims, Colorado's Supreme Court Finds Third-Party Claims Timely-Filed

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In Ohio, When a Subrogating Insurer is the Plaintiff, Defendants Should not File Contribution or Indemnification Claims Against the Insured

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United States Court of Appeals for the Sixth Circuit Holds That Kentucky's Economic Loss Rule Does Not Apply to Consumer Transactions

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In Georgia, a Waiver of Subrogation Clause is not an Exculpatory Clause That Must be Prominently Displayed
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In New Mexico, There Can be More Than One Statute of Repose Accrual Date on Construction Projects
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Economic Loss Doctrine Bars Negligence Claim Against Building Company Owner, Individually
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Fire Causation: Spreading the Culpability
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Subrogating Products Liability Claims: A Law and Economics Analysis
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In Minnesota, a Tenant may, Depending on the Language of the Lease, be Liable to the Landlord for Property Damage to the Tenant's Apartment but not for Damage to the Rest of the Building
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Tennessee's Supreme Court Holds That Intentional Misconduct is not a Necessary Prerequisite for Spoliation Sanctions
The Subrogation Strategist | March 4, 2016

The Fourth Circuit Applies a Consequential Damages Exclusionary Clause and the Economic Loss Doctrine to Bar Claims by a Subrogating Insurer Seeking to Recover Over \$19 Million in Damages
The Subrogation Strategist | February 8, 2016

Pennsylvania Superior Court Holds That the Bilt-Rite Exception to the Economic Loss Doctrine Does Not Require an Express Representation
The Subrogation Strategist | December 17, 2015

In Florida, Exculpatory Clauses Do Not Need Express Language Referring to the Exculpated Party's Negligence
The Subrogation Strategist | September 22, 2015

California Homeowners Can Release Future, Unknown Claims Against Builders
The Subrogation Strategist | June 3, 2015

Pennsylvania's Supreme Court Clarifies Pennsylvania's Strict Liability Standard

The Subrogation Strategist | January 15, 2015

Pennsylvania's Supreme Court Limits The Scope Of A Builder's Implied Warranty Of Habitability

The Subrogation Strategist | September 9, 2014

Michigan: Identifying and Exploiting the "Queen Exception" to No-Fault Subrogation

Subreflections, Vol. 1, Issue 2 | May 2014

New York: The "Loss Transfer" Opportunity to Recover Otherwise Non-Recoverable First-Party Benefits

Subreflections, Vol. 1, Issue 2 | May 2014

Insurer's Failure To Give Notice Before Repairing Its Insured's Home Bars The Insurer's Subrogation Claim Under California's Right To Repair Act

The Subrogation Strategist | April 24, 2014

Arkansas: Avoiding the "Made Whole" Doctrine Through Dépeçage

Subreflections, Vol. 1, Issue 1 | April 2014

Application Of The Economic Loss Rule In Construction Cases In Washington Is A Fact Intensive Inquiry

The Subrogation Strategist | December 18, 2013

In Kansas, Policy, Not Privity, Dictates Whether The Economic Loss Doctrine Applies

The Subrogation Strategist | August 8, 2013

The Theoretical Possibility Of A Manufacturing Defect Does Not Foreclose The Use Of A Res Ipsa Theory

The Subrogation Strategist | May 9, 2013

Rhode Island Recognizes Limits to the Anti-Subrogation Rule

The Subrogation Strategist | February 8, 2013

Illinois Imposes Tough Standard for Pursuing Spoliation Claims

Subrogation Alert | November 20, 2012

Design Defect Claims in the Wake of *PLIVA, Inc. v. Mensing*

American Bar Association Mass Torts Litigation Quarterly Newsletter | Fall 2012

Colorado Court Holds That an Alarm Contract's Limitation of Liability Clause Cannot Defeat a Willful or Wanton Breach of Contract Claim

Subrogation Alert | August 16, 2012

Gross Negligence Defeats a Limitation of Liability Clause but Not a Waiver of Subrogation Clause

Subrogation Alert | April 25, 2012

Events

Northern Virginia Joint Committee on Fire and Arson Investigation: Fire Investigator (1033) Recertification
Virginia Department of Forensic Science – Northern Lab | December 2, 2021

Subrogation Against Amazon for Defective Products (Part 1 and 2)

National Association of Subrogation Professionals, Annual Conference | Virtual | November 9, 2021 | 2:00 PM - 4:00 PM CT

Connecticut Live Burn

Eastern Connecticut Fire School | 1 Fire School Road Windham, CT 06226 | October 14, 2021

The Shield Surrounding Online Retailers - The Last 12 Months

Webinar | The National Association of Subrogation Professionals | September 14, 2021 | 1:00 PM - 2:00 PM

Inspector Gadget: How Technology is Advancing Origin and Cause Investigations

2021 National Association of Subrogation Professionals Spring Conference | Virtual | 11 AM - 12 PM | March 26, 2021

Zoom® Your Way to Lien Recoveries! How Technology Can Efficiently and Cost Effectively Generate Successful Results

2021 National Association of Subrogation Professionals Spring Conference | Virtual | 12:30 PM - 1:30 PM | March 25, 2021

Best Practices Reboot! An Industry Insider Panel and Attendee Discussion on Complex Relationships That Impact Lien Recoveries

National Association of Subrogation Professionals, Annual Conference (Virtual) | 12:45 PM – 1:45 PM PT | November 17, 2020

Reverse Engineering: Forensic Alarm Science Investigations Yields Mission Critical Information for Subrogation Recovery

National Association of Subrogation Professionals, Annual Conference (Virtual) | 3:15 PM – 4:00 PM PT | November 17, 2020

State Specific Subrogation Coast to Coast (Part 1 and 2)

National Association of Subrogation Professionals, Annual Conference (Virtual) | 2:00 PM – 3:00 PM PT | November 17, 2020

Fire Scene Safety Considerations in the Post-Fire Environment (Part 1 and Part 2)

National Association of Subrogation Professionals, Annual Conference (Virtual) | 12:30 PM – 1:30 PM PT | November 16, 2020

Recovery and Beyond: The Past, Present and Future of Subrogation

National Association of Subrogation Professionals, Annual Conference (Virtual) | 3:15 PM – 4:00 PM PT | November 16, 2020

Romaine Calm: Lettuce Discuss Food Recalls and the Recoveries You've Been Leaving on the Table

National Association of Subrogation Professionals, Annual Conference (Virtual) | 3:15 PM – 4:00 PM PT | November 16, 2020

How Subrogation Professionals and First-Party Claims Adjusters Can Work Together for Mutual Benefit
The National Association of Subrogation Professionals (Webinar) | September 8, 2020

The Shield Surrounding Online Retailers: An Update on the Prime Strategies Utilized by Cyber Stores
The National Association of Subrogation Professionals (Webinar) | May 12, 2020

Buyer Beware - Lessons Learned from Recent Amazon Cases
2020 National Association of Subrogation Professionals Spring Conference (Webinar) | April 24, 2020

Don't Lose Your Head! Or Arm, Leg, or Other Body Parts: How Workers' Compensation Subrogation Professionals Can Still Obtain Lien Recoveries Despite Worker Error (Part 1)
2020 National Association of Subrogation Professionals Spring Conference (Webinar) | April 24, 2020

Don't Lose Your Head! Or Arm, Leg, or Other Body Parts: How Workers' Compensation Subrogation Professionals Can Still Obtain Lien Recoveries Despite Worker Error (Part 2)
2020 National Association of Subrogation Professionals Spring Conference (Webinar) | April 24, 2020

War Stories: Subrogation in Practice
February 20, 2020

Giving Stronger Deposition and Trial Testimony
IAAI - New Jersey Chapter (Atlantic City, NJ) | November 5, 2019

Best Practices for Effective Communications Between Carriers and Counsel: An Industry Panel Discussion on the Relationships and Issues that Lead to Successful Lien Recoveries
National Association of Subrogation Professionals, Annual Conference (Washington, DC) | October 29, 2019

How NFPA 921 and NFPA 1033 Can Make Or Break Your Fire Loss Subrogation Claim
National Association of Subrogation Professionals, Annual Conference (Washington, DC) | October 29, 2019

Butt Out! Subrogating Careless Smoking Fires
National Association of Subrogation Professionals, Annual Conference (Washington, DC) | October 28, 2019

In Order to Form a More Perfect Union – How to Utilize the Public Sector Investigation to Support Your Case
National Association of Subrogation Professionals, Annual Conference (Washington, DC) | October 28, 2019

No Stone Unturned: Finding Recovery When/Where You Didn't Think To Look
National Association of Subrogation Professionals, Annual Conference (Washington, DC) | October 28, 2019

Unusual Checks and Balances – Proving Out-of-the-Ordinary Damage
National Association of Subrogation Professionals, Annual Conference (Washington, DC) | October 28, 2019

Workers' Compensation Subrogation Federal Civil Practice – Tips and Real Case Study
National Association of Subrogation Professionals, Annual Conference (Washington, DC) | October 28, 2019

The Four Headed Monster – How to Satisfy all Four Elements of a Negligence Claim
NEFCO Fire Investigation Evidence Lab Facility (Rochester, NH) | September 19, 2019

Fire Spread – Beyond Origin and Cause
NASP Webinar | September 17, 2019

To a Reasonable Degree of Certainty – An Attorney’s Perspective on Effective (and Ineffective) Expert Support
NEFCO Fire Investigation Evidence Lab Facility (Blackwood, NJ) | September 11, 2019

Investigating and Litigating Fire Loss Claims for Subrogating Insurance Carriers
IAAI - Pennsylvania Chapter (State College, PA) | June 19, 2019

Site UnScene: Strategies for Claims Investigations with Challenging Site Requirements or Limited Evidence
Subrogation Social (Waltham, MA) | May 30, 2019

Game of Rooms – Strategies for Conquering Your Next Mediation
CLM Webinar | April 24, 2019

NASP 2019 Subrogation Litigation: Skills & Management Conference
NASP Spring Conference (Rancho Mirage, CA) | March 28, 2019

Game of Rooms - Strategies for Conquering Your Next Mediation
NASP Webinar | March 19, 2019

Giving Stronger Deposition and Trial Testimony
IAAI - Indiana Chapter (South Elgin, IL) | March 6, 2019

Podcast: Strategies for Conquering Your Next Mediation
National Association of Subrogation Professionals | Fall 2018

D.O.T. Your I’s and Cross Your T’s: Maximizing Your Workers’ Compensation Subrogation Lien Recoveries in
Transportation Industry Related Accidents
NASP Annual Conference, Orlando, FL | November 13, 2018

Necessary Evil or Blessing in Disguise? How Working With Claimant’s Counsel Can Avoid Potential Reimbursement
Hazards and Maximize Your Lien Recovery
NASP Annual Conference, Orlando, FL | November 12, 2018

The Shield Surrounding Online Retailers: An Update on the Prime Strategies Utilized by Cyber Stores to Deflect
Accountability
NASP Annual Conference (Orlando, FL) | November 12, 2018

Effective Deposition and Trial Testimony
International Association of Arson Investigators (Indianapolis, IN) | August 20, 2018

The Breaking Point: Managing Expenses with Low-Valued Subrogation Cases
CLM Webinar Series | May 9, 2018

Expert Witness Courtroom Testimony Course
International Association of Arson Investigators (IAAI) | April 18, 2018

Don't Get Burned! The Causes And Effects Of Burn Injury Claims

NASP Subrogation Litigation: Skills & Management Conference, New Orleans, LA | March 23, 2018

Standard of Care in Fire Loss Litigation

NASP Subrogation Litigation: Skills & Management Conference (New Orleans, LA) | March 22, 2018

Identification of Critical Issues in the Early Stages of the Subrogation Investigation

NEFCO Fire Investigations (Rochester, NH) | March 15, 2018

Fire Scene Safety, Preservation, and Relationships: Three Keys to a Safe and Successful Fire Investigation

NASP Annual Conference (Austin, TX) | November 7, 2017

Y'all Come Back Now, Ya Hear? How to Best Leverage Evidence of Product Recalls In Your Product Liability Claims

National Association of Subrogation Professionals, Annual Conference (Austin, TX) | November 7, 2017

Missing in Action! What is the Reasonable Person?

NASP Annual Conference, Austin, TX | November 6, 2017

Symbiotic Recovery Success: An Interactive Case Study To Max Out Your WC Subrogation Recoveries Through Effective Insurer And Counsel Collaboration

NASP Annual Conference, Colorado Springs, CO | October 24, 2017

What Happens After Suppression?

Burlington County Fire Marshal's Association (Westampton, NJ) | September 28, 2017

Litigating Fire Losses: What Origin and Cause Consultants Should Know

International Association of Arson Investigators (Ames, Iowa) | September 14, 2017

Depositions: Goals, Strategies, and Pitfalls

Live Burn to Learn (Coatesville, PA) | September 8, 2017

The Subrogation Landscape: What's Changing

Property & Liability Resource Bureau, Central Regional Adjusters Conference (New Orleans, LA) | September 6-7, 2017

Dryer Fires, Cleaning Up On Subro

National Association of Subrogation Professionals, Webinar Series | July 2017

The Subrogation Landscape: What's Changing

Property Loss Research Bureau Regional Conference (Riverside, CA) | June 2017

Live Burn to Learn

County of Bergen Department of Public Safety (Mahwah, NJ) | May 12, 2017

Multiple Employer Worksites: Overcoming the Challenges and Issues Presented

NASP Subrogation Litigation: Skills & Management Conference, Scottsdale, AZ | April 28, 2017

Emerging Trends in Water-Related Construction Defect Litigation

National Association of Subrogation Professionals – Subrogation Litigation Skills and Management Conference (Scottsdale, AZ) | April 27, 2017

Investigating and Litigating Fire Losses for Subrogated Insurance Carriers

International Association of Arson Investigators International Training Conference (Las Vegas, NV) | April 2017

Expert Witness Courtroom Testimony

International Association of Arson Investigators (Crofton, MD) | January 7, 2017

Giving Better Depositions

International Association of Arson Investigators – New Jersey Chapter (Sayreville, NJ) | October 12, 2016

Live Burn to Learn

Chester County Public Safety Training Facility (Coatesville, PA) | September 16, 2016

Expert Witness Courtroom Testimony

International Association of Arson Investigators (Crofton, MD) | September 7, 2016

The Clock is Ticking - Don't Get Burned by Statutes of Limitations/Repose

PLRB/NASP Subro Investigation for Adjusters Webinar Series | August 16, 2016

Evaluating Subrogation Claims Against Contractors

In-house Seminar | May 25, 2016

Recognition of Obstacles to Subrogation in the Development of Product Liability Cases

Training Seminar for Client | May 2016

Don't Let Negative Corpus Take The Spark Out of Your Expert's Causation Opinion

National Association of Subrogation Professionals (Fort Lauderdale, FL) | April 7, 2016

Privilege in Subrogation and the Effective Development of Negligence and Breach of Contract Theories to Maximize Recovery Dollars

Training Seminar for Client | February 2015

Structural Collapse and Subrogation Theories

Training Seminar for Client | February 2015

Dryer Fires, Cleaning up on Subrogation

National Association of Subrogation Professionals (Orlando, FL) | November 2014

How to Successfully Pursue Careless Smoking Fire Claims in Subrogation

New England Continuing Education Seminar, hosted by Rimkus Consulting Group, Inc. (Boston, MA) | October 16, 2013

Proving a Product Malfunction Case

10th Annual National Property Subrogation Strategies ExecuSummit (Uncasville, CT) | April 9-10

Subrogating the Slip and Fall Claim

NASP Annual Conference (Las Vegas, NV) | November 12, 2012

The Legal and Engineering Aspects of Products Liability Claims

NASP Annual Conference (Las Vegas, NV) | November 12, 2012

Workers' Compensation Subrogation Recovery: Premises Liability
Zenith Insurance Company | May 21, 2012

Worker's Compensation Subrogation – Recovery Begins With You
Cincinnati Insurance Company (Breezewood, PA) | May 1, 2012

Workers' Compensation Subrogation Recovery: Negligence vs. Products Liability
Zenith Insurance Company | April 23, 2012

Discovery and Privilege Issues in Worker's Compensation Subrogation
Sentry Insurance Company (Stevens Point, WI) | April 11, 2012

Cases & Deals

Leak in Temporary Roof at School Leads to Six-Figure Settlement

Negligent Installation Claim Leads to Seven-Figure Settlement

Seven-Figure Settlement for Subrogation Department

Six-Figure Settlement Arising From Hot Work Fire

Ceiling Collapse Nets Seven-Figure Settlement

Subrogation Department Settles Plumbing Failure, Water Damage Case

Multimillion-Dollar Settlement Reached Against Designer and Installer of Sprinkler System

Seven-Figure Settlement Reached Against Spice Ingredient Supplier

Subrogation Department Settles Water Main Break Case

Settlement Reached Against Seasoning Packet Supplier

Subrogation Department Settles a Multi-Leak Water Damage Case

Subrogation Department Settles Listeria Contamination Recall Matter

Subrogation Department Resolves Large Water Loss Case

Subrogation Department Secures a Large Workers' Compensation Lien Recovery on Short Notice

Subrogation Department Secures Favorable Settlement in a Water Loss Case

Subrogation Department Secures Pre-Suit Settlement

Subrogation Department Defeats Statute of Repose-Based Motion for Summary Judgment

Firm Successfully Defends Against National Manufacturer's *Daubert* Challenge to Expert Testimony

White and Williams Secures Seven-Figure Subrogation Settlement Following a Water Leak in a Residential Tower

\$630,000 Lien Recovery Obtained Following Jury Trial

White and Williams Obtains Favorable Settlement in Electrical Fire Case

White And Williams Obtains Pre-Suit Settlement In Dehumidifier Fire Case

White and Williams Secures a Favorable Settlement in a Superstorm Sandy Case

White and Williams Settles Multi-Plaintiff Case Following Fire

\$600,000 Jury Verdict Obtained in Federal Court in Boston

\$300,000 Jury Verdict Obtained in Philadelphia City Hall

Seven-Figure Settlement Reached Against Electric Utility

Subrogation Attorneys Achieve Settlement in DC Metrorail Accident Case

Seven-Figure Settlement Secured Following a Dispositive Motion Based Upon Spoliation Allegations

Konzelmann Obtains \$27.2 Million Settlement in Subrogation Case

PA Superior Court Issues Opinion that Increases Likelihood of Successful Recoveries from Electric Utilities

Subrogation Attorneys Secure Reversal on Appeal and Settle Case

Resources

State-by-State Research Charts on Subrogation-Related Topics