

Gregory S. Capps

Partner

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Greg Capps is a well-respected attorney among his peers, clients and co-counsel who is known for his responsiveness, leadership and ability to work collaboratively to obtain favorable results. Greg has a broad commercial litigation and arbitration practice focusing primarily on complex long-tail insurance coverage, environmental coverage and reinsurance matters. His practice involves counseling as well as trial and appellate work before federal and state courts and arbitration panels. For over twenty years, Greg has advised and litigated on behalf of insurers on a wide range of issues including environmental, asbestos, pharmaceutical, sexual assault, and other types of claims. More recently, Greg has been called upon to represent ceding companies, both in court and before arbitration panels on a myriad of issues, including follow-the-fortunes, accumulation, recovery of declaratory judgment expenses, offset and other allocation-related issues.

Greg is often called upon to take lead on behalf of joint defense groups. He is very effective in managing the day-to-day activities of the most complex insurance coverage matters and is known for being a “team player” because of his ability to work collaboratively with his clients and peers at White and Williams and other firms. Clients routinely call upon Greg for his advice with respect to complex claims handling practices or legal issues, involving environmental policies and/or CGL policies. His clients count on him for his responsiveness and comprehensive, well-thought, analyses.

Prior to joining White and Williams, Greg was a partner at a firm where he, along with other attorneys, acted as national coordinating counsel for a property and casualty insurer on environmental, asbestos and toxic exposure insurance coverage disputes. During that time, Greg gained valuable experience because in addition to his insurance coverage practice, he also represented product manufacturers in product liability and breach of warranty claims and represented medical and other professionals, including accountants, insurance brokers and lawyers, in malpractice cases. Because of his experience defending product liability and malpractice claims, Greg has vast knowledge of the court system and issues underlying the coverage disputes that arise.

Practice Areas

Reinsurance
Insurance Coverage and Bad Faith
Bad Faith and Extra-Contractual Liability

Bar and Court Admissions

Pennsylvania
New Jersey
U.S. Court of Appeals for the Third Circuit
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Pennsylvania

Education

Widener University School of Law, JD, 1993
Louisiana State University, BA, 1988

Memberships

Pennsylvania Bar Association
Philadelphia Bar Association

Representative Matters

- Won a “renewed” motion for summary judgment dismissing claims for coverage arising out of respiratory devices and asbestos/silica containing products on “justiciability” grounds
- Obtained a favorable ruling on behalf of a cedent in a complex reinsurance arbitration addressing “one event” language in the reinsurance treaty
- Successfully arbitrated a reinsurance dispute on behalf of foreign reinsurers involving premium adjustment dispute under medical malpractice reinsurance contract
- Represented ceding company in reinsurance dispute involving accumulation and recovery of declaratory judgment expenses issues
- Successfully mediated a multi-million dollar claim arising out of a fatal catastrophic trucking accident involving a significant punitive damages component
- Successfully defeated claim seeking more than \$4 million in attorney fees and interest before trial and appellate court, including the New Jersey Supreme Court
- Reached a very favorable resolution of a multi-million dollar claim for environmental coverage arising out of dry-cleaning operations across the United States
- Provided sage coverage advice to a client leading to a favorable resolution of an insured’s claim for coverage arising out of underlying hearing loss claims
- Successfully litigated claim for reinsurance recovery (arising out of an underlying asbestos settlement) which following fact discovery the reinsurer paid the full amount of the ceded claim
- Representing umbrella and excess insurers in coverage dispute arising from asbestos liabilities
- Representing ceding company in state court against reinsurer that is contesting payment of the claim arising out of underlying multi-million dollar settlement of asbestos liabilities
- Defeated motion for leave to amend complaint against liability insurers to add claim for bad faith
- Provided coverage advice on recent Chinese drywall claims and further advice on policy/underwriting issues relative thereto
- Obtained partial summary judgment on behalf of CGL insurer relating to defective roof claim, which ultimately led to favorable resolution for client
- Defended insurance coverage claim arising under claim for “fax-blasting”
- Defended product manufacturer in product liability action involving alleged fork lift defect resulting in defense verdict for client
- Defended Class Action claim involving claim under the Fair and Accurate Credit Transactions Act
- Defended a therapist in a failure to warn third party of violent propensities of patient
- Represented accounting firm against claims of errors and omissions in financial audits
- Obtained arbitration award in favor of insurance broker in claim of errors and omissions in the placement of business risk insurance
- Represents and provide advice to clients arising out of claims under the Wellington Agreement

- Obtained favorable summary judgment ruling finding New York law applied to declaratory judgment action involving claims for coverage involving underlying State MTBE claims
- Negotiated favorable multi-million settlement with asbestos trust involving asbestos bodily injury claims under CGL tendered under brake manufacturer policies
- Provided coverage advise to insurer pertaining to numerous claims under contractors environmental liability policies

Recognition & Involvement

Greg has been AV® rated by the Martindale-Hubbell peer review rating system.

While maintaining a heavy case load, Greg believes strongly in providing pro bono services and giving back to his community at large. Greg is currently represents children through the Support Center for Child Advocates in Philadelphia. He has handled numerous cases, including one where his advocacy skills resulted in reuniting a troubled family after obtaining proper Department of Public Welfare services and other social services for them. Greg was recently appointed to the Board of Directors of the Support Center, where he sits on the Governance and Leadership Committee.

Greg also volunteers by teaching Civics at Roxborough High School one day a month through the Philadelphia Bar Association's Advancing Civics Education program and provides counsel to senior adults through the Senior Law Center.

Greg has also served as President of the Board of Directors of Cheltenham Sports, a non-profit organization providing recreational and sports activities to residents in Cheltenham Township, and coached a girl's travel soccer team for 10 years.

In the News

Greg Capps Joins Board of Directors for the Support Center for Child Advocates
July 16, 2020

13th Annual Coverage College Hosts Over 400 Insurance Professionals
November 1, 2019

12th Annual Coverage College Features Current Trends and State of the Insurance Claims Industry
October 23, 2018

White and Williams Announces Lawyer Promotions
January 4, 2018

Coverage College Celebrates Its 10th Anniversary
September 22, 2016

Events

Coverage College 2020

Virtual Platform | Thursday, October 22, 2020 | 9:00 AM – 3:00 PM EDT

Emerging Issues in Long-Tail Exposure Insurance

Webinar | November 18, 2019

Coverage College 2019

October 24, 2019

Applying the Top 5 Coverage Decisions of 2018 in Daily Claims Handling

Client Seminar | January 30, 2019

Long-Tail Insurance: An Update on Coverage Issues Concerning Asbestos, LTE and Environmental Claims

12th Annual Coverage College | October 4, 2018

Deposition Basics: Practical Tips for a Successful Deposition

Client Seminar | August 22, 2018

Reading and Understanding the Insurance Policy

Client Seminar | January 2018

New Jersey Allocation "Carter Wallace 102"

Client Seminar | December 2017

Long-Tail Coverage: An Update on Coverage Issues Concerning Asbestos/LTE/Environmental Claims

White and Williams Coverage College | October 26, 2017

Non-Cumulation and Prior Insurance Clauses: Policy Provisions, the State of the Law and Practical Application

Client Seminar | February 2017

Long-Tail Coverage: An Update on Coverage Issues Concerning Asbestos/LTE/Environmental Claims

White and Williams Coverage College | September 22, 2016

Allocation and Exhaustion: Coverage Issues and Practical Applications

Client Seminar | March 2016

Determining Duties and Obligations: Insuring Agreement, Exclusions and Conditions

Client Seminar | February 2016

What is the Occurrence and How Many Are There?

Client Seminar | February 21, 2015

Strategies For Approaching Allocation Issues Arising Out Of Complex Insurance Disputes

White and Williams Coverage College | October 2, 2014

What Is The "Occurrence" And How Many Occurrences Are There?

White and Williams Coverage College | October 3, 2013

Emerging Environmental Insurance Coverage Issues

White and Williams Coverage College | October 4, 2012

Publications

California Supreme Court Adopts "Vertical Exhaustion" in the Long-Storied Montrose Environmental Coverage Litigation
Insurance Coverage and Bad Faith Alert | April 7, 2020

NY Child Victims Act: Don't Ignore Reinsurance Issues

Reinsurance Alert | August 20, 2019

Pennsylvania Supreme Court Will Not Address Trigger for DEP Environmental Cleanup Action at This Time

Insurance Coverage and Bad Faith Alert | July 19, 2018

Delaware Supreme Court Choice of Law Ruling Vacates a \$13.7 Million Verdict Against Travelers

Insurance Coverage and Bad Faith Alert | July 17, 2018

Kaepernick Case Raises Arbitrator Subpoena Power Questions

Sports Law360 | June 20, 2018

Wisconsin Appeals Court Finds No Duty to Defend Under Excess Policies

Complex Insurance Coverage Reporter | May 1, 2018

California Federal Court: "All Sums" Allocation Applies to Meso Case Under CA and NY Law

Complex Insurance Coverage Reporter | March 20, 2018

Coverage For Defense Costs Under Excess Policies – Missouri Court Surveys the Landscape

Complex Insurance Coverage Reporter | December 20, 2017