

Inland Marine

While a standard property insurance policy insures stationery property, such as a home, an inland marine policy insures property in transit, transportation-related property – such as bridges – and some types of moveable property, such as fine arts, construction equipment and jewelry. Despite the differences between a standard property insurance policy and an inland marine insurance policy, the pursuit of an inland marine subrogation claim or a direct claim for self-insured clients operates under principles similar to property subrogation claims. Under these principles, a prompt and effective investigation helps to maximize a loss recovery when an insurer or a self-insured entity suffers a loss. To assist with the investigation process, we have a national network of skilled and experienced forensic experts who efficiently assist the investigation by providing expert opinions on causation or damages.

In addition to investigating the cause of a loss, our experienced lawyers review contract documents, bills of lading, limitation of liability clauses and subrogation waivers to identify barriers to recovery and to efficiently and cost effectively analyze the merits of each particular claim. Once our investigation identifies subrogation targets and after analyzing any barriers to recovery, our lawyers aggressively pursue identified targets. Where appropriate, our lawyers pursue alternative dispute resolution (ADR) procedures and, if the ADR process does not resolve the matter, our lawyers aggressively pursue litigation. In pursuit of subrogation targets, our lawyers have experience litigating cases around the country.

REPRESENTATIVE MATTERS

Handled numerous claims involving cargo that was lost or damaged in transit both over land and at sea, including litigating issues involving the Carriage of Goods by Sea Act, the Hague-Visby Rules, the Carmack Amendment of the Interstate Commerce Act and Rule F, which limits liability in maritime actions

Settled multiple claims involving cargo losses where the truck carrying the cargo caught on fire or was involved in a traffic accident

Settled a claim involving a cargo loss that occurred when the freezer mechanism in the truck malfunctioned

Recovered money for an insurer in a situation where cargo was stolen from a storage yard while awaiting further transport

PRACTICE CONTACT

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Settled claims where the cargo was damaged or lost overboard during ocean transit