

Subrogation

New Assignment Forms

Property Loss

Workers' Compensation

Surety Recovery Intake Form

Water Loss Program

After-Hours Contacts

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50 STATE RESEARCH CHARTS

View our Research Charts on Subrogation-Related Topics here.

White and Williams LLP has the oldest and one of the largest subrogation practices in the nation, with 30 lawyers and 9 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.

PRACTICE CONTACT

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RELATED PRACTICES

Construction Defects

Cyber Subrogation

Fidelity

Food Recall Subrogation

Inland Marine

Large Loss Property Subrogation

Maritime Losses

Product Liability Losses

Self-Insured Retention

Transit/Cargo

Water Loss

Workers' Compensation Subrogation

RELATED INDUSTRIES

Food and Beverage

Insurance

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 represent clients across a wide array of disciplines

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

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 perform a cost-benefit analysis for each case.

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

The subrogation department has the advantage of 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.

Large Loss Property Subrogation

Our lawyers practice throughout the United States and routinely investigate and litigate large losses, including warehouse fires, manufacturing plant fires, apartment and condominium complex fires, lumber mill fires and residential house fires. We also regularly handle losses involving building collapses, construction defects, equipment failures, flooding, water main breaks, gas leaks, windstorms, fire suppression failures and plumbing system failures.

Our lawyers have extensive experience working with insurers, third-party administrators, self-insureds and a nationwide network of highly-qualified investigators and forensic consultants. We quickly and efficiently develop liability theories and evaluate potential recovery impediments, allowing our clients to make educated and cost-effective decisions related to the pursuit of responsible third parties.

White and Williams is a recognized leader in the subrogation industry and our lawyers are active members of the National Association of Subrogation Professionals (NASP), where they frequently lecture at the organization's conferences, present webinars and publish in NASP's industry publications. Our lawyers are also active in other insurance-related groups, including the Property & Liability

Resources Bureau (PLRB) and the CLM. The department's lawyers are also frequent lecturers at and instructors for the International Association of Arson Investigators (IAAI), who offer a Certified Fire Investigator (CFI) designation. As leaders in the subrogation industry, our lawyers have unique insights into all aspects of subrogation and have made significant recoveries for our clients on matters that other subrogation firms closed or rejected.

Our large loss property subrogation clients have the added advantage of access, where needed, to over 200 other lawyers in the firm that specialize in environmental law, bankruptcy law, cyber law and class action litigation. These lawyers become part of the litigation team when a loss requires specialized expertise in one of those fields.

Cyber Subrogation

In light of the almost daily news stories about cybersecurity breaches, cybersecurity is a concern for businesses of all sizes and in every industry. When a data security breach provides subrogation opportunities, our subrogation lawyers work closely with the Cyber Law and Data Protection Group to investigate the cause of the loss and identify potential targets. Depending on the cause of the loss, potential targets include network security companies, vendors providing technology services and businesses or parents who fail to take reasonable measures to guard against viruses that can infect an insured's computer.

Although the investigation of cyber-related loss claims can be a daunting task, utilizing standard subrogation investigation techniques designed to ensure early intervention by cyber-security experts, the preservation of evidence, the development of legal theories and the identification of potential targets helps our clients maximize their recoveries. Working with forensic experts, we oversee the examination of affected computers to identify the virus that attacked the system and its source to discover how the virus got into the insured's computer. Once potential targets are identified, our subrogation lawyers aggressively pursue the targets and work to overcome defenses such as those based on contractual waiver, damages limitation and indemnification clauses. When pre-suit settlement negotiations fail, our experienced, multi-disciplinary team of litigators pursue potential targets through litigation.

Construction Defects

Whether the matter at issue involves a large loss construction-related subrogation claim – such as a catastrophic condominium loss – or a residential construction loss, our lawyers have the experience to assist you with handling your complex claim. Our subrogation team works with you to promptly investigate the loss and identify possible targets no matter whether the loss at issue results from a fire, water loss, collapse, the removal of lateral support or an equipment failure or an explosion.

As part of our subrogation investigation, we work with a nationwide panel of experts and analyze possible defenses. In construction cases, where there are frequently multiple tiers of contractors, the parties often use American Institute of Architects (AIA) contracts that expressly address subrogation claims. Our lawyers routinely analyze these clauses and, consequently, they understand the nuances of these form contracts' terms and can determine whether the applicable jurisdiction applies these clauses to, for example, post-construction losses or losses to non-work or adjacent property. We are proud to have been involved in one of the leading cases addressing the scope of an AIA subrogation waiver clause (*John L. Mattingly Constr. Co. v. Hartford Underwriters Ins. Co.*, 999 A.2d 1066 (Md. 2010)), where the court, agreeing with our position, found that the phrase "the Work" in the AIA contract clause at issue was ambiguous and, thus, the defendant was not entitled to summary judgment.

In addition to having experience analyzing waiver of subrogation clauses, our lawyers have experience with, among other things, the following:

- arguments based on the insurer being a mere volunteer;
- defense contentions that equitable principles apply to conventional subrogation claims and, thus, the insured should be made whole before the insurer;
- disputes based on the economic loss doctrine;
- arguments contending that a lawsuit should be dismissed in favor of arbitration;
- determining whether a waiver of subrogation or other clause is unenforceable as against public policy;
- analyzing whether the applicable jurisdiction's Right to Repair Act, Residential Construction Liability Act or similar statute impacts the construction defect claim at issue;
- evaluating whether, in addition to contractual claims, an insurer can pursue claims based on state consumer protection or Deceptive Trade Practices Act laws; and
- determining how a state's statute of repose impacts the claim and whether, in cases involving multiple contractors, there are different accrual dates.

Whether your case involves a waiver of subrogation clause, the economic loss doctrine or another construction-related issue, you can be sure that White and Williams stays informed on construction-related developments taking place around the nation. In addition to keeping its lawyers informed on these issues, our subrogation department frequently provides updates regarding construction-related trends and cases in its blog, Subrogation Strategist, which we hope that you follow.

Fidelity

A business does not expect to suffer losses because of deceit by its employees, but it happens. Our lawyers have many years of experience identifying and pursuing all potential avenues of recovery when an employee steals from his or her employer. Recognizing that claims against financial institutions such as banks have short time limitation periods, our lawyers work closely with insurers and bonding companies to quickly engage forensic accountants to unravel the often-times, complex criminal schemes at issue to determine how thefts were accomplished and quantify the amount of the loss. Once we identify potential targets, our lawyers aggressively pursue recovery from the responsible parties through civil litigation and, where appropriate, work with government authorities to obtain criminal restitution.

To maximize recovery, we also pursue potentially liable third parties, such as outside auditors and accountants who fail to detect the wrongdoer's criminal scheme or weaknesses in the insured's internal controls. Financial institutions such as banks are also potential targets and our lawyers are well-versed in the provisions of the Uniform Commercial Code governing actions against banks in cases involving forged or misappropriated checks.

We have made numerous, significant subrogation recoveries in fidelity matters of this type and are ready to assist you in evaluating all potential recovery targets presented by the specific circumstances of each claim.

Food Recall Subrogation

When contaminated food claims arise, for example, in cases involving allergens contaminating raw ingredients such as spices, it is important to move quickly to recall and, as appropriate, destroy the contaminated products. Our team of experienced subrogation lawyers works closely with claim professionals, insureds and forensic experts to analyze and minimize the costs involved in an insured's recall efforts. More importantly, our lawyers work with our insurance and food industry clients to maximize the recovery of direct and subrogation claims against the responsible suppliers, vendors or other parties. In conjunction with the pursuit of the

responsible parties, our lawyers negotiate and, where appropriate, litigate indemnity claims. In addition, our lawyers analyze and, as needed, defend against defenses based on “other insurance” clauses and, similarly, defenses arguing that a target’s insurance is “excess” rather than “primary” insurance.

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.

Maritime Losses

Whether you have suffered a loss arising from damage to a pleasure craft, commercial vessel, marina or pier or to cargo shipped pursuant to a marine bill of lading, our experienced admiralty, ocean marine and transportation lawyers can help both insurers and companies with large deductibles or self-insured retention limits recover the amount lost from the responsible parties. Like other subrogation claims, a successful recovery depends, initially, on a prompt and effective loss investigation. Therefore, when we receive a notice of loss, our lawyers work with you and a national network of forensic investigators to promptly investigate the loss and identify the responsible parties. In addition, they promptly review applicable admiralty and cargo-related laws – including the Carriage of Goods by Sea Act – as well as contractual barriers to recovery. Consequently, our lawyers have experience analyzing subrogation waivers, limitation of liability clauses, tariff provisions and contractual, bill of lading defenses such as Himalaya clause defenses. Using their extensive experience, our lawyers can help you identify and analyze the strength and weakness of your 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 case, our lawyers aggressively pursue litigation. In pursuit of subrogation targets, our lawyers have experience litigating cases around the country.

Product Liability Losses

Our experienced subrogation lawyers routinely handle products liability cases arising from fires, explosions, water losses and appliance, equipment and machinery failures. The types of product failures that our lawyers are familiar with include, but are not limited to:

- Dishwasher defects that cause fires or flooding

- Alarm/security system failures that allow for the theft of an insured's property or the spread of a fire
- Furnace and boiler part defects that result in fires
- Shredders, loaders and other large equipment failures that cause fires
- Defects in plumbing system components that lead to water losses
- Washer and dryer failures that cause fires or flooding
- Defective product warnings that cause fires, explosions or water damage
- Crane engine and part failures that cause fires or lead to a crane collapse
- Electrical panel failures that cause fires
- Defective solvents and other cleaning products that cause spontaneous combustion fires
- Defects in lithium batteries that lead to fires
- Defects in utility company equipment that lead to fires or explosions
- Solar panel defects that result in fires

When insurers or self-insured clients refer a products liability case to us, our lawyers work with the client to coordinate a prompt investigation that identifies target defendants and preserves evidence. To identify target defendants, our lawyers consider all potential theories of liability, such as liability based on design or manufacturing defects, the malfunction theory, *res ipsa loquitor*, successor liability, breach of implied or express warranties and the defendant's failure to warn of foreseeable risks. In addition, our lawyers analyze potential recovery bars, such as limitation of liability clauses, warranty exclusions, statutes of limitations, the economic loss doctrine and waiver of subrogation clauses. They also analyze the relevant jurisdiction's common law and/or Products Liability Acts to determine the proper standard for imposing liability on target defendants and identify parties in the supply chain who can be held liable for a manufacturer's defective product. In addition, our lawyers analyze potential defenses based on a lack of personal jurisdiction over the target defendants to make informed recommendations as to the best forum in which to pursue the defendants.

Once our investigation identifies subrogation targets and, after analyzing any barriers to recovery, our lawyers aggressively pursue identified targets. Where appropriate, our lawyers engage in alternative dispute resolution (ADR) procedures and, if the ADR process does not resolve the case, our lawyers aggressively pursue litigation. In pursuit of products liability subrogation targets, our lawyers have experience litigating cases around the country.

Self-Insured Retention

Many large companies self-insure part of the risks of doing business either through utilizing a self-insured retention (SIR) limit or a high deductible. Whether a company has a high deductible or an SIR limit, the company, like an insurance company, can pursue tortfeasors to recover the amount of money the company paid for a particular loss. Our dedicated subrogation lawyers, operating on a contingency basis and using their extensive experience pursuing subrogation claims against third-party tortfeasors, can work with you to develop a cost-effective recovery program.

Like subrogation claims, the success of a company's pursuit of its SIR limit loss depends, initially, on a prompt investigation, which is the key to maximizing the company's recovery. Working with a nationwide network of forensic experts, our lawyers promptly respond to accident sites and direct the investigation of losses resulting from a multitude of accident scenarios. For instance, our experienced lawyers frequently handle investigations of fire and water damage claims, maritime claims, machinery and equipment failure claims, cargo and transportation claims and construction defect claims. When investigating these claims, our lawyers remain aware of cost

concerns associated with recovery efforts and, consequently, promptly investigate barriers to recovery – such as contractual waivers and damages limitations clauses – to eliminate cases that have little or no recovery potential in a timely and cost-effective manner.

Transit/Cargo

When a cargo shipment is lost or damaged, insurers, trucking companies, freight forwards, and shippers have an opportunity to subrogate and/or otherwise pursue their claims against tortfeasors and other parties within the shipment chain. Cargo and transportation losses implicate a variety of laws, including the Carmack Amendment (now the Interstate Commerce Commission Termination Act) to the Interstate Commerce Act and the Carriage of Goods By Sea Act (COGSA), laws with which our experienced lawyers are familiar. Utilizing their experience, our lawyers assist insurers and self-insured clients with conducting a prompt investigation of the loss and aggressively pursuing the responsible parties. In addition, our lawyers assist investigations by promptly reviewing bill of lading clauses, tariffs, limitation of liability clauses and analyzing the interplay between various laws - such as the Carmack Amendment and the COGSA - to determine the maximum available recovery and develop an effective strategy for pursuing claims against the responsible parties.

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 case, our lawyers aggressively pursue litigation. In pursuit of subrogation targets, our lawyers have experience litigating cases around the country.

Water Loss

White and Williams is the industry leader when it comes to subrogating water loss claims. We regularly investigate losses arising from defective water supply lines, water valves, sump pumps, water filters, dishwashers, washing machines, dehumidifiers, toilet tank components, faucets and solenoid-controlled valves.

The advantages of our water loss program include:

- A streamlined process that allows for a greatly reduced period between the time when a claim is reported and the subrogation claim is settled.
- The ability to track and analyze data on similar and/or recurring product failures and defects, thereby increasing subrogation recovery potential.
- Bundling similar claims together, resulting in greater leverage during settlement negotiations.
- A dedicated team of lawyers focused exclusively on the subrogation of water loss claims.
- Online process reporting of claims.
- Cost-effective strategies for handling small water losses.

By taking advantage of negotiated discounts with engineering firms and expert vendors and the efficiencies that come with focusing solely on a single type of claim, our lawyers are able to take cases that would otherwise be closed and, oftentimes, turn them into worthwhile recoveries.

Workers' Compensation Subrogation

Workers' Compensation Subrogation - New Assignment Form

Our workers' compensation subrogation lawyers focus exclusively on obtaining workers' compensation lien recoveries for insurance companies and large self-insured companies in all 50 states, the District of Columbia and abroad. White and Williams employs the largest department of full-time lawyers exclusively practicing in this discrete area of the law on a national basis. Our lawyers are skilled at handling the nuances of the various state statutes and laws governing workers' compensation subrogation. We practice a proactive approach to obtaining lien recoveries and are not satisfied waiting for a random third-party attorney to "protect" our clients' liens. Our proactive approach includes immediate and thorough investigation of each referred loss, retention of appropriate and cost-effective experts and development of all potential theories of liability to pursue the best possible lien recovery results.

Our lawyers have litigated cases, successfully obtaining verdicts, settlements and recoveries in complex and catastrophic workplace accident cases, including products liability, construction site accident, manufacturing facility loss, maritime accident, aviation accident and trucking accident cases to name a few. Our experience with products liability cases includes, among other things, cases involving injuries caused by design and manufacturing defects in a number of industries, including farming, food processing, industrial machinery and others.

Our workers' compensation subrogation lawyers are recognized leaders in the industry and are frequent lecturers at national and regional subrogation conferences, National Association of Subrogation Professionals (NASP) seminars and webinars.

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

CASES & DEALS

Mediation Leads To Seven-figure Settlement Involving Liability And Excess Insurers

Subrogation Department Negotiates Seven-figure Settlement

Subrogation Department Settles Another Spontaneous Combustion Case

Subrogation Department Settles Spontaneous Combustion Matter for High Six Figures

Subrogation Department Defeats Motion for Summary Judgment

Subrogation Department Secures Six-Figure Settlement in Food Contamination Case

ATM Software Vulnerability Nets Six-Figure Settlement

Seven-Figure Settlement Reached Against Installer of Fire Protection System

Bakery Explosion Leads to Sweet Settlement

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

White and Williams Obtains Favorable Settlement in Electrical Fire Case

\$630,000 Lien Recovery Obtained Following Jury Trial

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

NEWS

Congratulations 2022 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
7.13.22

William Doerler Recognized by JD Supra 2022 Readers' Choice Awards
3.7.22

White and Williams Announces 15 Lawyer Promotions
1.3.22

White and Williams Lawyers Recognized as Super Lawyers and Rising Stars
11.1.21

Subrogation Lawyers Get Real Life Fire Training
10.27.21

Best Lawyers® Recognizes 38 White and Williams Lawyers
8.19.21

Anthony Miscioscia Recognized by JD Supra 2021 Readers' Choice Awards
3.31.21

White And Williams Announces Lawyer Promotions
Three Lawyers Elected to Partnership and Eight Associates Promoted To Counsel
1.4.21

Congratulations 2020 DE, MA, NY and PA Super Lawyers and Rising Stars
11.5.20

Insurance Lawyers Recognized by JD Supra 2020 Readers' Choice Awards
4.29.20

White and Williams Announces Lawyer Promotions
Two Lawyers Elected to Partnership and Eight Associates Promoted to Counsel
1.2.20

Christopher Konzelmann Receives 2019 Spirit of NASP Award
10.30.19

Congratulations 2019 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
10.17.19

Chris Konzelmann Serves as Co-Chair of NASP 2019 Subrogation Litigation: Skills & Management Conference
3.28.19

Congratulations 2018 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
10.18.18

White and Williams Announces Lawyer Promotions
Two Lawyers Elected to Partnership and Six Associates Promoted to Counsel
1.4.18

Congratulations 2017 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
11.11.17

Congratulations 2016 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
10.18.16

White and Williams Participates in American Red Cross "No More Fire Deaths" Campaign
10.10.16

White and Williams Announces the Election of Five Lawyers to the Partnership and the Promotion of Five Associates to Counsel
1.14.16

Congratulations 2015 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
10.21.15

PUBLICATIONS

Too Costly to Be Fair: Texas Appellate Court Finds the Arbitration Clause in a Residential Construction Contract Unenforceable
The Subrogation Strategist, 11.16.22

The Final Nail: Ongoing Repairs Do Not Toll the Statute of Repose
The Subrogation Strategist, 10.28.22

Public Policy Prevails: Homebuilders and Homebuyers Cannot Agree to Disclaim Implied Warranty of Habitability in Arizona
The Subrogation Strategist, 10.26.22

Gone Fishing: Tenant's Insurer Casts A Line Seeking To Subrogate Against The Landlord
The Subrogation Strategist, 9.22.22

Part of the Whole: Idaho District Court Holds Economic Loss Rule Bars Tort Claims Related to Water Supply Line that was Part of Home Purchase
The Subrogation Strategist, 9.16.22

ASUS Computer International Recalls ASUS ROG Maximus Z690 Hero Motherboards
The Subrogation Strategist, 8.22.22

Mind Over Matter: Court Finds Expert Opinion Based on NFPA 921 Reliable Despite Absence of Physical Testing
The Subrogation Strategist, 8.17.22

In All Fairness: Illinois Appellate Court Finds That Arbitration Clause in a Residential Construction Contract Was Unconscionable and Unenforceable
The Subrogation Strategist, 7.19.22

Amazon Can be Held Strictly Liable as a Product Seller in New Jersey
The Subrogation Strategist, 7.11.22

Hold on Just One Second: Texas Clarifies Starting Point for Negligence Statute of Limitations
The Subrogation Strategist, 6.3.22

The Blame Game: Georgia Updates Its' Apportionment of Fault Statute to Apply to Single-Defendant Lawsuits
The Subrogation Strategist, 6.1.22

Where-Forum Art Thou? Is the Chosen Forum Akin to No Forum at All?

The Subrogation Strategist, 5.19.22

Waive Your Claim Goodbye: Louisiana Court Holds That AIA Subrogation Waiver Did Not Violate Anti-Indemnification Statute and Applied to Subcontractors

Subrogation Strategist, 5.9.22

Oh Snap! Georgia Supreme Court Revives Suit Against Snapchat for Alleged Faulty Speed Filter

The Subrogation Strategist, 4.28.22

Tenants Underwater: Indiana Court of Appeals Upholds Privity Requirement for Property Damage Claims Against Contractors

The Subrogation Strategist, 4.21.22

Waive It Goodbye: Despite Evidence to the Contrary, Delaware Upholds an AIA Waiver of Subrogation Clause

The Subrogation Strategist, 4.12.22

Pump the Brakes: Indiana Rules MCS-90 Endorsement Does Not Apply to Intrastate Trips

The Subrogation Strategist, 3.11.22

Too Late for The Blame Game: Massachusetts Court Holds That the Statute of Repose Barred a Product Manufacturer from Seeking Contribution from a Product Installer

The Subrogation Strategist, 3.9.22

Tick Tock: Don't Let the Statute of Repose or Limitations Time Periods Run on Your Construction Claims

The Subrogation Strategist, 2.23.22

Who's on First: How First-Party Claims Adjusters Add Value to Subrogation Recovery Efforts

Subro Sessions, 12.30.21

Title or Possession Required . . . Louisiana Court Rules That Amazon Is Not Liable for a Defective Product

The Subrogation Strategist, 12.22.21

An Interview with Captain Chris Konzelmann: Public and Private Sector Fire Investigations

Subro Sessions, 11.22.21

Utah Digs Deep and Finds "Design Defect" Includes Pre-Construction Geotechnical Reports

The Subrogation Strategist, 11.16.21

Kaboom! Illinois Applies the Anti-Subrogation Rule to Require a Landlord's Subrogating Property Insurer to Defend a Third-Party Complaint Against Tenants

The Subrogation Strategist, 11.15.21

Jurisdiction by Consent: Georgia Holds that Corporations Registered to do Business in the State Consent to Being Sued There

The Subrogation Strategist, 10.28.21

Can You Prove It? New Jersey Court Holds That Plaintiff Alleging Negligent Destruction of Evidence Failed to Sufficiently Prove Proximate Cause in Underlying Claim

The Subrogation Strategist, 10.20.21

The Right of Workers' Compensation Reimbursement is Alive and Well in Indiana
The Subrogation Strategist, 10.1.21

Nevada's Common Law Meaning of the Term "Substantial Completion" in the Statute of Repose
The Subrogation Strategist, 9.29.21

As Time Rolls On So Do Spoliation Claims
Subrogator Magazine, Fall/Winter 2021

Spoliation: Often Argued, Rarely Understood
Subro Sessions, 9.23.21

Pennsylvania Court Finds that Two Possible Causes Can Prove a Product Malfunction Theory of Liability
The Subrogation Strategist, 8.20.21

The Malfunction Theory of Products Liability
Subro Sessions, 8.11.21

Rhode Island Changes Its Products Liability Law
The Subrogation Strategist, 7.23.21

Mindful Mediation: Navigating the Path to Recovery (Part 2)
Subro Sessions, 7.16.21

Florida Court Gives Parties Assigned a Subrogation Claim a Math Lesson
The Subrogation Strategist, 7.12.21

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
The Subrogation Strategist, 7.12.21

Amazon Avoids Liability (Again) for Defective Products Sold by Third Parties Through Its Website
The Subrogation Strategist, 6.30.21

The Adjuster's Role in the Subrogation Investigation
Subro Sessions, 6.25.21

Mindful Mediation: Navigating the Path to Recovery (Part 1)
Subro Sessions, 6.4.21

MDL for Claims Against Manufacturers and Distributors of PFAS-Containing AFFFs Focuses Attention on Key Issues
Insurance Coverage and Bad Faith Alert, 6.3.21

When an Insurer Proceeds as Subrogee, Defendants Should Not Assert Counterclaims Against the Insured/Subrogator
The Subrogation Strategist, 6.2.21

Examination of the Product Does Not Stop a Pennsylvania Court From Applying the Malfunction Theory
The Subrogation Strategist, 5.17.21

Industry Standard and Sole Negligence Defenses Can't Fix a Defect

The Subrogation Strategist, 5.11.21

Amazon Can Be Held Strictly Liable For Hoverboard Sale

The Subrogation Strategist, 4.28.21

New Hampshire Applies Crete/Sutton Doctrine to Bar Subrogation Against College Dormitory Residents

The Subrogation Strategist, 4.8.21

Saved By The Statute: The Economic Loss Doctrine Does Not Bar Claims Under Pennsylvania's Unfair Trade Practices and Consumer Protection Law

The Subrogation Strategist, 3.31.21

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

The Subrogation Strategist, 3.16.21

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

The Subrogation Strategist, 3.5.21

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

The Subrogation Strategist, 3.1.21

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

The Subrogation Strategist, 2.23.21

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

The Subrogation Strategist, 2.9.21

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

The Subrogation Strategist, 12.17.20

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

The Subrogation Strategist, 12.9.20

Massachusetts Pulls Phased Trigger On Its Statute of Repose

The Subrogation Strategist, 11.30.20

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

Fire & Arson Investigators Journal, 10.20

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

The Subrogation Strategist, 10.28.20

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

The Subrogation Strategist, 10.26.20

Eastern District of Pennsylvania Clarifies Standard for Imposing Spoliation Sanctions
The Subrogation Strategist, 9.30.20

A Whole New World: Building Automated Systems (BAS) and Subrogation
Subrogator Magazine, Fall/Winter 2020

The Future of Automated Manufacturing: What Will be the Effect on Product Failures?
Subrogator Magazine, Fall/Winter 2020

California Appellate Court Rules Amazon Can Be Strictly Liable for Defective Product
The Subrogation Strategist, 8.31.20

In Nevada, Custom Sign Manufacturers Can Be Held Strictly Liable
The Subrogation Strategist, 8.27.20

Update – Property Owner’s Defense Goes up in Smoke in Careless Smoking Case
The Subrogation Strategist, 8.3.20

Arkansas Federal Court Fans the Product Liability Flames Utilizing the Malfunction Theory
The Subrogation Strategist, 7.22.20

Massachusetts District Court Holds Contractors Are Not Additional Insureds on Developer’s Builder’s Risk Policy
The Subrogation Strategist, 7.9.20

Wisconsin Court Applies the Economic Loss Doctrine to Bar Negligence Claims for Purely Economic Losses
The Subrogation Strategist, 6.17.20

Texas Federal Court Rules Amazon Can Be Sued for Defective Product
The Subrogation Strategist, 6.16.20

Virginia Allows Condominium Association’s Insurer to Subrogate Against a Condominium Tenant
The Subrogation Strategist, 6.10.20

Illinois Federal Court Determines if Damages Are Too Remote
The Subrogation Strategist, 6.3.20

COVID-19’s Effect on Property Losses and Subrogation Claims
CLM Magazine, 5.20

Parties’ Agreement Doesn’t Pull the Trigger on California’s Statute of Repose
The Subrogation Strategist, 4.30.20

Mississippi Supreme Court Applies AIA Subrogation Waiver to Non-Work Property Damage
The Subrogation Strategist, 4.17.20

Not so Fast – Florida’s Legislature Overrides Gindel’s Pre-Suit Notice/Tolling Decision Related to the Construction Defect Statute of Repose
The Subrogation Strategist, 4.15.20

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

Claims Journal, 4.9.20

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

The Subrogation Strategist, 4.3.20

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

The Subrogation Strategist, 3.30.20

Minnesota Addresses How Its Construction Statute of Repose Applies to Condominiums

The Subrogation Strategist, 3.26.20

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

The Subrogation Strategist, 3.18.20

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

Subrogator, Spring/Summer 2020

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

The Subrogation Strategist, 3.9.20

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

The Subrogation Strategist, 2.25.20

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

The Subrogation Strategist, 2.3.20

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

The Subrogation Strategist, 1.22.20

Virginia Molds Tort Versus Contract Law in New Home Construction Case

The Subrogation Strategist, 1.17.20

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

The Subrogation Strategist, 1.7.20

Establishing Proximate Cause Where Both Roads Lead to the Defendant

The Subrogation Strategist, 12.26.19

Idaho Formally Adopts an Independent Tort for Third Party Spoliation

The Subrogation Strategist, 12.6.19

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

The Subrogation Strategist, 11.14.19

Tennessee Looks to Define Improvements to Real Property

The Subrogation Strategist, 11.8.19

Amazon Feels the Heat From Hoverboard Fire Claims

The Subrogation Strategist, 11.6.19

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

The Subrogation Strategist, 10.23.19

California Clarifies Its Inverse Condemnation Standard

The Subrogation Strategist, 10.8.19

Crisis Averted: Why Having An Attorney At Inspections Can Avoid Catastrophes

Subrogator Magazine, Fall/Winter 2019

Careless Smoking Causation Defense Goes Up in Smoke in Connecticut

The Subrogation Strategist, 9.19.19

"Slow and Steady Doesn't Always Win the Race" – Applicability of a Statute of Repose on Indemnity/Contribution Claims in New Hampshire

The Subrogation Strategist, 9.12.19

Connecting With the Modern Juror – Communication Strategies in the Age of Information

CLM Magazine, 9.19

Amazon Loses – It Is a Seller Under Wisconsin's Products Liability Law

The Subrogation Strategist, 9.6.19

Ohio Court Measures the Damage to a Computer Network by Its Value to the Owner, Not Its Fair Market Value

The Subrogation Strategist, 8.21.19

In Indiana, Component Manufacturers Have a Limited Duty to Equip Products with Safety Features

The Subrogation Strategist, 8.12.19

Superior Court Addresses Whether the Plaintiff Is the "Master of the Claim" in Post-Tincher Decision

The Subrogation Strategist, 8.7.19

Florida Adopts Daubert Standard for Expert Testimony

The Subrogation Strategist, 7.15.19

Wisconsin Supreme Court Holds that Subrogation Waiver Does Not Violate Statute Prohibiting Limitation on Tort Liability in Construction Contracts

The Subrogation Strategist, 7.12.19

Texas Walks the Line on When the Duty to Preserve Evidence at a Fire Scene Arises

The Subrogation Strategist, 7.10.19

Third Circuit Holds Amazon Liable As a Product Seller – Communications Decency Act Not Applicable to Sale and Distribution Strict Liability Claims

The Subrogation Strategist, 7.8.19

New York Court Takes the Bite Out of a Food Manufacturer's Request for Destructive Testing

The Subrogation Strategist, 7.2.19

New York Court Holds That the "Lesser of Two" Doctrine Limits Recoverable Damages in Subrogation Actions

The Subrogation Strategist, 6.11.19

Property Owner's Defense Goes Up in Smoke in Careless Smoking Case

The Subrogation Strategist, 6.11.19

Arizona Purchaser Dwelling Actions Are Subject to a New Construction

The Subrogation Strategist, 6.11.19

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

The Subrogation Strategist, 5.20.19

Game of Rooms – Strategies for Conquering Your Next Mediation

CLM Magazine, 5.19

When an Insurer Proceeds as Subrogee, Defendants Cannot Assert Contribution Claims Against the Insured

The Subrogation Strategist, 5.14.19

Washington Court Tunnels Deeper Into the Discovery Rule

The Subrogation Strategist, 5.10.19

California Court Invokes Equity to Stretch Anti-Subrogation Rule Principles

Subrogation Strategist, 5.2.19

Privileged Communications With a Testifying Client/Expert

The Subrogation Strategist, 4.30.19

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

Subrogator, Spring/Summer 2019

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

The Subrogation Strategist, 4.5.19

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

The Subrogation Strategist, 4.5.19

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

The Subrogation Strategist, 4.5.19

Fire Consultants Cannot Base Opinions on Speculation

The Subrogation Strategist, 4.3.19

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

The Subrogation Strategist, 3.27.19

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

The Subrogation Strategist, 3.25.19

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

The Subrogation Strategist, 3.18.19

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

The Subrogation Strategist, 3.8.19

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

The Subrogation Strategist, 3.8.19

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

The Subrogation Strategist, 3.5.19

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

The Subrogation Strategist, 2.22.19

South Carolina Clarifies the Accrual Date for Its Statute of Repose

The Subrogation Strategist, 2.13.19

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

The Subrogation Strategist, 1.25.19

Minnesota Reaffirms Statutory Anti-Subrogation Rule

The Subrogation Strategist, 1.22.19

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

The Subrogation Strategist, 1.17.19

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

The Subrogation Strategist, 1.17.19

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

The Subrogation Strategist, 1.10.19

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

The Subrogation Strategist, 1.4.19

Florida Decides Against Adopting *Daubert*

The Subrogation Strategist, 12.12.18

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

The Subrogation Strategist, 12.4.18

"Bad Kamara/Good Karma" — Life After *Hartford v. Kamara*
The Subrogation Strategist, 11.29.18

Ohio Rejects the Majority Trend and Finds No Liability Coverage for a Subcontractor's Faulty Work
The Subrogation Strategist, 11.27.18

Strategies for Conquering Your Next Mediation
Subrogator Magazine, Fall/Winter 2018

Florida Court of Appeals Holds Underlying Tort Case Must Resolve Before Third-Party Spoliation Action Can Be Litigated
The Subrogation Strategist, 11.15.18

A Tort Claim Is Not a Debt Within the Meaning of the Colorado's Fair Debt Collection Practices Act
The Subrogation Strategist, 11.7.18

Florida's Fourth District Appeals Court Clarifies What Actions Satisfy Florida's Construction Defect Statute of Repose
The Subrogation Strategist, 10.29.18

Courts Favor Arbitration in Two Recent Construction Dispute Cases
The Subrogation Strategist, 10.23.18

California Supreme Court Holds That Evidence of Industry Custom and Practice May Be Admissible in a Design Defect, Strict Product Liability Case
The Subrogation Strategist, 10.1.18

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
The Subrogation Strategist, 9.4.18

Carmack Amendment Loss Claims Should Indicate a Specified or Determinable Amount of Money
The Subrogation Strategist, 8.29.18

Rhode Island District Court Dismisses Plaintiff's Case for Spoliation Due to Potential Unfair Prejudice to Defendant
The Subrogation Strategist, 8.13.18

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
The Subrogation Strategist, 8.7.18

New York Federal Court Holds That the Montreal Convention Does Not Allow a Party to Recover Inspection Costs Where Cargo Suffers No Physical Damage
The Subrogation Strategist, 7.30.18

Supreme Court of Kentucky Holds Plaintiff Can Recover for Stigma Damages in Addition to Repair Costs Resulting From Property Damage
The Subrogation Strategist, 7.23.18

Supreme Court of Idaho Rules That Substantial Compliance With the Notice and Opportunity to Repair Act Suffices to Bring Suit
The Subrogation Strategist, 7.10.18

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
The Subrogation Strategist, 7.5.18

Northern District of Mississippi Finds That Non-Work Property Damages Are Not Subject to AIA's Waiver of Subrogation Clause
The Subrogation Strategist, 6.27.18

Pennsylvania Supreme Court Declares Future Credit on Medical Benefits Dead
The Subrogation Strategist, 6.25.18

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
The Subrogation Strategist, 6.15.18

Florida Extends Filing Time for Claims Subject to the Statute of Repose
The Subrogation Strategist, 6.6.18

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
The Subrogation Strategist, 5.8.18

Connecticut Supreme Court Holds That Landlord's Insurer Can Pursue Equitable Subrogation If Lease Requires Tenant Have Insurance and Holds Tenant Responsible for Damage
The Subrogation Strategist, 5.8.18

Deconstructing Construction Claims: Issues to Consider When Handling Construction Defect Subrogation
CLM Magazine, 5.18

Holding Amazon Accountable: The Indecency of the Communications Decency Act Defense
Subrogator, Spring 2018

New York's Court of Appeals Clarifies the Burden of Proof in Summary Judgment Cases
The Subrogation Strategist, 4.16.18

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
The Subrogation Strategist, 4.11.18

Florida Court of Appeals Clarifies How the Statute Governing Indemnification Provisions in Construction Contracts Applies
The Subrogation Strategist, 3.20.18

Finding Plaintiff Intentionally Spoliated Evidence, the Northern District of Indiana Imposes Sanctions
The Subrogation Strategist, 3.6.18

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

The Subrogation Strategist, 2.7.18

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

The Subrogation Strategist, 1.22.18

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

The Subrogation Strategist, 1.19.18

Investigating MIC: An Overview for Subrogation Professionals Evaluating Losses from Microbiologically Influenced Corrosion in Sprinkler Systems

Subrogator, Fall 2017

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

The Subrogation Strategist, 10.12.17

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

The Subrogation Strategist, 9.8.17

California Limits Indemnification Obligations of Design Professionals

The Subrogation Strategist, 8.18.17

West Virginia Enacts "Innocent Seller" Legislation

The Subrogation Strategist, 7.28.17

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

Subrogator, 7.17

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

The Subrogation Strategist, 6.2.17

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

The Subrogation Strategist, 5.11.17

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

The Subrogation Strategist, 4.19.17

New York Appeals Court Rekindles the Spark

The Subrogation Strategist, 3.3.17

New Jersey's Entire Controversy Doctrine: A Cautionary Tale for Insurers

The Subrogation Strategist, 2.24.17

Avoiding Split Decisions: The Pitfalls of Proceeding Separately from the Insured

Subrogator, Winter 2017

Shall We Share: Balancing the Benefits of Joining Forces and the Risks of Potential Conflicts
Subrogator, Winter 2017

Colorado's Court of Appeals Considers How the Statute of Repose Applies in Multi-Contractor Cases
The Subrogation Strategist, 12.28.16

Subrogating Security: The Importance of Protecting Private Data
Subrogator, Fall 2016

In Georgia, a Waiver of Subrogation Clause is not an Exculpatory Clause That Must be Prominently Displayed
The Subrogation Strategist, 11.15.16

In New Mexico, There Can be More Than One Statute of Repose Accrual Date on Construction Projects
The Subrogation Strategist, 11.15.16

Economic Loss Doctrine Bars Negligence Claim Against Building Company Owner, Individually
The Subrogation Strategist, 10.20.16

Subrogating Products Liability Claims: A Law and Economics Analysis
Subrogator, Spring 2016

Fire Causation: Spreading the Culpability
Subrogator, Spring 2016

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
The Subrogation Strategist, 6.2.16

Tennessee's Supreme Court Holds That Intentional Misconduct is not a Necessary Prerequisite for Spoliation Sanctions
The Subrogation Strategist, 3.4.16

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, 2.8.16

Pennsylvania Superior Court Holds That the Bilt-Rite Exception to the Economic Loss Doctrine Does Not Require an Express Representation
The Subrogation Strategist, 12.17.15

In Florida, Exculpatory Clauses Do Not Need Express Language Referring to the Exculpated Party's Negligence
The Subrogation Strategist, 9.22.15

California Homeowners Can Release Future, Unknown Claims Against Builders
The Subrogation Strategist, 6.3.15

EVENTS

Give Stronger Deposition and Trial Testimony
International Association of Arson Investigators, 11.10.22

The Imitation Game - Using Exemplars at Product Examinations
2022 NASP Annual Conference, 11.8.22

Teamwork Makes the Dream Work! Tips for Carriers, Employers, Injured Workers and Counsel Cooperating to Maximize Workers' Compensation Subrogation Recoveries
2022 NASP Annual Conference, 11.8.22

When Your Subrogation Loss Goes to Court
2022 NASP Annual Conference, 11.8.22

Trench Collapses: Unearthing the Secrets to Investigate, Evaluate and Pursue Workers' Compensation Subrogation Recoveries in Excavation and Trench Collapses
2022 NASP Annual Conference, 11.8.22

Don't Get Burned Online – Subrogation vs. Amazon & Other Online Retailers
2022 NASP Annual Conference, 11.8.22

I've Got Friends in First-Party Places
CLM Webinar, 8.18.22

Where Am I and How Did I Get Here? Determining Which State's Law Applies to Your Workers' Compensation Subrogation Recovery!
National Association of Subrogation Professionals Webinar, 8.9.22

Leadership Ethics: Confronting Ethical Issue Case Studies Involving the Worker, Employer, and Carrier in Lien Recovery Litigation
National Association of Subrogation Professionals, 2022 Spring Hybrid Conference, 3.17.22

Learning From Experience - Attorney Perspectives on Effective and Ineffective Expert Support to Build Your Case
The Institute of Fire Science, March 16 - 17, 2022

Northern Virginia Joint Committee on Fire and Arson Investigation: Fire Investigator (1033) Recertification
Virginia Department of Forensic Science – Northern Lab, 12.2.21

The Shield Surrounding Online Retailers - The Last 12 Months
Webinar | The National Association of Subrogation Professionals, 9.14.21

Inspector Gadget: How Technology is Advancing Origin and Cause Investigations
2021 National Association of Subrogation Professionals Spring Conference, 3.26.21

Zoom® Your Way to Lien Recoveries! How Technology Can Efficiently and Cost Effectively Generate Successful Results
2021 National Association of Subrogation Professionals Spring Conference, 3.25.21

Best Practices Reboot! An Industry Insider Panel and Attendee Discussion on Complex Relationships That Impact Lien Recoveries
National Association of Subrogation Professionals Annual Conference, 11.17.20

Reverse Engineering: Forensic Alarm Science Investigations Yields Mission Critical Information for Subrogation Recovery
National Association of Subrogation Professionals Annual Conference, 11.17.20

State Specific Subrogation Coast to Coast (Part 1 and 2)
National Association of Subrogation Professionals Annual Conference, 11.17.20

Fire Scene Safety Considerations in the Post-Fire Environment (Part 1 and Part 2)
National Association of Subrogation Professionals, Annual Conference, 11.16.20

Recovery and Beyond: The Past, Present and Future of Subrogation
National Association of Subrogation Professionals Annual Conference, 11.16.20

Romaine Calm: Lettuce Discuss Food Recalls and the Recoveries You've Been Leaving on the Table
National Association of Subrogation Professionals Annual Conference, 11.16.20

How Subrogation Professionals and First-Party Claims Adjusters Can Work Together for Mutual Benefit
The National Association of Subrogation Professionals Webinar, 9.8.20

The Shield Surrounding Online Retailers: An Update on the Prime Strategies Utilized by Cyber Stores
The National Association of Subrogation Professionals (Webinar), 5.12.20

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, 4.24.20

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, 4.24.20

Buyer Beware - Lessons Learned from Recent Amazon Cases
2020 National Association of Subrogation Professionals Spring Conference (Webinar), 4.24.20

Giving Stronger Deposition and Trial Testimony
IAAI - New Jersey Chapter (Atlantic City, NJ), 11.5.19

How NFPA 921 and NFPA 1033 Can Make Or Break Your Fire Loss Subrogation Claim
National Association of Subrogation Professionals, Annual Conference (Washington, DC), 10.29.19

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), 10.29.19

Workers' Compensation Subrogation Federal Civil Practice – Tips and Real Case Study
National Association of Subrogation Professionals, Annual Conference (Washington, DC), 10.28.19

No Stone Unturned: Finding Recovery When/Where You Didn't Think To Look
National Association of Subrogation Professionals, Annual Conference (Washington, DC), 10.28.19

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), 10.28.19

Butt Out! Subrogating Careless Smoking Fires
National Association of Subrogation Professionals, Annual Conference (Washington, DC), 10.28.19

Unusual Checks and Balances – Proving Out-of-the-Ordinary Damage
National Association of Subrogation Professionals, Annual Conference (Washington, DC), 10.28.19

The Four Headed Monster – How to Satisfy all Four Elements of a Negligence Claim
NEFCO Fire Investigation Evidence Lab Facility (Rochester, NH), 9.19.19

Fire Spread – Beyond Origin and Cause
NASP Webinar, 9.17.19

To a Reasonable Degree of Certainty – An Attorney’s Perspective on Effective (and Ineffective) Expert Support
NEFCO Fire Investigation Evidence Lab Facility (Blackwood, NJ), 9.11.19

Investigating and Litigating Fire Loss Claims for Subrogating Insurance Carriers
IAAI - Pennsylvania Chapter (State College, PA), 6.19.19

Site UnScene: Strategies for Claims Investigations with Challenging Site Requirements or Limited Evidence
Subrogation Social (Waltham, MA), 5.30.19

Game of Rooms – Strategies for Conquering Your Next Mediation
CLM Webinar, 4.24.19

NASP 2019 Subrogation Litigation: Skills & Management Conference
NASP Spring Conference (Rancho Mirage, CA), 3.28.19

Game of Rooms - Strategies for Conquering Your Next Mediation
NASP Webinar, 3.19.19

Giving Stronger Deposition and Trial Testimony
IAAI - Indiana Chapter (South Elgin, IL), 3.6.19

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, 11.13.18

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, 11.12.18

The Shield Surrounding Online Retailers: An Update on the Prime Strategies Utilized by Cyber Stores to Deflect Accountability
NASP Annual Conference (Orlando, FL), 11.12.18

Effective Deposition and Trial Testimony
International Association of Arson Investigators (Indianapolis, IN), 8.20.18

The Breaking Point: Managing Expenses with Low-Valued Subrogation Cases
CLM Webinar Series, 5.9.18

Expert Witness Courtroom Testimony Course
International Association of Arson Investigators (IAAI), 4.18.18

Don't Get Burned! The Causes And Effects Of Burn Injury Claims
NASP Subrogation Litigation: Skills & Management Conference, New Orleans, LA, 3.23.18

Standard of Care in Fire Loss Litigation
NASP Subrogation Litigation: Skills & Management Conference (New Orleans, LA), 3.22.18

Identification of Critical Issues in the Early Stages of the Subrogation Investigation
NEFCO Fire Investigations (Rochester, NH), 3.15.18

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), 11.7.17

Fire Scene Safety, Preservation, and Relationships: Three Keys to a Safe and Successful Fire Investigation
NASP Annual Conference (Austin, TX), 11.7.17

Missing in Action! What is the Reasonable Person?
A New and Improved Method of Engineering Failure Analysis And Cause Determination To Assist Worker's Compensation Subrogation
Professionals In Obtaining Successful Lien Recoveries
NASP Annual Conference, Austin, TX, 11.6.17

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, 10.24.17

What Happens After Suppression?
Burlington County Fire Marshal's Association (Westampton, NJ), 9.28.17

Litigating Fire Losses: What Origin and Cause Consultants Should Know
International Association of Arson Investigators (Ames, Iowa), 9.14.17

Depositions: Goals, Strategies, and Pitfalls
Live Burn to Learn (Coatesville, PA), 9.8.17

Live Burn to Learn
County of Bergen Department of Public Safety (Mahwah, NJ), 5.12.17

Multiple Employer Worksites: Overcoming the Challenges and Issues Presented
NASP Subrogation Litigation: Skills & Management Conference, Scottsdale, AZ, 4.28.17

Emerging Trends in Water-Related Construction Defect Litigation
National Association of Subrogation Professionals – Subrogation Litigation Skills and Management Conference (Scottsdale, AZ), 4.27.17

Investigating and Litigating Fire Losses for Subrogated Insurance Carriers
International Association of Arson Investigators International Training Conference (Las Vegas, NV), 4.17

Expert Witness Courtroom Testimony
International Association of Arson Investigators (Crofton, MD), 1.7.17

Giving Better Depositions
International Association of Arson Investigators – New Jersey Chapter (Sayreville, NJ), 10.12.16

Live Burn to Learn
Chester County Public Safety Training Facility (Coatesville, PA), 9.16.16

Expert Witness Courtroom Testimony
International Association of Arson Investigators (Crofton, MD), 9.7.16

The Clock is Ticking - Don't Get Burned by Statutes of Limitations/Repose
PLRB/NASP Subro Investigation for Adjusters Webinar Series, 8.16.16

Evaluating Subrogation Claims Against Contractors
In-house Seminar, 5.25.16

Don't Let Negative Corpus Take The Spark Out of Your Expert's Causation Opinion
National Association of Subrogation Professionals (Fort Lauderdale, FL), 4.7.16