

Insurance

The insurance industry is constantly adapting to address fluctuations in risks and to take advantage of new opportunities caused by changing markets, shifting economic policies, climate change and other natural occurrences, geopolitical conditions, and emerging technologies. Insurers, in turn, must adapt and evolve. White and Williams' insurance industry team helps insurers capitalize on legal and business opportunities to navigate these challenges and understand how they impact their business in the short term and the long term.

Our attorneys work collaboratively across diverse practice groups to advise insurers and provide well-rounded, business-sensitive advice about virtually every facet of the business of insurance. Clients rely on the White and Williams insurance team for advice regarding the evaluation and litigation of the most sophisticated complex coverage disputes arising out of primary and excess general and professional liability insurance, financial lines insurance, cyber insurance, employer liability insurance, life and health insurance, commercial property insurance, reinsurance and subrogation matters.

Additionally, our attorneys advise insurers with respect to general commercial disputes, the negotiation and drafting of commercial contracts, vendor and outsourcing arrangements, strategic alliances, joint ventures, acquisitions, investments, real estate and labor and employment needs. The insurance industry team also has dedicated attorneys who can advise insurers regarding their intellectual property needs as they develop new and proprietary claim and risk management tools and products to meet the most current insurance industry needs.

White and Williams' deep and varied resources for servicing insurers' business and legal needs, coupled with its many decades of insurance industry experience, provide insurers with unmatched insight to meet both today's business and legal challenges as well as tomorrow's growth opportunities.

Areas of Focus

Restrictive Covenant, Trade Secret & Unfair Competition Services

The Restrictive Covenant, Trade Secret & Unfair Competition Team at White and Williams understands what it means to protect your business. We have litigated hundreds of restrictive covenant, trade secret and unfair competition matters throughout the United States. In addition to our litigation experience, we serve as trusted advisors to our business clients by providing advice regarding the drafting

INDUSTRY CONTACTS

Robert F. Walsh, Chair
215.864.7045
walshr@whiteandwilliams.com

Patricia B. Santelle, Partner
215.864.6205
santellep@whiteandwilliams.com

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and enforceability of restrictive covenant, trade secret and confidentiality agreements. Our advice helps our clients ensure that they have the proper protective measures and strategies in place to prevent damage and loss to their business. Our clients come from a wide variety of industries, including insurance, aerospace, executive recruiting, petrochemical, real estate, technology, media, and other professional services. Sometimes, even with protective measures and strategies in place, litigation is inevitable and the Restrictive Covenant, Trade Secret & Unfair Competition Team at White and Williams is always ready to go into court on a moment's notice to enforce your agreements, to stop wrongful conduct through obtaining injunctive relief, and to protect your business.

Fraud Investigation and Prosecution

Fraud is widely prevalent across the insurance industry, and can cost insurers millions of dollars per year. White and Williams' attorneys work closely with their insurer clients to investigate and combat insurance fraud, to recover moneys lost, and to formulate strategies designed to mitigate future risk. Whether on our own or in close collaboration with an insurer's in-house team of fraud investigators, our attorneys dig deep to identify and unravel complex instances of fraud, and formulate effective and aggressive strategies for pursuing wrong-doers through affirmative litigation.

Subrogation

White and Williams has one of the oldest subrogation practices in the country practicing in all 50 states. The group offers an aggressive early intervention program utilizing a vast network of screened experts and consultants covering a wide variety of subrogation related disciplines. Subrogation lawyers handle high-profile commercial property, inland marine, cargo, fidelity, food recall, maritime, worker's compensation, small water, and cyber losses. To learn more visit our subrogation page [here](#).

Bankruptcy and Reorganization

Our lawyers can expertly assist insurers in navigating safely through the sometimes treacherous intersections between insurance law and bankruptcy law. More and more insureds are using Chapter 11 as a means of resolving environmental, toxic tort, product defect and sexual abuse claims. Bankruptcy can have a significant impact on how claims are defended and settled, and on where and how coverage issues are litigated. Our bankruptcy, insurance coverage, and defense groups work together to protect the rights of insurers in the bankruptcy process and to resolve coverage issues fairly and efficiently, whether through bankruptcy litigation, plan negotiations or complex mediations.

Healthcare

Our multidisciplinary team of lawyers helps health insurers and providers alike navigate the ever-changing and increasingly complex world of health care payments and delivery. We represent insurers, employers, brokers, re-insurers, third-party administrators, self-insureds, ERISA plans and related entities in a wide array of matters. Our lawyers have a wealth of experience and broad knowledge from years of handling complex and unique issues under both individual and group plans. We also conduct audits for health insurance providers to assess policies/procedures, ensure compliance with contracts and stated policies/procedures, evaluate claims handling, and monitor/assess for proper reserves and risk management.

Litigation

White and Williams delivers premier liability defense for liability insurers and their insureds. Our team of subject matter experts handle all manner of liability claims including catastrophic personal injury and property loss as well as employment and complex corporate liability claims. We counsel insurers on claims handling processes and defend insurers against allegations of bad faith. Our appellate lawyers have had tremendous success overturning adverse or otherwise excessive verdicts against insurers and their insured alike.

Appellate

Insurers are often faced with matters surrounding the potential for appeals from trial court and the appellate process. The firm's Appellate group not only prepares creative and effective appellate papers and arguments, but also provides assistance to our insurance industry clients with the development of litigation strategy, preparation of dispositive motions, monitoring of trial and preparation of post-trial motions to effectively address issues impacting insurers and their insureds through the litigation process. The Appellate group is called upon to collaborate throughout the entire litigation process.

Construction and Surety

The attorneys in our Construction and Surety group have years of experience defending insurers and their insureds in construction defect litigation, including having served as national oversight counsel for insurance company clients for certain types of construction defect cases. We have tried cases throughout the country on behalf of insureds involved with construction-site accidents that have resulted in major property loss and serious personal injuries. Our Surety team regularly represents insurance/surety clients in regard to all aspects of suretyship, including drafting and enforcing indemnity agreements and equitable subrogation rights, managing defaults and takeover situations, and defending payment and performance bond claims and bad faith claims asserted against sureties.

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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

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White and Williams Obtains Favorable Ruling for Insurer in New Jersey District Court
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Coverage Team Secures Significant Choice-of-Law Victory in Ohio State Court
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Gregory LoCasale Selected as Member of the Federation of Defense & Corporate Counsel

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A Barrier-Breaking Barrister

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11.1.21

Best Lawyers® Recognizes 38 White and Williams Lawyers

8.19.21

Christopher Leise Recognized by US News – Best Lawyers 2022 "Lawyer of the Year"

8.19.21

5th Edition of "General Liability Insurance Coverage - Key Issues in Every State" Now Available

7.13.21

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5.20.21

Anthony Miscioscia Recognized by JD Supra 2021 Readers' Choice Awards

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White And Williams Announces Lawyer Promotions

Three Lawyers Elected to Partnership and Eight Associates Promoted To Counsel

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

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Best Lawyers® Recognizes 43 White and Williams Lawyers

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New Jersey Federal Court Provides Clarification/Limitation on the Application of the Continuous Trigger Theory in Construction Defect Cases
Insurance Coverage and Bad Faith Alert, 2.17.20

No Such Thing as "Institutional Bad Faith," Pennsylvania Superior Court Concludes
Insurance Coverage and Bad Faith Alert, 2.10.20

Massachusetts Court Holds Statute of Repose Does Not Apply to Claims for Failure to Maintain Property
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How a Little-Known Senate Bill Could Help Stem the Tide of Bad Faith Litigation in Florida
Insurance Coverage and Bad Faith Alert, 2.3.20

Pennsylvania Federal Court Holds Insurer Can't Use Insured's Admission to Withdraw Defense
The Temple 10-Q, 1.29.20

The Complex Insurance Coverage Reporter – 2019 Year in Review
The Complex Insurance Coverage Reporter, 1.28.20

Coverage Counsel Authors Insurer's Letters – Leads To Waiver of Attorney-Client Privilege
Insurance Coverage and Bad Faith Alert, 1.24.20

Not All Damages Are Created Equal – the Proper Application of the Economic Loss Doctrine
The Subrogation Strategist, 1.22.20

Homeowners Coverage for Arsonist's Innocent Coinsured: Clarification From the MA Supreme Judicial Court
Insurance Coverage and Bad Faith Alert, 1.21.20

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Insurance Coverage and Bad Faith Alert, 1.8.20

Declarations: The Coverage Opinions Interview With Samantha Power
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The Jury Is Still Out on Elvis

The Wall Street Journal, 1.7.20

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

The Subrogation Strategist, 1.7.20

Illinois Appellate Court Clarifies What Is and Is Not an "Occurrence" in the Construction Defect Context

Insurance Coverage and Bad Faith Alert, 1.6.20

Establishing Proximate Cause Where Both Roads Lead to the Defendant

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Third Circuit Clarifies Standards Governing Confidentiality of Litigation Documents

Reinsurance Alert, 12.13.19

Exxon Prevails in a Major Climate Change-Related Legal Battle, But Many Questions Remain Unanswered

Insurance Coverage and Bad Faith Alert, 12.12.19

PTSD May Be Covered As "Bodily Injury" If It Resulted From Physical Injuries, Pennsylvania Appeals Court Holds

Insurance Coverage and Bad Faith Alert, 12.6.19

Idaho Formally Adopts an Independent Tort for Third Party Spoliation

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Applying *Mighty Midgets*, NY Court Awards Legal Expenses to Insureds Which Defeated Insurer's Coverage Claims

Insurance Coverage and Bad Faith Alert, 11.22.19

Declarations: The Coverage Opinions Interview With John Grisham

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Is Football Violence a Crime?

The Wall Street Journal, 11.18.19

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

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The Insurer's Duty to Defend: Pre-Suit Demand Letters

The Brief, Fall 2019

Tennessee Looks to Define Improvements to Real Property

The Subrogation Strategist, 11.8.19

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The Imitation Game - Using Exemplars at Product Examinations
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Latest Developments in the Opioids Crisis
AIRROC Spring Membership Meeting 2022, March 29-30, 2022

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

Per- and Polyfluoroalkyl Substances (PFAS) Panel
CPCU Reinsurance & Excess Surplus Lines Symposium, March 9, 2022—March 10, 2022

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PLRB Conquering Policy Coverage Issues Webinar Series, 2.17.22

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Is Your Insured in a Financial Crisis? Not Sure What to Do Next?
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PFAS are Here to Stay: The "Forever Chemical" That Will Impact the Industry for Years to Come
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4th Annual Construction Defect, Claims & Litigation Strategies ExecuSummit (Uncasville, CT), December 10-11, 2019

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