

Insurance Law and Litigation

Recognized In *Best's Directory of Recommended Insurance Attorneys*



defense requires a focus on

Avoiding or minimizing the exposures to claims, and vigorously defending those that result in civil suits, are essential for survival in the insurance industry and corporate world. Successful defense requires a focus on risk avoidance, in-depth understanding of coverage issues and bad faith, and the ability to aggressively advocate on the clients' behalf. Our firm also has a renowned reputation for actually trying cases to verdict when necessary.

The attorneys in the Insurance Law and Litigation Group at Dickie, McCamey & Chilcote represent national, regional, and local insurance companies in all of our offices and are poised to act thoughtfully and decisively on their behalf.

With an increasing emphasis on mediation and early resolution of claims and civil lawsuits, our attorneys recognize the needs of their clients and insurance carriers to move cases toward a disposition as quickly as reasonably possible.

We represent clients in matters such as coverage, coverage litigation, rights and duties between insurers and reinsurers, defense of third-party tort claims and litigation, first-party litigation, subrogation, indemnity, and criminal negligence defense. Our services include:

Extracontractual Liability/Bad Faith

Bad faith claims have the potential to result in extra-contractual exposure, punitive damages, and even pattern and practice claims. We have represented insurers in hundreds of bad faith matters including institutional attacks. As a result, we know how plaintiffs develop bad faith claims and what it takes to defend — and even prevent — bad faith disputes.

Representation of Insured Parties

At Dickie McCamey we begin each case with a comprehensive review of the claim file and relevant case law. Our attorneys meet with each insured party client to reassure them of our representation and advocacy. We take a dual approach to every case, developing an aggressive trial strategy while simultaneously striving to minimize the time and cost incurred as a result of the dispute. Our Group advocates settlement whenever possible and when reasonable in order to serve the client's best interests. We are viewed in the industry as leaders in specialty litigation involving the defense of professionals, directors and officers, financial enterprises, and others.

Specialty Coverage Issues Including Cybersecurity Coverage

Our Group represents clients in emerging and specialty coverage areas, including cybersecurity and cyber insurance coverage issues. We are also approved outside panel counsel for several national insurance carriers for professional liability matters, railroad matters, maritime and aviation law, director and officer liability and coverage, trucking claims and coverage issues, commercial coverage matters, product liability, and construction issues, among others.

Coverage Issues/Opinions/Litigation

Dickie McCamey attorneys have a deep familiarity with coverage issues, the trends in such disputes, and how they must be addressed to minimize the risk of bad faith. Using this knowledge and an understanding of the controlling case law, we prepare defense strategies for our clients and provide coverage opinions to help them understand how they should adapt their practices to avoid potential disputes. We also provide representation directly to carriers in coverage litigation.

Claims Preparation Audits

Claims from bad faith and coverage issues begin and end with the claim file. Everything that goes into the claim file can become an essential piece of evidence in a lawsuit. Our core group of insurance law and litigation attorneys is trained to audit clients' claims preparation procedures. These audits identify vulnerabilities, show clients any potential liability exposures, and are the first steps in improving claims practices and minimizing risk.

Claims Preparation Training

Proper claims preparation procedures offer the best opportunity to avoid bad faith and other insurance litigation matters. When requested, our firm advises claims departments on how to modify and improve their claims procedures. We work with claims staff to make sure they understand how claim files are used in court, demonstrate best practices for documentation, and point out how to avoid common mistakes that plaintiffs use against insurers in court.

Several of the members of the Insurance Law and Litigation Group have been selected for inclusion in *The Best Lawyers in America*[®] and have achieved AV Preeminent Rating by Martindale-Hubbell[®] Peer Review Rating[™]. Additionally, Robert J. Marino, the Chair of our Group, has been elected to the prestigious American College of Trial Lawyers. Recognized as the premier organization of trial lawyers in North America, membership to the American College of Trial Lawyers is by invitation only and limited to no more than one percent of the total lawyer population for any given state or province.

To learn more about the capabilities of the Insurance Law and Litigation Group, contact **Robert J. Marino** at 412-392-5221 or rmarino@dmclaw.com.