

Insurance Coverage & Bad Faith Defense

We specialize in creatively defending all types of claims arising from insurance policies, including in-depth coverage opinions, defense of claims against an insured while balancing the equities of providing such a defense under a reservation of right, direct actions against insurers from third-party victims of accidents involving an insured, and to bad faith litigation brought by the insured.

We recognize and fully appreciate the insurer's need to keep litigation costs at a minimum. Therefore, we bring diverse mindsets and skill-sets from our national framework of lawyers to the table, providing the most rational, yet innovative, solutions for your claims.

FormanWatkins' experience includes:

- Coverage opinions as to whether an employer's general commercial policy covers claims against the employer for loss of consortium due to fraternization between employees
- Direct actions against insurers brought by victims of car accidents
- Bad faith claims by insureds against their carriers related to the question of whether damage was caused by flood or wind from hurricanes across the Gulf Coast
- Litigating the question of whether the theft of copper from churches destroyed by Hurricane Katrina resulted in double recovery where such churches had already been paid for the "complete" destruction of the buildings at issue

Similarly, many insurance policies call for an insured to submit a claim to appraisal prior to litigation. We have successfully moved to require that such an appraisal take place before the insured's claim is allowed to proceed further and navigated the stages of such appraisals, including the choice of appraisers and independent umpires. Our team has also handled mediations of any differences in the values of claims after an umpire has rendered his decision following such appraisals.