Who We Are and What We Do

Cozen O'Connor is the leading subrogation law firm in the United States with offices in 22 cities, including overseas. Our marine subrogation and recovery program offers unmatched experience and resources in all lines of maritime property losses, including ocean, inland, air and freight. In addition to our 100 subrogation attorneys in nearly every major market, we have more than 50 seasoned recovery analysts working with our subsidiary companies, Maritime Subrogation Services and National Subrogation Services, which handle ocean and inland marine claims below the threshold of Cozen O'Connor’s large loss subrogation programs. There is seamless integration among Cozen O'Connor and MSS/NSS that provides our clients with a simple one-stop shopping approach for new assignments.

Our contingency program significantly enhances the profitability of our clients' operations while simultaneously reducing legal expenses. Internationally, the vast majority of jurisdictions around the globe have approved the utilization of contingent fees, allowing us to partner with corresponding counsel in the pertinent local jurisdiction and provide our clients with two firms for the price of one. Our clients pay no fee if there is no recovery in a contingency case. In those very limited jurisdictions that mandate local counsel work on an hourly fee structure, Cozen O'Connor still will quarterback the marine subrogation claim pursuant to our standard contingent fee approach and thereby substantially reduce the hourly expense incurred by our foreign local counsel.

Cozen O'Connor regularly pursues the following property marine losses:

- **Cargo Claims:** Following the Supreme Court’s *Kirby* decision, some recoveries against railroads or truckers for damage to cargo moving under multimodal bills of lading may be adjudicated on maritime principles, whether the loss was on land, sea or air. Alternatively, Carmack or other laws or treaties may offer better recoveries. We pursue recovery on such property as construction equipment, fine arts, wind turbines and movie equipment, basically any property that can be transported, loaned or stored in the custody of a bailee.

- **Marina Losses:** Cozen O'Connor has represented vessel underwriters, boat owners, and dock and pier underwriters for damages arising out of major marina fire losses. Marina fires can create troublesome claims because of the difficulties arising from many competing public and private interests.

- **Vessel Losses:** Cozen O'Connor regularly represents insurers of commercial vessels and pleasure craft damaged on navigable waters. We are trained on what to look for with such losses as mast failures or engine fires, collisions or allisions, swells or suctions. We know the law and standards applicable to each such failure.
Representative Matters

- J.T. International: A shipment of tobacco awaiting transport to Belgium was damaged by hurricane flooding in a Mexican container yard. No ocean bill of lading had been issued and there was no basis for application of U.S. law or jurisdiction. Cozen O’Connor obtained a substantial recovery by convincing the ocean carrier it was not entitled to an Act of God defense, given storm warnings and the terminal operator’s failure to elevate containers in advance of the storm.

- Exportadora del Sal/Lexington Ins., Co. v. Grupo Nacional Provincial, S.A.: Pursuant to a reinsurance contract with a Mexican insurer, a U.S. insurance company paid a substantial amount for dock damages resulting from a vessel allision in Mexico. On behalf of the U.S. reinsurer, Cozen O’Connor discovered that, without notifying the reinsurer, the Mexican insurance company had recovered nearly the entire amount of loss from the offending vessel’s P&I club. When our demand for the reinsurer’s share of recovery was refused, we located premiums collected in the United States for the Mexican insurer and seized the premiums by writ of attachment. Immediately thereafter, recovery was obtained from the Mexican insurance company, which otherwise was not amenable to U.S. jurisdiction.

- Brooklyn Bridge: A crane was on a barge in transit to its intended destination when it crashed into scaffolding installed under the Brooklyn Bridge. The culpable party led a limitation action and Cozen O’Connor successfully litigated a recovery for the subrogated carrier.

- Gig Harbor: We successfully recovered for multiple insurers when over 50 boats caught fire at this marina in Seattle.

- New Orleans River Walk: Cozen O’Connor represented numerous insurers in a highly successful recovery action arising out of allision damage to the River Walk facility.

- APL China, Hyundai Confidence, CSX Discovery, MSC Carla: Cozen O’Connor attorneys have represented cargo interests in overboard container cases filed on both the East and West Coasts.

Selection of Experts

Cozen O’Connor maintains a comprehensive database of forensic consultants, based upon their area of expertise, location and performance record. This allows us to quickly locate marine surveyors, engineers and other battle-tested expert witnesses who we will engage on your behalf.

Case Reporting

Cozen O’Connor provides immediate electronic acknowledgement of the assignment and regular narrative status reports from our handling attorneys. In addition, we provide our clients with monthly and quarterly electronic database reports containing information on all pending and closed files.

Cozen O’Connor and our subsidiary companies utilize a unique subrogation claims database that was constructed on an iVOS platform and is substantially customized to achieve a comprehensive architecture designed specifically for subrogation claims. Fields of information include identification of your insured, claim number, policy number, date of loss, line of business, claim amount, potentially responsible parties, and claim status, as well as a complete financial folder including projected and actual recovery amounts and associated fees and expenses. iVOS is accessible by claims managers and examiners at your company via the Internet, enabling our claims database to be viewed on a real time basis so that you can obtain up-to-date, comprehensive information. iVOS also has a robust reporting function enabling our clients to run reports as an internal management tool.

Our Resources are Your Resources

Our marine subrogation attorneys and recovery analysts are experienced in all aspects of maritime law, ranging from major allisions to marina fires to losses involving damage to goods in transit. Our attorneys have authored numerous articles and reference papers on maritime legal issues, all of which are available to you by accessing our website at cozen.com.

We also provide maritime recovery alerts to our clients, focused on cutting edge legal issues, as well as scientific and forensic updates.
MARINE SUBROGATION & RECOVERY

Getting Started
For additional information concerning Cozen O’Connor’s marine subrogation practice, please contact Robert Phelan, chair of our Marine Subrogation and Recovery Group, or visit our website at cozen.com.

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About Cozen O’Connor
Established in 1970, and ranked among the largest law firms in the United States, Cozen O’Connor’s 575 attorneys help clients manage risk and make better business decisions. The firm counsels clients on their most sophisticated legal matters in all areas of the law, including litigation, corporate and regulatory law. We represent a broad array of leading global corporations and ambitious middle market companies, and serve their needs through 23 offices across two continents.