



Tracy L. Eggleston

Member

Charlotte

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Tracy Eggleston concentrates her practice on complex insurance matters and commercial litigation.

Tracy has extensive experience in various insurance coverage matters, including first-party property, comprehensive general liability, maritime, bad faith, and life, health, disability and ERISA claims. In addition, she has substantial experience defending construction defect claims and product liability matters, as well as litigating the coverage issues arising from those claims. She has successfully represented various carriers both at the trial court level and on appeal.

Tracy earned her Bachelor of Arts from Furman University in 1979, where she graduated with high honors. She earned her law degree from the University of South Carolina in 1982.

Experience

Won summary judgment in a case centered on the liquor liability exclusion in South Carolina. The matter arose out of an automobile accident in which four people, including two police officers, were injured by an intoxicated driver who had patronized the insured's bar immediately before the accident. The claimants argued that the insured was liable for negligent acts that were separate and unrelated to its service of alcohol, such that there were two occurrences under the CGL coverage. In granting our motion for summary judgment, the court confirmed that the liquor liability exclusion barred any coverage under the CGL policy because, absent the expressly precluded conduct, there would be no causal connection between the alleged negligence and the resulting injury. Further, the court rejected the claimants' attempts to create ambiguity regarding the extent of coverage available under the Liquor Liability form, and confirmed that a single \$1 million limit applied.

Won summary judgment on behalf of the insurer in a case seeking a declaratory judgment that it had no duty to defend in connection with claims stemming from defective construction. This decision was affirmed by the U.S. Court of Appeals for the Fourth Circuit. *Breezewood of Wilmington Condominium Homeowners' Ass'n, Inc. v. Amerisure Mutual Ins. Co.*, 335 Fed. Appx. 268 (4th Cir. 2009).

Practice Areas

- Casualty & Specialty Lines Coverage
- Insurance Coverage
- Bad Faith
- Professional Liability Insurance Coverage

Industry Sectors

- Insurance

Education

- Univ. of South Carolina—Columbia, J.D., 1982
- Furman University, B.A., 1979

Bar Admissions

- North Carolina
- South Carolina

Court Admissions

- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court -- Eastern District of North Carolina
- U.S. District Court -- Middle District of North Carolina
- U.S. District Court -- South Carolina
- U.S. District Court -- Western District of North Carolina

Affiliations

- American Bar Association
- Mecklenburg County Bar Association
- North Carolina Bar Association
- South Carolina Bar Association

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