



Maria Louise Cousineau

Member

Los Angeles

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Maria Louise (Ria) Cousineau concentrates her practice in complex insurance coverage matters and bad faith litigation, addressing issues in property and liability policies in both commercial and personal lines. She is admitted to the California and Nevada bars, as well as the federal courts in both states. Ria has defended insurer clients, through trial and appeal, in bad faith and coverage litigation in California, Nevada, and Oklahoma, and regularly counsels insurer clients on complex coverage questions. She has represented property insurers in numerous class actions in California. She is often asked to assist attorneys in other regions in preparing institutional cases and witnesses for deposition and trial.

Ria is a member of the ABA, the California and Nevada Bar Associations, the LA County Bar Association, DRI, the Loss Executives Association, and the National Association of Insurance Women. She volunteers as a mediator/arbitrator for numerous courts in Los Angeles County and regularly provides pro bono legal services to people of limited means.

Ria earned her J.D., *cum laude*, from Southwestern University. While in law school, she was an extern to the Honorable Arthur Alarcon, 9th Circuit Court of Appeals. After graduating, she served as a judicial law clerk to the Honorable Charles Springer, Chief Justice of the Nevada Supreme Court. She received a B.A. in Social Ecology from the University of California at Irvine.

Experience

Published Opinions

In re Ins. Installment Fee Cases, 211 Cal. App. 4th 1395, 150 Cal. Rptr. 3d 618 (CA Ct. App. 2012) [Class Action - service charges for monthly premium payments]

MRI Healthcare Center of Glendale, Inc. v. State Farm General Ins. Co., 187 Cal. App. 4th 766, 115 Cal. Rptr. 3d 27 (CA Ct. App. 2010) [Bad Faith case regarding dispute over physical Loss to property]

Koszdin v. State Comp. Ins. Fund, 186 Cal. App. 4th 480, 112 Cal. Rptr. 3d 494 (CA Ct. App. 2010) [Class action regarding claims for interest payments on workers' compensation awards]

Benavides v. State Farm General Ins. Co., 136 Cal. App. 4th 1241 (CA Ct. App. 2006) [Challenge to a jury finding of negligence in absence of bad faith]

Mediterranean Constr. Co. v. State Farm Fire & Casualty Co., 66 Cal. App. 4th 257, 77 Cal. Rptr. 2d 781 (CA Ct. App. 1998) [Right to oral argument on summary judgment motion]

Orr v. Byers, 198 Cal. App. 3d 666, 224 Cal. Rptr. 13 (CA Ct. App. 1998) [Applying the doctrine of *idem sonans* in title insurance claim]

Hackethal v. Nat'l Casualty Co., 189 Cal. App. 3d 1102 (CA Ct. App. 1987) [Bad faith action on income reimbursement policy]

In re Couch, 80 B.R. 512, 1987 U.S. Dist. LEXIS 13046 (USDC SDCA 1987) [Discovery of reserves]

Practice Areas

- Bad Faith
- Insurance Coverage
- Professional Liability Insurance Coverage
- Property Insurance

Industry Sectors

- Insurance

Education

- Southwestern University School of Law, J.D., *cum laude*, 1984
- University of California at Irvine, B.A., 1981

Bar Admissions

- California
- Nevada

Affiliations

- California Bar Association
- Nevada Bar Association
- Los Angeles County Bar Association
- DRI
- Loss Executives Association
- National Association of Insurance Women

Awards & Honors

- Best Lawyers in America 2020

Clerkships

Honorable Charles Springer, Supreme Court of Nevada

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Unpublished Opinions

Sigelman v State Farm Gen Ins Co., 2013 Cal. App. Unpub. LEXIS 7843, 2013 WL 5827707 (CA Ct. App. 2013) [Demolition of insured's own property is not an accidental direct physical loss]

Century Surety Co. v. 350 W.A. LLC, 539 Fed. Appx. 749, 2013 U.S. App. LEXIS 17596 (9th Cir. 2013) [Policy rescission]

Imperial Tile & Stone v State Farm Gen. Ins. Co., 2012 Cal. App. Unpub. LEXIS 1557, 2012 WL 676233 (CA Ct. App. 2012) [Bad faith claim arising out of employment practices exclusion in CGL]

Henriks v. State Farm Mut. Auto Ins. Co., 2010 Cal. App. Unpub. LEXIS 6574, 2010 WL 3245766 (CA Ct. App. 2010) (Anti-SLAPP statute)

House v State Farm Fire & Casualty Co., 17 Fed. Appx. 684, 2001 U.S. App. LEXIS 19894 (9th Cir. 2001) [Fraudulent submission in a business interruption claim]

Obtained a writ of pre-judgment attachment for \$2.5 million, plus interest, which represented the amount our insurance company client paid to its insured as clean-up costs (under a full reservation of rights) pending an investigation into the cause of a chemical spill, explosion, and fire at a wastewater treatment facility. After we filed a declaratory relief action, seeking resolution of the coverage issues, several employees of the insured, including its upper management, were indicted for crimes relating to the operations of the facility, further impacting the coverage disputes. Then, upon learning the insured was negotiating the sale of the company, we sought a Pre-Judgment Attachment in an effort to protect our client's assets and guarantee repayment if we succeed in the declaratory relief action. In granting the Application for Pre-Judgment Attachment, the trial court found that we established the probable viability of our client's underlying claims that the loss at issue was not covered, and for rescission on the grounds of misrepresentation. This Pre-Judgment attachment order was affirmed on appeal.