



# John David Dickenson

## Member

## West Palm Beach

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### Practice Areas

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

### Industry Sectors

- Insurance

### Education

- Stetson University College Of Law, J.D., *cum laude*, 2002
- Lafayette College, B.A., 1996

### Bar Admissions

- Florida

### Court Admissions

- U.S. District Court -- Middle District of Florida
- U.S. District Court -- Northern District of Florida
- U.S. District Court -- Southern District of Florida
- U.S. Court of Appeals for the Eleventh Circuit

### Affiliations

- Palm Beach County Bar Association
- Florida Defense Lawyers Association
- Order of Barristers
- Palm Beach County Chamber of Commerce
- Member, State Board of Directors and State Government Relations Committee, Coastal Conservation Association

### Awards & Honors

- Super Lawyer "Rising Star" (Florida) 2009-2011, 2013
- Leadership West Palm Beach Selection, 2007

John David (J.D.) Dickenson focuses his practice in the area of insurance and reinsurance. He represents insurers and risk retention groups in complex coverage, claims handling, and bad faith litigation and also provides coverage and excess exposure opinions. He regularly counsels insurers on medical and legal professional liability, general liability, first party property matters and directors' and officers' coverage.

He regularly counsels insurers on medical and legal professional liability, general liability, first party property matters and directors' and officers' coverage. His work includes monitoring potential excess exposure issues, conducting complex coverage analysis, and handling multiple claimant issues.

J.D. practices in state and federal court and has tried cases to verdict in both venues. He also handles complex commercial litigation matters including insurance regulatory, securities, and real property related litigation.

J.D. has been selected for inclusion in the Florida Super Lawyers - Rising Stars edition numerous times. In his free time, J.D. is an avid outdoorsman and conservationist. He is a member of the State Board of Directors of the Coastal Conservation Association Florida, founder of its South Palm Beach Chapter and Chairman of its Statewide Habitat Restoration Committee.

J.D. earned his bachelor's degree from Lafayette College and graduated *cum laude* from Stetson University College of Law.

## Experience

Secured summary judgment in a professional liability coverage dispute in which the court ruled that our client had no duty to defend or indemnify a man who pretended to be a licensed mental health counselor and was sued when one of his clients died by suicide. This win was affirmed by the U.S. Court of Appeals for the Eleventh Circuit.

Won summary judgment in a case filed against our professional liability carrier client to enforce an arbitration award under which the client faced exposure of more than \$3 million. In granting summary judgment, the court found that the client had no duty to defend or indemnify the plaintiff insurance agency in light of both an insured v. insured exclusion in the policy and the agency owner's prior knowledge of the facts underlying the claim, which rendered it untimely reported.

Obtained dismissal of a lawsuit centering on an alleged improper failure to pay death benefits to third-party beneficiaries, stemming from an airplane accident in Shanghai, China. In granting the motion, the court accepted our argument that pursuant to a forum selection clause in the policy, the claims could only have been brought in England or Wales. Before filing the motion to dismiss, we successfully removed the case from state court.

Counsel for regional homeowners carriers, advising on complex coverage and excess exposure issues including handling time limited demands, multiple claimant issues and declaratory judgment actions in Florida.

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Obtained a dismissal for a London Market carrier of a wrongful death related coverage matter involving an aviation accident that took place in Beijing, China with an \$8MM exposure in U.S. District Court for the Southern District of Florida.

Counsel for risk retention groups and insurers and responsible for monitoring and litigating high exposure medical and legal professional claims in US against substance abuse rehabilitation centers, urgent care clinics, and medical practices. Obtained favorable settlements in numerous jurisdictions.

Obtained a defense verdict in a jury trial in U.S. District Court for the Southern District of Florida for a medical professional liability risk retention group in a coverage case involving an underlying wrongful death claim involving a Miami Urgent Care Clinic and a potential \$3MM excess exposure.