



Philip R. King

Member

Chicago

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Practice Areas

- Professional Liability Insurance Coverage
- Professional Liability
- Casualty & Specialty Products Insurance
- Insurance Coverage

Education

- Case Western Reserve University School of Law, J.D., 1984
- Grove City College, B.A., 1981

Bar Admissions

- Illinois
- Arizona

Court Admissions

- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court -- Northern District of Indiana
- U.S. District Court -- Northern District of Illinois
- U.S. District Court -- Central District of Illinois
- U.S. District Court -- Southern District of Illinois
- U.S. District Court--Western District of Michigan

Affiliations

American College of Coverage Counsel

Awards & Honors

- Super Lawyers (Illinois) 2005-2006, 2008-2018
- Illinois' Leading Lawyers by the Leading Lawyers Network
- Leading Lawyers Network 2017 and 2019

Philip King has a varied practice in the areas of insurance coverage, professional liability defense, and construction law. His experience with insurance coverage nationwide includes all types of commercial lines including all aspects of professional liability (including design professionals, health care, lawyers, insurance agents and miscellaneous professionals), directors and officers, employment practices and fiduciary liability, general liability, construction defect, mass tort and environmental coverage on both a primary and excess basis and representation of insurers in bad faith litigation. He also represents architects, engineers, surveyors, insurance brokers, real estate brokers and lawyers in professional liability cases.

Phil has represented insurers in trials, arbitration proceedings and before several federal and state appellate courts. He has been repeatedly recognized as a Leading Lawyer and Super Lawyer in the area of insurance coverage. Phil was recently elected as a fellow of the American College of Coverage and Extracontractual Counsel.

Phil speaks and writes for insurance and construction litigation seminars. He is a frequent speaker on coverage and claims handling for insurers.

Phil earned his undergraduate degree magna cum laude from Grove City College in 1981 and his law degree from Case Western Reserve University in 1984 and was a member of the Order of the Coif.

Experience

Obtained summary judgment in favor of our insurance company client in an action seeking a declaration that the company had no duty to defend or indemnify a law firm and two former lawyers at the firm under a professional liability policy in connection with their representation of five students who brought claims against school districts under the Individuals with Disabilities Education Act (IDEA). In granting the summary judgment motion, the court held that the client had properly denied any duty to defend or indemnify on the basis that the relief sought by the school districts was a sanction and therefore outside of the policy definition of "damages."

Won summary judgment on behalf of our insurance company client, with the court finding no duty to defend or indemnify a manufacturer seeking coverage under a Commercial Auto Policy for a multi-million dollar bodily injury claim stemming from severe and permanent injury to an independent contractor tractor-trailer driver sustained in the process of manually tarping a load of steel pipes at the manufacturer's facility. In granting summary judgment, the court accepted our argument that the manufacturer was not "using" the covered vehicle at the time of accident merely because the tractor-trailer was on its property and carrying its product. The court therefore ruled that coverage was not triggered under the provision of the policy defining as an insured anyone "using" a covered auto.

Obtained summary judgment, and affirmance on appeal, that an insurer owed no duty of coverage for a natural gas pipeline lawsuit arising out of a massive sinkhole, caused by the collapse of an underground salt dome wall due to brine mining operations, based on the absence of property damage triggering pre-sinkhole policies.

Presented oral argument before appellate courts in insurance coverage matters in Illinois, Louisiana,

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New York, Texas and before the United States Courts of Appeal of the Fourth and Seventh Circuits.

Obtained summary judgment affirmed on appeal for insurer with respect to coverage for nationwide class action bodily injury claims under general liability policies.

Represented insurer in resolving claim under D&O policy involving underlying qui tam lawsuit alleging False Claims Act violations.

Obtained summary judgment finding of no coverage based on prior knowledge defense for underlying legal malpractice claim involving wrongful death suit.

Represented insurer in resolving coverage dispute under design professional liability policy with respect to multi-million dollar alleged ADA violations for design and construction at projects nationwide.

Successfully defended insurer against breach of contract and bad faith claims arising out of construction defect coverage dispute and claims handling.

Obtained appellate judgments for insurer in coverage disputes under managed care liability policy involving underlying class actions alleging improper administration of prescription drug plans and obtained additional appellate ruling that insurer was entitled restitution of amounts paid for defense pursuant to a trial court order which was reversed on appeal.