

# Professional Liability Insurance Coverage

Professional liability is one of the most fluid segments of the insurance industry because the potential exposures and insurance products change constantly in response to market conditions. Cozen O'Connor's team of recognized professional liability coverage attorneys practice on the cutting edge of this dynamic and high-stakes field.

Our firm serves domestic and international insurers of the full range of professional specialties, from banking and investment to law and healthcare. We have experience with virtually all categories of professional liability coverage.

Our attorneys are particularly well known for their work as insurer counsel with respect to directors and officers (D&O) and errors and omissions (E&O) policies. From the insider trading scandals of the 1980s to the financial crisis of 2008, Cozen O'Connor has played a critical role in most major professional liability coverage disputes in recent memory.

The firm also includes attorneys who focus on medical, legal, accounting, architectural, and other professional coverage. These types of policies are unique because they are structured around the duties, language, and norms associated with specific industries. Through decades of careful service, our attorneys have developed deep and essential knowledge about the underlying covered professions.

Cozen O'Connor assists insurers in all aspects of policy development and claims handling, including policy design and drafting, bordereau reporting of E&O and D&O programs, coverage analyses, claims investigations, mediations, settlement negotiations, and trials. Our goal is to resolve issues quickly and amicably, but we are absolutely prepared to take large coverage cases to verdict when necessary.

The firm is also distinguished by its geographic scope. With offices in 27 cities across the United States, as well as in London and Toronto, we have the capability to respond wherever and whenever coverage issues arise. Cozen O'Connor can offer clients premier service in every jurisdiction in the country at rates that are transparent and sustainable.

## Experience

Won summary judgment on behalf of a hospital's retention in a case in which a neurologist sought defense and indemnity coverage for a \$2.8 million verdict in an underlying suit. The predicate suit was brought by a former patient who alleged that the insured stalked her after their romantic involvement ended, causing her to suffer emotional distress.

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.

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."



**Angelo G. Savino**  
Chair, Professional Liability Practice Group

asavino@cozen.com  
Phone (212) 908-1248  
Fax (917) 521-5854



**Gary L. Gassman**  
Member

ggassman@cozen.com  
Phone (312) 474-7994  
Fax (312) 706-9756

## Related Practice Areas

- Bad Faith
- Casualty & Specialty Lines Coverage
- Insurance Coverage
- Property Insurance
- Reinsurance

## Industry Sectors

- Insurance

Settled coverage action commenced by U.S. Bankruptcy Court Trustee against a professional liability insurer for a nominal sum after securing win on motion to withdraw the reference from bankruptcy court.

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