



2014 Year In Review

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On Tuesday, Jan. 27, Barnes & Thornburg insurance recovery attorneys presented on 2014's major legal developments and trends in insurance coverage and recovery. Approximately 145 people joined the webinar and learned more about how past events affected:

- Directors and Officers (D&O) coverage
- Excess umbrella liability coverage
- Coverage for business torts and consumer false advertising claims

- Coverage for environmental contamination claims
- Cyber liability and data breach

Charlie Edwards opened the discussions with comments about directors and officers liability insurance coverage, what D&O coverage decisions were issued in 2014, what key terms insureds should consider when looking at D&O coverage, and what insureds should expect in the marketplace for 2015.

Chris Lynch then discussed developments in excess and umbrella liability insurance cases in 2014. He noted discussions about obligations of umbrella and excess carriers to take over a defense and resolve a claim, and whether those carriers can bring bad faith claims against primary carriers.

David Schack discussed developments in 2014 in the context of coverage for business torts and false advertising. California courts had issued interesting decisions regarding the scope of personal and advertising injury coverage under commercial general liability (CGL) insurance policies in 2014. David discussed how those decisions should influence commercial insureds' views on pursuit of coverage for false advertising and business tort lawsuits against them.

Charlie Denton covered the landscape of decisions in the context of environmental contamination claims. Charlie explained decisions regarding the choice of law for CGL coverage of latent injury claims and how those could affect coverage.

Scott Godes closed the webinar with a discussion about developments in cyber risks and insurance from 2014. Scott discussed changes in the liability landscape, including a decision allowing issuing banks to pursue a retailer after a payment card breach and the incident that affected a major entertainment company. Scott discussed developments in caselaw discussing whether personal and advertising injury coverage under CGL policies provide coverage for data breaches. He also highlighted a crime insurance case and cybersecurity. Finally, Scott discussed the insurance marketplace as it relates to cyberrisks for 2015. To obtain more information on the presentations, contact Charlie Edwards.