# INSURANCE

Johnson & Bell's Insurance group works with insurance companies, corporations and self-insured entities to resolve complex coverage issues arising from claims made on both first- and third-party insurance policies. Many of these issues arise from the alleged failure to defend under liability policies or arise out of a failure to settle claims that result in bad-faith litigation. Our coverage attorneys are adept at trying declaratory coverage actions. They are also skilled trial lawyers, active in various state courts, federal courts and administrative agencies, and provide a full-suite of services to help our clients avoid litigation if possible

**Third-party coverage case experience includes:**

- Advertising injury
- Bodily injury
- CGL
- Class action
- Commercial auto policies
- Construction defect
- Construction injury
- D&O Liability
- E&O Liability
- Environmental issues
- Excess liability
- Health Care professional liability
- Municipal liability
- Police misconduct
- Product liability
- Property damage
- Sexual misconduct
- Umbrella liability

**First-party coverage case experience includes:**

- Arson
- Fraud
- Fidelity
- Intentional acts
- Employee dishonesty
- Uninsured and underinsured motorist coverage

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## CLIENT RESULTS

Plaintiff Claims $2.25M in Damages for Auto Rear-Ender “Not Too Much.” Jury Disagrees, Awards $11,000

Federal Court Rules Trust Administrators Will Get No Coverage

Sub’s Certificate of Insurance Insufficient to Garner Duty to Defend/Indemnify General Contractor

Johnson & Bell Obtains 7th Circuit Appellate Win in Coverage Dispute

Appellate Court Affirms Summary Judgment in Favor of Insurer in Underinsured Motorist Coverage Dispute

Glenn F. Fencl Obtains Summary Judgment in CGL Policy Dispute

Macksey, Boehm Secure Appellate Win in $2M Coverage Case

Second Time Around, Hearn Secures (Another) Favorable Outcome in Motorcycle Lawsuit Seeking $1.1M

Fencl Saves Client $1.3M in Breach of Contract Insurance Dispute

Fencl Receives Summary Judgment in Construction Injury Coverage Dispute Seeking Recovery of $1.6M

Fencl Obtains Summary Judgment in Insurance Coverage Case Seeking $2 Million

Glenn F. Fencl Saves Client $400K in Insurance Coverage Dispute

Motorcycle Club Member Claims "What’s Yours is Mine." Indiana Federal Court Disagrees.

Appellate Court Ruling Grants General Contractors and Construction Managers New Protection in Section 414 Actions

Appellate Court Affirms Summary Judgment Against “Virtual Physical Contact” Assertion

Ioerger v. Halverson Construction Co., Inc., et al., No. 3-06-0367 (3rd Dist. 2007)

## PUBLICATIONS

Illinois Supreme Court Recognizes Broad Statutory Immunity to Health Care Facilities Invoked by COVID-19 Executive Order

Case Law Overview: In Coverage Dispute, Seventh Circuit Affirms that a Self-Insured Retention Does Not Make the Insured an Insurer. Insured Did Not Owe a Duty of Good Faith and Fair Dealing to the Excess Carrier

Case Law Overview: Defense Dodges $8M Verdict in Negligent Misrepresentation of Insurance Coverage Lawsuit

Case Law Overview: In Construction Site Insurance Coverage Dispute, Silence on Subcontractor’s Potential Negligence Sufficient to Create Duty to Defend

New Developments In Insurer Liability For Excess Judgments In Illinois

Can The Underlying Plaintiff Collect More Than The Amount of the Underlying Judgment in Third Party Failure to Settle Cases?

Tendering Claims: Court Ruling Underscores Why Sooner Is Better

Rapid Response to Data Breach Required to Avoid Liability

Self-Insured Retentions and High Deductibles: Their Impact on Insurers and Policyholders

Important Insurance Coverage Cases for Contractors

"Bad Faith": What Does It Mean? An Overview of Bad Faith/Failure to Settle Third-Party Actions Under Illinois Law

New Illinois Appellate Court Decision Gives Direction on Meaning of "Property Damage" and "Occurrence" in Commercial General Liability Policies


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