

Insurance Coverage

Whether you need a formal or expedited insurance coverage legal opinion, or a declaratory judgment lawsuit filed to confirm what is and is not covered by an insurance policy, Novara Law has the skill and experience to meet your needs. Well-versed in the application and interpretation of every type of insurance policy product, our insurance coverage lawyers have up to 30 years of experience interpreting and enforcing insurance policy language. We have handled insurance coverage disputes involving the National Prescription Opiate Multi-District Litigation, as well as state-wide business interruption insurance claims arising from the Covid-19 pandemic. Whether you need a large-scale response or a single claim analysis, we have the expertise to evaluate insurance coverage. We also provide a fresh set of eyes for coverage analysis and litigation strategy to achieve optimal results on large cases where outcome is of the utmost importance. In those instances, we work with existing coverage counsel to ensure the best outcome.

COMMERCIAL AUTO POLICIES

Commercial auto accidents can give rise to complex coverage disputes regarding which insurance policies are responsible for defense and indemnification, and in what order of priority. For example, the tractor and trailer can be separately insured, as can the cargo. There are MSC-90 endorsements for public liability. There are also Non-Trucking Liability and Excess policies that affect insurer responsibility. We can help insurers and self-insured motor carriers navigate these issues by preparing coverage opinions and offering practical solutions to resolving insurance coverage disputes through negotiation, alternative dispute resolution and, when necessary, litigation.

COMMERCIAL GENERAL LIABILITY POLICIES

Commercial General Liability insurance policies provide general defense and indemnification to insureds, but there are times when there are multiple available policies, as in the case of general and sub-contractors. This can lead to insurers tendering these obligations to one another and generating confusion as to which insurer is responsible to provide insurance coverage. We can help insurers understand and evaluate their rights and obligations, and we can work with legal counsel for other insurers to establish which carrier is primarily responsible, either through negotiation or court order. When there are multiple layers of insurance coverage, we can work out fee-split arrangements and negotiated settlements that limit the need for litigation and allow insurers to meet their obligations to their insureds promptly. When litigation is necessary, we can streamline the legal issues so that a court can decide the issue as soon as possible.

CYBER-LIABILITY POLICIES

Over the past decade, the number and diversity of cyber-liability insurance products have grown substantially. Understanding what is, and is not, covered with these insurance products requires a thorough knowledge of how these policies developed and how they have been enforced under a particular state's laws. Our team of experts can help you understand the scope and duties for insurers arising under these policies for this fast-expanding area of insurance coverage.

ERRORS & OMISSIONS POLICIES

Errors & Omissions insurance policies cover an entirely different scope of work than Commercial General Liability policies and yet are often confused with them. Our coverage attorneys know how these policies fit together so that insurers can be advised on how to respond to coverage challenges arising from commercial activities.

INLAND MARINE POLICIES

Inland Marine insurance policies provide coverage for cargo damage under specific circumstances. Since inland marine coverage arises from commercial auto accidents that also trigger Commercial Auto and MCS-90 endorsements, it is important to have experienced insurance coverage attorneys who know when and how these coverages apply.

PROPERTY DAMAGE POLICIES

Property damage insurance coverage has its own set of rules on how to calculate damages following a loss, and we can help you work with experts and appraisers to close that claim. When origin and cause issues arise, we work with the best experts in the field to evaluate whether there are suspicious circumstances like arson or other fraud that call into question whether coverage exists at all.