Cohen Ziffer Frenchman & McKenna Named Litigation Department of the Year for Insurance by New York Law Journal

Cohen Ziffer Frenchman & McKenna is thrilled to announce that we have been named the Litigation Department of the Year for Insurance by New York Law Journal.

"Our track record of success speaks for itself, and our opponents know we're willing to take any case to trial if necessary—where we'll likely win."

What are some of the department's most satisfying successes of the past year and why? Our work on behalf of policyholders seeking coverage for their pandemic-related business interruption losses has proved challenging, eye-opening and satisfying. Beginning in mid-2020, it was surprising to see many courts throw out policyholders' cases before allowing discovery, contrary to years of case law and traditional pleading standards. We've seen courts treat these cases differently from pre-pandemic property damage cases and we've had to get creative with our legal arguments to distinguish our clients' cases from those that have failed before. We've dug in to strategize how to craft pleadings in the most favorable venues to give our clients the best shot at recovery. Seeing those arguments begin to succeed and seeing our clients' cases proceed past the motion to dismiss stage and into discovery, where they have the opportunity to show the extreme financial losses they have suffered over the past 14 months, has been extremely rewarding.

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A prospective client in crisis calls and asks why your team should be retained. What is your answer? Our team has seen every possible ending to this crisis and can guide you toward the best outcome as quickly as possible. Because our team exclusively represents policyholders (often in crisis), we can see several steps ahead and can help our clients avoid common pitfalls and maximize their chances of success. Our track record of success speaks for itself, and our opponents know we're willing to take any case to trial if necessary—where we'll likely win. Because of that, our representation itself creates leverage, and our clients are often able to avoid litigation altogether when we get involved.

What traits do you respect most in opposing firms and lawyers? We are straightforward but zealous advocates for our clients, and we admire the same traits in opposing counsel. We have great working relationships with many of our adversaries, which are born out of honest communication and respect for one another's time and intelligence. Plus, it's more fun to litigate against others who are also at the top of their field!

What is the firm doing to ensure that future generations of litigators are ready to take the helm? The best way to learn how to do what we do, is to do it. We like to start from day one with new hires by teaching by example, exposing our young lawyers early and often to every stage of a case. Robin prepared for a recent significant hearing with a team of several junior associates who got to witness her process firsthand. Now some of those associates are slated to argue upcoming hearings. Our practice is always busy enough to give young lawyers hands-on experience early in their careers. Many of our young associates have already taken dozens of depositions, attended client meetings and prepared for hearings and trials, while learning from our more experienced lawyers. We also value the social aspect of work, which gives young lawyers the chance to learn from us in a more casual environment; we want our future litigation stars to be well-rounded as well as skilled attorneys.

Responses prepared by **Robin Cohen***, chair, and* **Meredith Elkins***, hiring partner, of Cohen Ziffer Frenchman & McKenna.*

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Related People

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