

Robin Cohen and Adam Ziffer Named Plaintiffs' Attorneys Trailblazers by The National Law Journal

New York—May 1, 2023—Cohen Ziffer Frenchman & McKenna LLP founding partners and have been recognized as 2023 Plaintiffs' Attorneys Trailblazers by The National Law Journal. Their profiles can be found and .

Over the course of their careers, Robin and Adam have repeatedly secured groundbreaking results in high-profile, high-dollar disputes, including a landmark decision in favor of TIAA-CREF, finding that under New York law, a civil settlement of a disgorgement claim is an insurable loss, and a summary judgment victory for Medidata Solutions in one of the first federal decisions requiring coverage for email spoofing under a commercial crime insurance policy.

Recent wins include:

- A rare jury verdict reversal for Conduent State Healthcare in its pursuit of insurance coverage from AIG and other insurers for defense costs relating to a \$236 million Medicaid fraud settlement. It was the first jury verdict that Delaware Superior Court Judge Mary Johnston reversed in her nearly 20 years on the bench.
- A Delaware court ruling that directors and officers of Clover Health Investments Corp. count as "insured persons" under a D&O policy issued to Social Capital Hedosophia Holdings Corp., a SPAC that took Clover Health public. In one of the first decisions addressing coverage for a SPAC, the

court ruled that the SPAC's D&O insurers must pay defense costs for not only the SPAC itself, but also for its future officers and directors.

- A first-of-its-kind appellate decision on flood limit clauses that allowed the New Jersey Transit Corporation to access up to \$400 million in coverage after Superstorm Sandy.
- A precedent-setting Delaware ruling about a vital term in directors and officers' liability policies ("securities claims"), giving Verizon Communications \$24 million in defense costs and allowing it to seek coverage for a \$95 million settlement.
- A groundbreaking New York decision on the application of the "all sums" allocation doctrine, which significantly bolsters policyholder recoveries for massive asbestos-related liabilities.
- A \$90 million summary judgment for Willis Towers Watson in a D&O insurance case, finding an exclusion that referenced corporate "acquisitions" was inapplicable to a merger.
- A trial court judgment for Pfizer that led to a settlement in the tens of millions of dollars in a coverage dispute.

This is not the first time that Cohen Ziffer attorneys have been recognized as Plaintiffs' Attorneys Trailblazers by The National Law Journal. Robin was selected in 2018, founding partner was selected in 2020, and managing partner and partner were selected in 2022.

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Robin Cohen

Adam Ziffer