

Directors + Officers & Errors + Omissions

Widely recognized and honored by many prominent organizations, our lawyers understand the many nuances of directors and officers and errors and omissions claims. We have earned a reputation for gaining precedent-setting rulings and shifting the landscape of D&O and E&O coverage in favor of policyholders. We're very sensitive to the high-stakes consequences these cases pose to companies and individuals and advocate vigorously for clients to make certain their insurance does what it's supposed to do: Financially support the legal efforts to resolve these existential threats without the risk of an underlying trial. Our history of success in this critical area is second to none.

Our team brings extensive experience, a deep well of knowledge, and the ability to forge innovative strategies to help clients secure litigation and settlement funding from their insurance carriers. In collaboration with our clients' defense attorneys, we understand the importance of prioritizing; we stay vigilant about not letting the insurance drive the defense strategy. Additionally, we closely monitor the ever-evolving regulatory, jurisdictional, and insurance-industry environments, which allow us to stay ahead of any changes in this area before they manifest. Our lawyers also stay abreast of the venues most likely to deliver favorable rulings for our clients and take measures to present D&O and E&O claims in those jurisdictions.

We cultivate and maintain close working relationships with opposing counsel, often enabling us to negotiate favorable terms in D&O and E&O disputes. Yet our lawyers are never hesitant to take a case to trial if the situation warrants, which provides leverage for optimal resolutions often at the early stages of a dispute.

Our Inventive Approach

Strategic Immersion. Increasingly, we partner with our clients' defense lawyers by working side-by-side to assist with defense strategies and negotiation of the underlying issues in a case. We embrace

this collaborative approach because we know we add value and because ultimately it helps us maximize the coverage.

Crafting a Roadmap. When a client turns to us for help navigating a D&O or E&O coverage dispute, we always conduct early-case assessments to analyze all the factors, anticipate strategies insurers' lawyers are likely to apply, and formulate a comprehensive plan to recover the financing our client needs to dispense the claim and move their company forward.

Uncharted Terrain. Often novel insurance issues emerge in D&O and E&O claims that require original ways of negotiating settlement funding. We have been very successful in advancing new, untested arguments to gain insurance recoveries.

Our Strengths

Our team draws on our decades of collective experience in these types of claims to help clients in a whole host of issues involving such matters as:

- Choice of counsel
- Policy exclusions of every stripe
- Claim and loss definitions
- Securities coverage
- Punitive damages
- Exemplary damages
- Disgorgement claims
- Side A policies
- Side B policies

We have the ability to help clients secure funding for an array of disputes involving a range of allegations, including:

- Breach of fiduciary duty
- Corporate wrongdoing
- SEC violations
- Employment discrimination
- Governmental investigations
- Work environment claims