



Andrew N. Bourne

Partner

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My Approach

As a passionate advocate, I focus intently on resolving clients' problems by getting them the largest possible recovery on their insurance claims. Always available to help with clients' questions and concerns, I constantly think about how I can best move their claims towards resolution. I try to stay steps ahead of opposing counsel, devising creative strategies and crafting optimal game plans to maximize their coverage.

Overview

Highly experienced commercial litigator Andrew Bourne focuses his practice on working diligently to obtain the insurance proceeds and other recoveries to which his clients are entitled. He handles substantial and groundbreaking cases involving a wide range of insurance contracts, including cases that involve commercial general liability, directors and officers, errors and omissions, property and business interruption, professional liability, and multimedia errors and omissions policies, as well as fidelity bonds.

Advocating for corporate and individual policyholders in federal and state courts across the country, Andrew draws on nearly two decades of insurance industry-related legal experience. With his deep knowledge of various jurisdictions, he considers the circumstances of each case and brings lawsuits in the venues that are most advantageous. The National Law Journal recently noted Andrew's considerable skill and success by naming him an "Elite Boutique Trailblazer."

On the front end, Andrew helps clients avoid pitfalls by thoroughly analyzing their policies to ensure they contain complete information. He carefully identifies any potential traps such as intentionally buried language that would eventually allow an insurance company to avoid paying on claims.

Andrew finds it extremely gratifying to recover money for his corporate plaintiff clients, who paid substantial premiums with the expectation of receiving adequate protection from financial loss. Because corporations rarely expect their legal departments to generate revenue, Andrew finds it rewarding to help turn that expectation on its head.

Before joining Cohen Ziffer Frenchman & McKenna, Andrew practiced at the women-owned litigation boutique of Hoguet Newman Regal & Kenney, LLP. Prior to that he litigated in the policyholder-only coverage practices of both Dickstein Shapiro and Kasowitz, Benson, Torres & Friedman. Andrew also previously served as a law clerk in the U.S. Court of Appeals for the Second Circuit.

Education

Brooklyn Law School (JD, ,)

University of Wisconsin-Madison (, ,)

Admissions

Bar Admissions

New York

Court Admissions

U.S. Court of Appeals, First Circuit

U.S. Court of Appeals, Second Circuit

U.S. District Court, Eastern District of New York

U.S. District Court, Southern District of New York

Relevant Experience

- Lead counsel to **Fabrique Innovations** in securing a **\$2 million** insurance coverage claim against Federal Insurance Company when their goods stored in a warehouse were lost after Hancock Fabrics, Inc. petitioned for bankruptcy and liquidated its merchandise through closing sales. This decision was an important win for policyholders as it grants the first “sue and labor” decision in 30 years. The client was able to recover **more than \$1 million above the value** of the initial claim.
- Representation of **Syngenta**, a major manufacturer of agricultural products, in coverage action brought by primary and umbrella insurance companies that sought to disclaim coverage for product liability claims arising from policyholder's herbicides. Andrew briefed and argued a motion for summary judgment that procured **\$24 million** in insurance coverage for the client.

- Representation of an agrichemical products manufacturer in arbitration concerning insurance coverage in excess of **\$700 million** brought in connection with settlements that resolved thousands of claims brought by farmers and grain distributors arising from the client's sale of a product rejected by a foreign country.
- Representation of media conglomerate **Cox Enterprises** in its pursuit of insurance coverage in connection with legal claims stemming from the release of Hulk Hogan's sex tapes.
- Representation of the independent members of the board of directors of the leading electric vehicle and green energy company in connection with their pursuit of insurance coverage for claims stemming from the automaker's purchase of a solar company. The clients resolved the underlying action using insurance monies only.
- Representation of the owner of a 30-unit New York City apartment building in connection with its claim for insurance coverage for damage caused by construction of an adjacent **\$100 million** apartment complex. In this representation, Andrew secured an important precedential appellate decision recognizing the right of New York policyholders to recover attorneys' fees because of insurance company bad-faith claims handling.
- Representations of several prominent hotels and restaurants in litigation with their insurers concerning business interruption losses arising from Superstorm Sandy.
- Representation of a **Resorts World Casino** in a claim for coverage for business interruption losses resulting from Superstorm Sandy.
- Representation of an assignee of insurance coverage rights under an executive liability insurance policy seeking coverage and bad faith damages arising from an underlying matter seeking tens of millions of dollars in damages.
- Representation of a manufacturer of agrochemical products in insurance coverage litigation concerning in excess of **\$150 million** brought against scores of insurers in connection with nationwide class action products liability claims alleging that client's herbicide product contaminated water sources for over 50 years.

Recognition and Rankings

- Recognized by *Benchmark Litigation* as a "Litigation Star," 2023
- Selected for New York Metro Super Lawyers, 2023
- Named an "Elite Boutique Trailblazer" by *The National Law Journal*, 2020
- Named a "Local Litigation Star" by *Benchmark Litigation*, 2019, 2020, 2022
- New York Super Lawyers - Metro Edition© Super Lawyer - Insurance 2018, 2019, 2020

- New York Metro Super Lawyers “Rising Star”- Insurance, 2013 – 2017

Associations

- New York City Bar Association, Insurance Committee, 2009-2011
- American Bar Association, Tort Trial & Insurance Practice Law Journal, Associate Editor