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## How Choosing A Side Helped These Insurance Attys Win Big

By Rachel Rippetoe

*Law360 (November 26, 2025, 4:52 PM EST)* -- A handful of attorneys in insurance recovery law had been following Robin Cohen from law firm to law firm for decades before she and longtime partners Kenneth Frenchman, Adam Ziffer and Keith McKenna finally decided four years ago it was time to open their own shop.

As her following grew over time, as she moved from managing Dickstein Shapiro LLP's office in New York to chairing the insurance recovery practices at Kasowitz LLP and McKool Smith, Cohen said she couldn't shake the feeling that the team was continually outperforming the firms they were working for.

"The more I saw how the executive committees and the boards work, I felt like we could not only make a go of it, but we could be much more successful," Cohen told Law360 Pulse.

Sure enough, four years free from the reins of a bigger law firm, Cohen Ziffer Frenchman & McKenna LLP has more than tripled in size and revenue. In 2025 alone, the now 33-lawyer firm made a killing in recouping coverage for their clients from the nation's biggest insurance companies including AIG and Chubb.

Cohen and Ziffer said there are two elements in their success: the glue within their tight-knit team, and their ability to choose a side — getting into nasty battles with insurance companies that most general practice business firms wouldn't touch. And neither would have fully come to fruition if they hadn't gone out on their own.

"We're a bold firm," Cohen said. "We're not afraid of anyone. We love going up against the best, and so we attract clients like that, but we also attract associates that want to do that. And I think that's a big driver of our growth."

### Picking a Side

Last year, for the second time in a row, Cohen Ziffer earned a spot among the Law360 Insurance Groups of the Year for its work recouping coverage for opioid litigation against Walmart Inc. And in 2025, the firm hasn't slowed down a bit.

They've won favorable rulings for clients AMC Entertainment Holdings, Viacom and Genworth Financial; secured a settlement for a biotech company; and even ventured into a new area of practice defending their client Dellwood, founded by former employees of the firm's frequent opponent AIG, against trade

secrets claims. In that case, they won nearly all points on their motion to dismiss and then secured a favorable settlement.

And in February, the firm celebrated another favorable ruling, this time from the Delaware Supreme Court affirming a decision to set aside a jury verdict finding that firm client Conduent State Healthcare LLC had tried to defraud insurers after paying a \$236 million Medicaid settlement in Texas. In a unanimous opinion paving the way for a new trial in the case, the state high court concluded that the original 2022 trial had been "plagued by evidentiary issues."

Since starting their firm in 2021, a time when nearly every corporation was in some kind of COVID 19-related dispute with their insurance company, Cohen said clients and cases have remained abundant. The clients keep on coming, in large part because they want a firm that will not only give them special attention, but that isn't afraid or conflicted out of aggressively suing insurance companies. This differentiates them from many competitors who will only sue insurance companies in non-bad faith claims, or can only sue certain carriers due to client conflicts.

"My view is you have to pick a side," she said. "Ninety-nine percent of firms are conflicted out, and it's easier to grow because we only have four or five firms that I would say are real competitors of ours."

Cohen Ziffer's specialized practice separates it from many full-service litigation boutiques because even if those firms don't directly represent insurance companies like AIG, many of their other clients are wary of their lawyers having adversarial relationships with the big carriers.

"What's happened is, some of these big firms, there's a couple that still sue insurance companies, but it's becoming harder and harder because there's pressure by the corporate groups in those firms not to aggressively sue," she said. "And a lot of our cases tend to be large, and they tend to be nasty sometimes and difficult. But we love it because one of the reasons that we've grown is our competitors are getting out of that business."

The firm's big wins over the last four years have made Cohen Ziffer a brand name among not just their clients but also their peers, she said.

"We have strong relationships with a lot of partners throughout BigLaw. They know we stay in our space," Cohen said. "They tend to represent the clients as defendants, and they can't take on insurance companies, so they have a choice of who to recommend when their clients have coverage issues. So I really think it's new clients that came to the firm as a result of us going out on our own that really tripled our growth."

## **The Flock**

Ziffer was four years out of law school when he started working for Cohen in 1999 as an associate at Dickstein Shapiro. Frenchman, who is now the managing partner at Cohen Ziffer, began working under Cohen shortly after that, when he was also only a few years out of law school, and then McKenna joined the team in 2006.

"As a group of litigators and business people, we are in Robin's mold," Ziffer told Law360 Pulse. "Ken and I learned how to be the lawyers we are in the space that we're in. This is the relationship that has lasted. And I think both Ken and I appreciated how uniquely extraordinary she was, and we both, within our own style, have modeled our practice on who she is."

They weren't the only ones. Throughout the years, as Cohen moved from Dickstein Shapiro to Kasowitz in 2010 and then to McKool Smith in 2016, she, Ziffer, Frenchman and McKenna took more associates under their wing.

By the time they were ready to start Cohen Ziffer, at least eight junior lawyers were ready to jump with them. Now the firm has 14 partners, most of whom were mentored by the firm's name partners from the time they were young associates, and it has 19 associates who Ziffer said are hopefully on the same path.

"Everybody's kind of learned from the same playbook, and the playbook is extraordinary," Ziffer said. "It's why we've been able to really grow without bringing other people in, because the model is so successful, and everybody sees it and tries to emulate it. One of our partners said the other day, 'I'm channeling my most aggressive Robin.'"

Launching the firm in a rush of insurance recovery litigation stemming from COVID-19, the firm had to grow quickly to meet demand. But Ziffer said it was easier to find the right associates for the firm because the candidates who really want to take on a substantial workload in insurance recovery tend to "self-select."

"It takes a special kind of lawyer to be able to look at a firm like ours and say, 'OK, this is not a name that's been around for 100 years, and it's not a firm where I can do a diversity of work,'" he said. "It takes someone who prioritizes the quality of the task work that they're going to get and the significance of being in regular contact with Robin Cohen, the first name partner on their cases. I always tell people, 'If you're not ready to be thrown into the deep end of the pool, this may not be for you.'"

Creating a culture that both values substantial work and being "warm and playful in the workplace" has allowed the firm to become "a sticky place" where attorneys are likely to stay for the long term, Ziffer said.

But what Cohen called the glue of the team was really put to test during the tumultuous Conduent trial, Cohen said. In February 2022, a jury decided that Conduent, an ex-Xerox unit suing AIG for coverage of a 2014 settlement with the state of Texas, had defrauded AIG by having the state attorney general allocate the settlement to claims covered under its policies and then hiding its actions. It was the first time in a very long time that Cohen had lost at trial.

But there were many irregularities in the case, and the attorneys filed an appeal. A year later, Cohen said she was in her office when she heard people screaming. At first she said she thought there was a fire, but then realized they were shrieks of joy. The judge had ordered a new trial, saying AIG had introduced an inadmissible document and privileged information that confused the jury.

"We love winning, but what really tests your relationship with your firm is when you're in a tough case, and you don't win, and then you try to figure out how to make lemons into lemonade," she said. "We had a lot of senior people on that case, and we had a lot of associates, and we worked so well together. There was no finger-waving, none of that."

Ziffer said a trial is like "trench warfare": You get really connected with the people you're doing it with. And the confidence the firm's partners have in their associates is essential to the firm's success.

"The benefits of having these younger associates doing more significant task work, in addition to creating morale and enthusiasm for the practice, is it's very efficient, because we can staff cases leanly," he said. "The Conduent trial, they had us outnumbered five to one, but we were still able to compete aggressively because our more junior core is very skilled, and they've got a lot of seasoning under their belt."

--Editing by Brian Baresch and Lakshna Mehta.

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