Overview

(December 17, 2020, Washington, DC) — Steptoe’s Insurance Group has been named a Law360 Practice Group of the Year for 2020. This marks the sixth time in eight years that the firm’s insurance and reinsurance practice has been designated with this title.

In an article published December 10, the editors highlight the firm’s selection to serve as The Hartford’s national coordinating counsel for COVID-19 business income matters. Steptoe was one of only two insurer representatives who argued to the Judicial Panel on Multidistrict Litigation against the efforts of certain policyholders to establish an MDL for COVID-19 cases.

Steptoe’s representation, led by partner Sarah Gordon, started with an early win: denial of an insured’s application for a temporary restraining order and preliminary injunction. That insured – Marc Fisher and related companies – then refiled suit in another California court. Steptoe successfully obtained dismissal of the suit because the court lacked personal jurisdiction over Hartford.

Steptoe had another early win on behalf of Hartford. The team successfully defeated the request for preliminary injunction by Social Life magazine. The victory was one of the first (if not the first) decisions with respect to coverage under property policies for the hundreds of business interruption claims pending nationwide with respect to COVID-19. On September 22, Steptoe scored another COVID-19 related business interruption case for The Hartford in California federal district court.

Gordon tells Law360 that the main challenge of COVID-19 coverage matters is the ability to keep up with the plaintiffs’ “so many” complaints. “It’s an evolving area and there are decisions coming down every week,” she says.

Gordon says she is “tremendously proud” of Steptoe’s “incredible” team of diverse lawyers working from DC, California and the UK on COVID-19 insurance matters. “Sometimes it takes sort of solving the Rubik’s Cube about looking at it from a few different sides to come up with the right answer,” she says.

Harry Lee, co-chair of Steptoe’s Insurance Group, also achieved a major win in 2020. In April, Maryland’s highest court held that Zurich American Insurance Co. was not obligated to cover the entire $2.7 million judgment against a mechanical contractor in an asbestos injury suit, finding instead that the insurer need only cover a portion of the award based on its policy period.

The main issue was whether an injury must be paid by one specific carrier in one particular year or whether it has to be divided up and prorated between the different years, Lee says. If a policyholder were able to pick their own year, it could force one carrier with high policy limits to pay everything, he adds.

Lee, who has been litigating the case for over 15 years, tells Law360 that “The court ruled that policyholders have to divide the liability between the various years,” adding that the case has “set the law for Maryland where that has to be followed no matter what.”
In discussing the group’s strategy to achieve victories for insurers, Frank Winston, co-chair of Steptoe’s Insurance Group, says that the team has benefited from its senior partners who have built and left “some of the best and deepest relationships” with the world’s biggest insurers. “We oftentimes know more about their institutions than they do because they have more turnover. And we remember what happened 25 years ago or 20 years ago,” he says. “We can help keep them out of hot water.”

Law360’s Practice Groups of the Year awards honor the law firms behind the litigation wins and major deals that resonated throughout the legal industry in the past year. Now in its 11th year, the Practice Group of the Year series drew 775 submissions in 2020.

The full profile on Steptoe’s Insurance Group can be read at Law360 (subscription required).

About Steptoe

In more than 100 years of practice, Steptoe has earned an international reputation for vigorous representation of clients before governmental agencies, successful advocacy in litigation and arbitration, and creative and practical advice in structuring business transactions. Steptoe has more than 500 lawyers and other professional staff across offices in Beijing, Brussels, Chicago, Hong Kong, London, Los Angeles, New York, San Francisco, and Washington. For more information, visit www.steptoe.com.

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