

Scope of Services

Attorneys on our Insurance Coverage & Conduct team formerly worked in-house for large insurance and surety carriers. This knowledge and experience makes MWH uniquely qualified to understand the needs of insurance and surety companies. Working across practice areas, MWH uses a comprehensive team approach to provide clients with a broad range of knowledge and experience to address the issues and challenges that insurance and surety companies face.

- Coverage Opinions and Reservation of Rights Letters
- Coverage Litigation
- Bad Faith Litigation
- Declaratory Judgement Actions
- Fidelity and Surety Bond Claims/Litigation

Our attorneys have experience reviewing the applicable provisions of various types of insurance policies, including auto, life, health, disability, business, property and casualty; examining the applicable provisions and evaluating whether coverage applies. Based on our evaluation, we issue coverage and/or reservation of rights letters on behalf of insurers. When differences cannot be resolved, we represent insurers in alternative dispute resolution forums as well as declaratory judgment, coverage, and bad faith litigation.

MWH attorneys also have experience in fidelity and surety bond claims, handling matters at each stage of the bonding process including bid disputes, bid bond claims, claims investigation, payment and/or performance bond claims, negotiating and drafting takeover agreements, tender agreements, and ratification agreements. They also represent sureties in alternative dispute resolution forums and litigation.

The team brings to the table decades of experience navigating the intricacies of extra-contractual matters and related litigation. Leveraging the diverse backgrounds of our legal professionals, we pride ourselves on staying ahead of evolving industry trends, ensuring that we provide dynamic solutions to the ever-expanding range of legal challenges our clients face.

Recent Representative Matters

- **Provided** numerous coverage opinions and authored reservation of rights letters for the largest privately-held third-party claims administrator in the US and a top-12 national property/casualty insurance group.
- **Filed** declaratory judgment action on behalf of a major big-box retail client regarding coverage owed by an auto insurer and argued the case in front of the Court of Appeals for the Eighth Circuit.
- **Provided** comprehensive case management and evaluation for a Fortune 100 insurer. Evaluations included review of pertinent case information and current law, coordinating with adjusters and in-house legal counsel to ensure efficient resolution and optimal results for client.
- **Represented** carriers in complex auto insurance disputes, including a case in which a vehicle was owned but not insured for relevant coverage. Successfully filed motion to dismiss.
- **Negotiated** resolution of performance bond defaults on several multimillion-dollar federal government projects, resulting in no loss to the surety.
- **Drafted** numerous arbitration decisions resolving disputes over fault attribution and settlement amounts between carriers for two of the leading auto insurers in the country.
- **Represented** surety in performance bond defaults, due to contractor bankruptcy, on seventeen (17) public and private projects, resulting in multimillion dollar savings to the surety.

Learn more about MWH, our professionals, and our experience at mwhlawgroup.com.