A.M. Best Webinar Examines Legal, Insurance Ramifications of Lead Injuries

Event, August 3, 2 p.m. EDT

A panel of legal and insurance professionals will discuss the sources of lead injury claims, developing liability issues and the industry impact of lead-based claims.

U.S. Sues to Block Anthem-Cigna and Aetna-Humana Mergers

News

U.S. Attorney General Loretta E. Lynch said the proposed mergers "would leave much of the multitrillion-dollar health insurance industry in the hands of three mammoth insurance companies," reports *The New York Times*.

Contract Indemnity and Duty

to Defend vs. Insurance Duty to Defend

Insight

An explicit contractual duty to defend against allegations of negligence or breach by the indemnitor may well be construed to require such a defense from the outset, even when parties are still arguing over ultimate liability, writes Stan Martin of Commonsense Construction Law LLC.

National Insurance Coverage Team Joins Wilson Elser

News

National law firm Wilson Elser announced that a national insurance coverage team of 11 attorneys has joined Wilson Elser in three offices – Chicago, Los Angeles and New Jersey.

North Carolina Blue Cross and Blue Shield Sues U.S. Over Health-Care Payments

News

Blue Cross and Blue Shield of North Carolina sued the federal government, becoming the latest health insurer to claim it is

owed money under the Affordable Care Act, according to a report in *The Wall Street Journal*.

Q&A on SCOTUS and Arbitration

Article

In an article posted on their firm's website, Matthew T. Furton and Julie L. Young, partners in Locke Lord, discuss some recent rulings on arbitration by the U.S. Supreme Court, particularly as they apply to insurance and reinsurance.

Court Orders Coverage Where Breach Merely Alleged

Article

The exclusion could have been written more broadly so as to cover all claims for injury arising out of any "alleged" breach of contract in addition to all claims arising out of actual breaches of contract.

Consideration of Force

Majeure in Construction Contracts

Article

Before entering into a construction contract, consider how force majeure events are evolving in today's world, advise Jonathan Massell and David A. Senter of Nexsen Pruet on the firm's website.

Fifth Circuit Holds Additional Insureds Lack Coverage for Contractual Liability

News

The 5th U.S. Circuit Court of Appeals has affirmed a lower-court decision declining to broaden additional insured coverage afforded under a commercial general liability policy to an energy operator to contractual liabilities assumed by an energy service provider, writes David J. Saltaformaggio of Phelps Dunbar.

Are Today’s Corporate Directors More Personally Liable?

On-Demand

Now more than ever, corporate directors are finding themselves named in lawsuits, says Katherine Henderson, veteran insurance board advisor and partner with Wilson Sonsini, in a video posted by Boardroom Resources LLC.

Court Rules Insurer’s Privacy Policy Can Give Rise to Breach of Contract Claim

Article

The process of issuing an insurance policy, either directly or through an employer group, requires care and deliberate action when it comes to issues of proper integration, documentation and transmittal.

The Plaintiff’s Attorney’s

Search for Driver Fatigue to Inflate Value of Case

Article

In any instance involving the tragic loss of life or serious injury in commercial truck collisions, extensive discovery is required and one of the critical areas focuses on proof of hours of service violations, writes Mark Perkins.

Under Contract Law, Court Says Retirees Have No Vested Right to Lifetime Benefits

Article

Many companies that have previously deferred the modernization of their legacy benefits obligations may want to reevaluate the applicable agreements, as now may be the right time to press ahead with long-overdue changes.

Zenefits CEO Parker Conrad Resigns Amid Scandal

NEWS

Zenefits cofounder Parker Conrad resigned as CEO and as a director of the company, according to a Forbes report, as

questions are being raised about the steps Conrad took to put Zenefits into hypergrowth – including flouting laws about who is allowed to sell insurance.

Insurance Partially Covers Merck’s $830 Million Vioxx Settlement

NEWS

The company’s cash payment for the settlement and fees will be about $680 million after reimbursement from insurance policies, Merck said.

Remedies for the Rogue Arbitrator

White Paper

Most arbitrations run smoothly, the paper says, but “arbitrators should be ready for the exceptional case, which can be occasioned by another arbitrator or counsel.

Artful Pleading Fails to Circumvent Contractual Liability Exclusion

Article

D&O policies are not intended to insure contracts entered into by insureds: that is why D&O policies routinely contain contractual liability exclusions.

Can Insurers Sue for ‘Reverse Bad Faith’?

Article

The insurance relationship is contractual, but when policyholders claim insurers failed to honor their obligations, they typically invoke the tort of “bad faith.”

Insurance Requirements in Commercial Contracts (Part 2)

White Paper

Jonathan Reich of Womble Carlyle Sandridge & Rice LLP discusses the difference between an insurance policy with a deductible compared to one with a self insured retention and how that impacts business contracts.

Antique Insurance Requirements Can Torpedo Your Contract

Article

The tendency to keep once-useful pieces in a contract can result having the equivalent of the human appendix: a piece no longer of any positive use and that harbors the potential for harm.