



Insurance

Ensuring the most holistic and innovative view of the insurance industry

With a national reputation in both insurance regulatory and consumer finance regulatory compliance, McGlinchey is matched by few other firms in addressing the full range of clients' insurance needs.

Our Insurance team serves clients *holistically* – on the front end by helping clients design new ideas, products and policies that solve specific (and often new or evolving) problems, as well as helping them to secure changes in law and regulations necessary to make their products responsive to the marketplace. In the middle, we address day-to-day operational needs: regulatory compliance, transactions (M&A as well as smaller asset purchases and sales), and due diligence. And on the back end, we handle claims and other insurance-related litigation. We also help insurance companies to evaluate investments in terms of the various investment guidelines promulgated by relevant state regulators.

Defending insurance companies has been a cornerstone of McGlinchey's work since the firm's founding, and after more than 40 years of representing insurance companies and reinsurance companies, our attorneys continue to set the standard for the defense of high-risk, complex insurance and reinsurance coverage cases.

Our national footprint has enabled the McGlinchey Insurance team to represent insurance clients in all 50 states. We know the particularities and various levels of scrutiny in each jurisdiction.

We have extensive experience representing insurance companies in the industries of their insureds, including financial services and banking, automotive, aviation, technology, real estate, asbestos, energy, healthcare, industrial equipment, consumer products and more.

What We See on the Horizon

Contact your McGlinchey Insurance team for our latest insights about the following:

COVID-19 (Coronavirus) Insurance Claims. Many customers are exploring the possibility of filing business interruption insurance claims resulting from lost sales and interrupted supply arrangements. While this coverage is relatively straightforward for interruptions tied to things like fires, floods, and other perils—classic contractual force majeure situations—a public health crisis falls under the much less clear category of a “contingent business interruption”—an event involving the insured’s premises that interferes with production. It can be anticipated that, in light of the current crisis, there will be both litigation on the applicability of force majeure clauses as well as a wholesale rewriting of those clauses in future contracts.

Coverage gaps. Multiple factors – the sharing economy and technology, especially – are stretching the boundaries of insurance coverage. Traditional policies, in many cases, are no longer sufficient. As new types of policies emerge to cover new contingencies, regulators scramble to catch up, and the plaintiffs’ bar moves to identify new litigation opportunities. McGlinchey’s Insurance team doesn’t merely watch these developments. Our lawyers are in the trenches with clients, anticipating risks and developing innovative solutions.

Developments that disrupt. In addition to helping clients address coverage gaps and the resulting dynamics in regulatory compliance, our lawyers work to address even more fundamental shifts in the insurance landscape: so-called “claimless” insurance and “insure-tech” (technology innovations in the insurance sector such as using blockchain and other distributed-ledger technologies), which are making inroads in insurance markets abroad.

Industry Strengths Sought After by McGlinchey Clients

Environmental and toxic torts. We have decades of experience addressing environmental and toxic tort issues, including long-term exposure casualty claims on aromatic hydrocarbons, NORM-related injuries, and damage claims associated with other substances.

Nationwide regulatory compliance counsel. Each state has different laws for different types of insurance products. We make sure policies are properly drafted, marketed, sold, and issued, and we advise clients on compliance in all U.S. jurisdictions.

We are known as “fixers.” Insurance companies, as well as insureds, rely on the McGlinchey Insurance team to resolve insurance-related problems – both large-dollar and small-dollar matters. We resolve liability issues in a variety of business contexts – airports, trucking, fixed-space operators, and environmental.

Urgent and emergency matters. We are “on call” to our clients 24/7/365 to address urgent matters. Moreover, our high-touch approach – extensive client contact with our partners – brings the highest quality legal and business acumen as well as efficiency to the advice we provide.

Data privacy and cybersecurity. Potential losses – both financial and reputational – resulting from data breaches are a concern for insurance companies as well as insureds, and with ever more quantities of consumer and proprietary data in play, such concerns continue to grow. With McGlinchey’s large base of clients in the financial services sector, our firm is audited yearly for data privacy and cybersecurity concerns, and we invest heavily in compliance and data privacy protections. Our lawyers are leaders in the field of data privacy protection, and we bring this compliance mindset to our insurance clients and their operations.

Litigation. McGlinchey defends insurers in a wide variety of insurance-related litigation matters including those involving: aviation, casualty, CERCLA, class actions, contamination releases, denial of benefits, environmental claims, ERISA, maritime, petrochemicals, plant operators, products liability, professional services liability, refineries, regulatory compliance, toxic torts and more.

Related Industries

- Insurance
- Chemical and Industrial Services
- Education
- Construction
- Financial Services
- Transportation and Logistics
- Manufacturing
- Real Estate
- Technology
- Cannabis
- Auto Finance
- Electric Vehicles

Related Services

- Consumer Financial Services Compliance
- Litigation
- Appellate
- Products Liability
- Asbestos and Toxic Torts
- Aviation and Aerospace
- Class Action Defense
- Commercial Litigation
- Corporate and M&A
- Creditors’ Rights, Financial Restructuring, and Bankruptcy
- Cybersecurity and Data Privacy
- Environmental

- Government Relations, Contracts, and Lobbying
- Insurance Defense and Coverage
- Insurance Regulatory and Compliance
- Intellectual Property
- Labor and Employment
- Maritime
- Tax
- Government and Internal Investigations
- FINRA Arbitrations