



901 Main Street
Suite 4000
Dallas, TX 75202
TEL: (214) 749-4218
FAX: (214) 760-8994
kcummings@zellelaw.com

PRACTICE AREAS

- Bad Faith and Extra-Contractual Liability
- Breach of Contract
- Climate Change
- Commercial Litigation
- Cyber Risk and Losses
- Engineering and Construction
- Insurance
- Pandemic Claims and Litigation
- Property Insurance

BAR AND COURT ADMISSIONS

- State Court: Texas
- U.S. District Court: Northern, Southern, Eastern, and Western Districts of Texas; Western District of Oklahoma; District of Colorado

EDUCATION

- The University of Texas School of Law, J.D., *with honors*, 2006

Kristin, who serves as Managing Partner of Zelle's Dallas, Texas office, represents many of the world's largest property insurance companies in a wide range of complex first-party insurance matters across the United States.

When COVID-19 presented an unprecedented threat to the insurance industry, Kristin was retained by several of her clients to serve as their National COVID Counsel to provide early and in-depth analysis on the novel coverage issues created by COVID-19 and litigate the disputed claims until final resolution. Kristin has successfully litigated COVID-19 claims in trial courts and state and federal appellate courts, including in the highest state courts.

Kristin also has extensive experience in assisting clients on large commercial property claims arising out of natural disasters, including hurricanes, winter storms, wind and hailstorms, floods, and tornadoes. She also specializes in resolving builder's risk, energy, and renewable energy claims, particularly those claims with challenging coverage issues and allegations of bad faith.

Kristin assists clients in resolving their most difficult disputes through a variety of methods, including providing early analysis of key issues, appraisal, and mediation. When disputes cannot be resolved outside of court, Kristin litigates those matters in state and federal courts nationwide.

REPRESENTATIVE MATTERS

Litigated the first COVID-19 property damage claim in Delaware, resulting in the Supreme Court of Delaware's affirmation of the order granting dismissal by the court below. (*See APX Operating Company, LLC v. HDI Global Insurance Company* (DE 2022)).

Obtained a \$0 jury verdict for property insurer in COVID-19 property damage claim in Dallas County, Texas.

Currently represents multiple property insurers in ongoing appellate litigation arising out of COVID-19 across the United States, including courts in California, New Jersey, and New York.

Currently represents multiple property insurers in ongoing litigation with

- Rice University, B.A., *cum laude*, 2003

various Tribal Nations who brought for lost income claims from their casinos during the pandemic.

Currently represents a market of London Insurers in an arbitration regarding a multi-million-dollar builder's risk project.

Currently represents many property insurers in commercial hail and wind claims involving bad faith allegations in Texas, Louisiana, Oklahoma, Florida, and Colorado.

Currently represents property insurers in a wide-variety of coverage disputes involving Energy and Renewable Energy claims.

ARTICLES & PRESENTATIONS

"All About OLLE (Occurrence Limit of Liability Endorsement)," Afternoon with Zelle in London, February 24, 2024, presenter

"What's New With 542? A," Zelle 2024 *What the Hail?* Conference, Irving, TX, February 8, 2024, presenter

"Do Not Underestimate the OLLE," *The Zelle Lonestar Lowdown*, January 9, 2024, co-author

"Texas Bad Faith and Recent Trends in 542A Claims," 2023 Zelle LLP Dallas Office Week of Webinars, September 13, 2023, presenter

"Texas Supreme Court Grants Certification of Question from Fifth Circuit Regarding Whether Insurer's Payment of Full Appraisal Award and Statutory Interest Precludes Recovery of Attorneys' Fees," *The Zelle Lonestar Lowdown*, August 8, 2023

"COVID-19 Business Interruption and Liability Claims," Insurance Council of Texas, February 9, 2021, co-presenter

Commercial Property Insurance Coverage and Coronavirus, Zelle Webinar, March 27, 2020, co-presenter

"Assignment of Benefits," Loss Executives Association 2020 Annual Meeting & Educational Conference, January 17, 2020, co-presenter

"Estimating the Value of the Appraisal Process in Property Claims," Zelle CAT-Law Webinar Week, July 25, 2019, co-presenter

"Establishing Waiver of the Right to Appraisal in Texas," *Texas Law360*, October 9, 2018, co-author

"Texas 'Hail Bill' Promotes Dispute Resolution Without Litigation," *Texas Law360*, May 29, 2018, co-author

"The Impact of Hail Litigation: Bigger Than Dents, Dings, and Dimples," Zelle Insurance Webinar Series - Catastrophes, November 15, 2016, presenter

"Texas Hail Damage Claims Seminar—What The Hail™ Is Going On?," May 19, 2016, presenter

"The Latest on Late Notice in Texas Property Insurance," *Texas Law360*, May 16, 2016, author

Insurance Appraisal: "A Valuable Tool or a Process Run Amok?", National Association of Catastrophe Adjusters Annual Convention, January 12, 2016, presenter

"Waiving the Right to Appraisal Just Got Easier in Texas," *Texas Law360*, October 8, 2015, author

Insurance Appraisal: "A Valuable Tool or a Process Run Amok?", Catastrophe Adjusters Training Institute, March 20, 2015, presenter

"Can A House Be An Advertisement? The 5th Circ. Thinks So," *Texas Law360*, March 11, 2015, author

"5th Circ. Highlights Importance Of Claim Investigation," *Texas Law360*, January 9, 2015, author

"Testing Texas CGL Coverage For 3rd Party Products," *Texas Law360*, October 22, 2014, author

"Tale of the Texas Appraisal Provision," *Texas Law360*, February 4, 2014, author

PROFESSIONAL AFFILIATIONS

State Bar of Texas

Dallas Bar Association, Torts and Insurance Practice Section, Board Member,
2021

American Bar Association

Dallas Women Lawyers Association