



161 Worcester Road
Suite 502
Framingham, MA 01701
TEL: (781) 466-0732
FAX: (781) 466-0701
kheres@zellelaw.com

PRACTICE AREAS

- Bad Faith and Extra-Contractual Liability
- General Liability Coverage and Defense
- Insurance
- Pandemic Claims and Litigation
- Professional Liability
- Property Insurance
- Reinsurance
- Securities/Securities Lending

BAR AND COURT ADMISSIONS

- State Court: Massachusetts
- United States District Court: District of Massachusetts

EDUCATION

- Boston College Law School, J.D., 2004
- Villanova University, *summa cum laude*, 2001; B.A.H. Honors Program; English (major), Business (minor), Phi Beta Kappa

Since joining Zelle in 2004, Kristin's practice has focused on the resolution of complex business disputes, including insurance coverage issues, reinsurance matters, and tort and contract claims in the securities context. Kristin has represented liability insurers in a broad spectrum of matters, including litigated environmental- and asbestos-related coverage matters, Legionnaires' Disease claims, and abuse claims. She has also worked on many of the firm's largest and most challenging property insurance coverage matters, including numerous COVID coverage claims, builder's risk claims, high-value hurricane claims, and a litigated coverage dispute involving a claimed product loss. Kristin has been involved in obtaining successful outcomes in two substantial reinsurance arbitrations and has participated in numerous mediations.

Kristin is also the Co-Chair of Zelle's Diversity, Equity and Inclusion Steering Committee, and in that capacity has taken a firm-wide leadership role in expanding the firm's long-standing commitment to cultivating and nurturing an inclusive and equitable workplace.

REPRESENTATIVE MATTERS**First Party Property Coverage**

Penned *amicus curiae* briefs in several COVID-19 coverage cases on behalf of insurance industry groups, including in *Verveine Corp. v. Strathmore Insurance Co.* (Massachusetts Supreme Judicial Court), one of the leading pro-insurer appellate decisions on COVID-related coverage issues.

Obtained summary judgment on behalf of property insurer in claim alleging loss arising out of bottled beverage production run. *H.P. Hood LLC v. Allianz Global Risks US Insurance Company*, 88 Mass.App.Ct. 613 (2015).

Obtained partial summary judgment on behalf of property insurer in multi-million-dollar claim related to damage caused by ice lensing under a refrigerated warehouse.

Assisted property insurer in resolving through mediation a builder's risk claim involving groundwater intrusion at retail/residential project site.

Represented property insurer in high-value insurance coverage litigation in

connection with Hurricane Katrina.

Liability Coverage

Counsel for insurer in major PFAS insurance coverage litigation in federal court in the Western District of Michigan prior to settlement with the insured.

Advised major domestic insurer in its handling of claims arising out of Legionnaires' Disease outbreak.

Assisted in obtaining judgment in insurer's favor after a two-week bench trial in Cook County, Illinois in an environmental insurance coverage case in which a policyholder sought approximately \$11 million from the insurer prior to trial. The trial court's judgment was affirmed by the Appellate Court of Illinois, and the Illinois Supreme Court denied the policyholder's petition for leave for further appellate review. See *Mosaic Global Holdings, Inc. v. Employers Insurance Company of Wausau*, 378 Ill.App.3d 797 (1st Dist. 2007), petition for leave to appeal denied, 227 Ill.2d 580 (2008).

Reinsurance

Represented leading participant in reinsurance dispute regarding settlement of multi-billion dollar claims arising out of the September 11 attack on the World Trade Center.

Confidential reinsurance arbitration (successful representation of client in a high-value dispute over whether an event was a fire or boiler and machinery loss).

Other

Successfully resolved claim under occupational accident policy through mediation.

ARTICLES & PRESENTATIONS

"Legionella: The Trip to the Park Was Not Magical", PLRB Large Loss Conference, October 13-14, 2022, panelist

Do CGL Policies Provide Coverage for Coronavirus Claims and/or Lawsuits?,

Zelle Webinar, April 7, 2020, co-presenter

"Climate Change and Insurance: Learn From MTBE, Asbestos," *Insurance Law360*, April 2, 2019, co-author

"Alarming Trend Continues with Weymouth Condo Fire," *Massachusetts Law360*, September 19, 2017, author

"Dual Boston Blazes Prompt a New Look at Construction Risks," *Insurance Law360*, August 3, 2017, author

"The 9/11 Litigation - The 'Number of Occurrences' Dispute of the Century," *The Brief*, Fall 2016, co-author

"What Constitutes 'Physical Loss' for Property Insurance?" *Insurance Law360*, April 4, 2016, author

"Laminate Flooring and Chinese Drywall: Where Are We Now?" *Insurance Law360*, November 12, 2015, author

"Is Laminate Flooring The New Drywall For Insurers?," *Insurance Law360*, March 6, 2015, author

"Calif. Offers Regulation As Solution To Underinsurance," *Insurance Law360*, June 25, 2014, author

"5th Circ. Continues Pro-Appraisal Trend In Texas," *Insurance Law360*, November 12, 2013, author

"Don't Miss The Boat On Rescission Claims," *Insurance Law360*, March 5, 2013, author

"Brace Yourselves For More Sandy-Related Litigation," *Insurance Law360*, January 8, 2013, co-author

PROFESSIONAL AFFILIATIONS

American Bar Association

Massachusetts Bar Association

Massachusetts Insurance and Reinsurance Bar Association, President (April 2018 - April 2019)

NOTEWORTHY

Kristin was named a Massachusetts "Rising Star" for 2012-2018 (Insurance Coverage and Business Litigation) by *Super Lawyers* magazine.