

Zelle Coronavirus Resource Center

For over three decades, Zelle LLP has been at the forefront of addressing the legal issues faced by our commercial property insurance clients in emerging risk exposures. These risk exposures have included numerous hurricanes, the 911 Terrorist Attack, Y2K, mold, hail, and others. For the first time, a global pandemic presents a potential major exposure to our clients. While still too early to fully understand and evaluate the magnitude of the coronavirus exposure to our clients, Zelle LLP is already working to collect information and preparing to assist our clients with the inevitable coming influx of coronavirus related claims and resulting litigation. Zelle's first white paper on insurance coverage issues expected to arise in coronavirus claims is available below. As we have with past emerging risk exposures, Zelle will be keeping our clients and industry friends up to date with all the latest information relevant to the coronavirus risk exposure.

Recent Coronavirus Developments

The Council of State Governments is the best resource we have identified to locate all types of government orders. Their website is:

<https://web.csg.org/covid19/executive-orders/>. Additionally, Partner

Engineering has an excellent listing of government orders having an impact on construction and other issues:

<https://www.partnersi.com/services/COVID-19-Risk-Management-%2526-Response>

The following links break down the various government orders by category, including additional county and city civil authority orders.

- Representative Civil Authority Orders
- Insurance Department Orders
- State and Local Legislation and Regulation

White Papers:

"COVID-19 Insurance Issues To Watch In Civil Law Countries," *Insurance Law360*, March 2, 2021, by Miguel Torres and José Umbert

"The Financial Conduct Authority v. Arch and Others [2021] UKSC 1 ("the FCA Test Case")," January 26, 2021, by Darren Thompson, Deepa Sutherland and

Jason Reeves

"Spa Virus Coverage Ruling Misses The Mark," *Insurance Law360*, January 11, 2021, by George E. Reede, Jr.

"How Insurers Can Prepare For Hurricanes During A Pandemic," *Insurance Law360*, June 3, 2020, by Christine Renella and William Zieden-Weber

"Class Certification Issues in Coronavirus-Related Commercial Property Insurance Litigation," by James R. Martin and Shannon M. O'Malley, April 10, 2020

"The Impact Of The Coronavirus On The Entertainment Insurance Industry—Preliminary Issues To Consider In The Adjustment Of Claims," by Isabella Stankowski-Booker and Jonathan MacBride, April 6, 2020

"Civil Authority Coverage for Coronavirus Claims," by Jonathan MacBride, March 29, 2020

"Commercial Property Insurance Coverage and Coronavirus," by Shannon O'Malley, March 11, 2020

Recent News:

Steven Badger Quoted in Claims Journal: Uptick in COVID-Related Business Interruption Lawsuits, April 8, 2021

Shannon O'Malley Quoted in Insurance Law360: Courts Side With Insurers in Most COVID-19 Business Interruption Coverage Disputes, March 8, 2021

Steven Badger Quoted in Claims Journal: New Protocols Aim to Streamline Discovery in COVID Business-Interruption Lawsuits, February 12, 2021

Steven Badger Quoted on Bloomberg Businessweek: U.S. Businesses Are Fighting Insurers in the Biggest Legal Battle of the Pandemic, November 2, 2020

Steven Badger Quoted in Claims Journal re: Insurers' Early Wins in COVID-19 Business-Interruption Suits, October 1, 2020

Steven Badger Insurance Law360 Interview: Untangling COVID-19 Coverage

Cases, June 2, 2020

Steven Badger quoted in Texas Lawyer: Insurance Industry Response to the Influx of COVID Litigation, June 1, 2020

Steven Badger Named to IAALS Working Group to Develop Initial Discovery Protocols for COVID-19 Insurance Litigation, May 27, 2020

Steven Badger Quoted in Claims Journal Opposing Federal MDL For COVID-19 Business Interruption Lawsuits, May 22, 2020

Steven Badger Quoted in Claims Journal: Emergency Orders May not be the Ammo Plaintiffs Hoped for in Business-Interruption Suits, May 14, 2020

James Robertson Martin Quoted in Reuters: Race is on to lead business interruption insurance litigation, April 22, 2020

Steven Badger Quoted in Reuters: COVID-19 response 'could bankrupt the insurance industry', April 15, 2020

Steven Badger Quoted on Eater.com: Legal Battle Begins Over Restaurant Business Interruption Claims, April 10, 2020

Steven Badger on WGN Radio – Chicago: COVID-19 Commercial Property Insurance Coverage, April 9, 2020

Shannon O'Malley Quoted on AARP Website: Insurance Coverage and the Coronavirus, April 8, 2020

Steven Badger Quoted in Hawaii Civil Beat: Hospitality Industry Pushing for Insurers to Pay Business Interruption Claims, April 8, 2020

Steven Badger Quoted - Attorneys at Odds Over Whether Insurance Covers Coronavirus Relief, April 1, 2020

Shannon O'Malley White Paper Referenced in CNN Business Article: French Laundry Restaurateur Thomas Keller Sues Insurer for Coronavirus Losses, March 28, 2020

Steven Badger Quoted in AM Best: Despite Questions of Coverage, Insurers Could Still Be Hit With Litigation Costs, March 27, 2020

Shannon O'Malley White Paper Referenced in Claims Journal article: Another Restaurant Files Suit to Force Coverage for Virus Shutdown, March 27, 2020
Steven Badger quoted: Insurance fight looms over coronavirus business interruption, March 25, 2020

Shannon O'Malley White Paper Referenced in Insurance Journal Commentary: Does Business Income Insurance Cover Coronavirus Shutdowns?, March 24, 2020

Kristin Cummings Quoted in Insurance Journal: Proposed N.J. Bill Would Require Insurers to Pay COVID-19 Business Interruption Claims, March 19, 2020

Steven Badger Quoted in Insurance Journal: Restaurant Suit Tests Business Interruption Insurance for Coronavirus Shutdowns, March 19, 2020

Shannon O'Malley Quoted in Insurance Law360 - Coronavirus 'Civil Authority' Coverage May Hinge On Science, March 18, 2020 (subscription required)

Steven Badger Quoted: First U.S. Coronavirus Insurance Dispute, March 17, 2020

Steven Badger and Shannon O'Malley Cited in Claims Journal: Restaurant Asks Court to Declare Coronavirus Shutdown Covered By Insurance Policy, March 17, 2020

Shannon O'Malley Quoted in Insurance Law360 - New Orleans Restaurant Seeks Coronavirus Closure Coverage, March 17, 2020 (subscription required)

Webinars:

Square Peg/Round Hole – Why COVID-19 Coverage Disputes Don't Fit the Template for Class Actions and MDLs, April 28, 2020

Civil Authority Coverage for Coronavirus Claims, April 21, 2020

Construction Delays and Coronavirus, April 16, 2020

Coronavirus and Event Cancellation Policies—Coverage Issues and Outlook, April 15, 2020

Time Element Measurement Issues - Coronavirus, April 14, 2020

How will EPLI Policies Respond to Coronavirus Claims?, April 9, 2020

Do CGL Policies Provide Coverage for Coronavirus Claims and/or Lawsuits?, April 7, 2020

Coronavirus Claims: Potential CBI Coverage and Quantum Issues, April 2, 2020

Commercial Property Insurance Coverage and Coronavirus, March 27, 2020

Check back for a schedule of our upcoming webinars addressing coronavirus and related topics.

Blog posts:

"California: Developments in COVID-19 Business Interruption Claims," by Alexandra Fernandez and Thomas D'Antonio, CAT-Law Navigator, April 17, 2020

"California at Forefront of Business Interruption Coverage Response to COVID-19," by Alexandra Fernandez and Thomas D'Antonio, CAT-Law Navigator, March 30, 2020

"Massachusetts and Ohio Follow New Jersey Attempt to Re-Write Existing Policies to Cover COVID-19 Losses," by Seth Jackson and Jeffrey Gordon, CAT-Law Navigator, March 26, 2020

"States are Limiting Insurers' Ability to Cancel Policies During Pandemic," by Jonathan MacBride, CAT-Law Navigator, March 25, 2020

"TDI Extends Claims-Handling Prompt Payment Deadlines in Response to COVID-19," by Bennett Moss, CAT-Law Navigator, March 24, 2020

"State Bill for Coronavirus BI Coverage," by Seth Jackson and Jeffrey Gordon, CAT-Law Navigator, March 18, 2020