

# Insurance Litigation Capabilities

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Summer 2021

[dwfgroup.com](http://dwfgroup.com)



A photograph of a modern glass skyscraper with a white text box overlay. The building has a grid-like structure of glass panels and metal frames. The text box is positioned on the left side of the image, containing a quote and a citation.

“Advising on complex insurance litigation forms a core part of DWF’s domestic strength and contributes to its growth internationally. From the UK, it also offers clients considerable expertise in areas such as product liability, professional negligence, shipping and real estate. The firm has established a significant network of offices in Europe, and the UK team is able to draw on in-house resources throughout the Asia-Pacific region, the Middle East and Latin America to serve clients in need of transnational expertise.”

Insurance sector (International & Cross Border),  
Chambers Global 2020

# Our vision is to deliver integrated legal and business services on a global scale through our three offerings

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## Legal Advisory



Premium legal advice and excellent client service. Our teams bring commercial intelligence and industry sector relevant experience.

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## Mindcrest



Outsourced and process led legal services which standardise, systematise, scale and optimise legal workflows.

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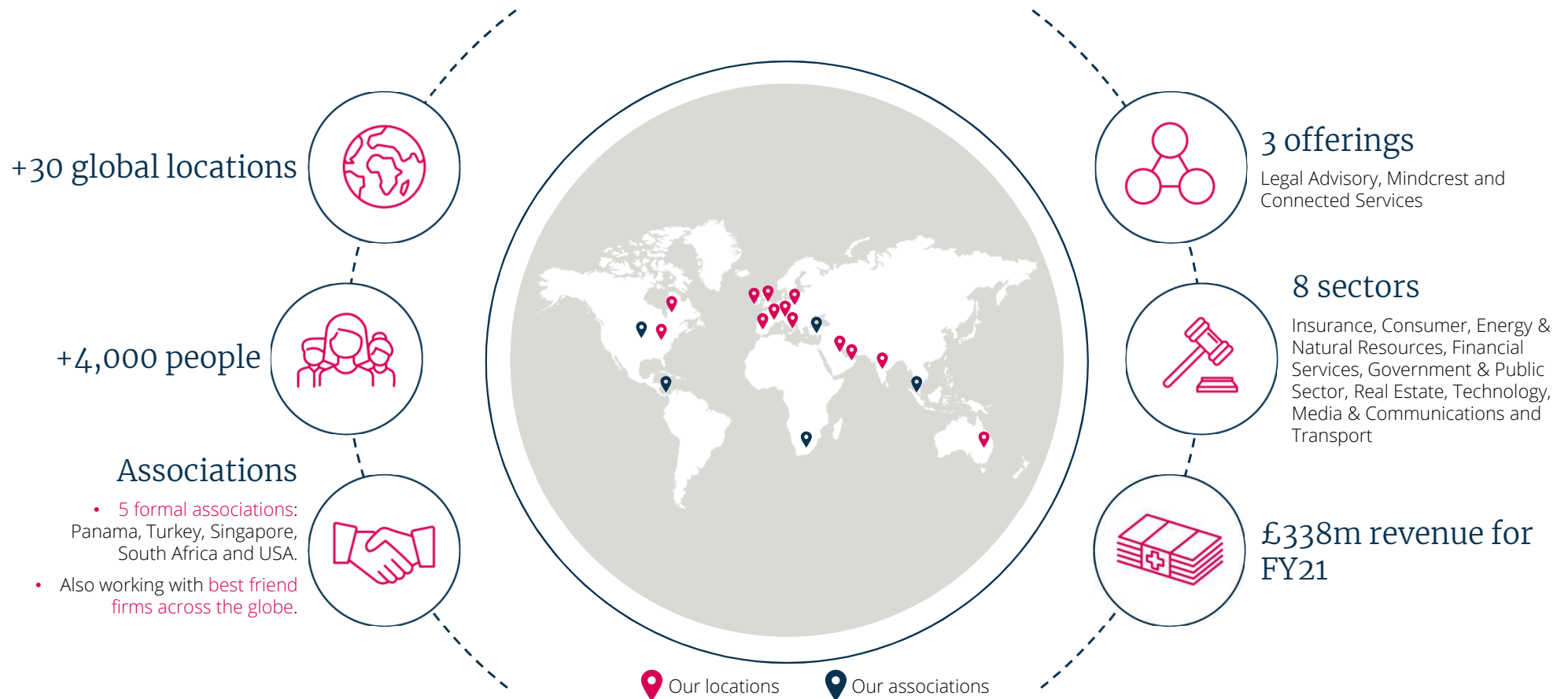
## Connected Services



Products and business services that enhance our legal offerings.



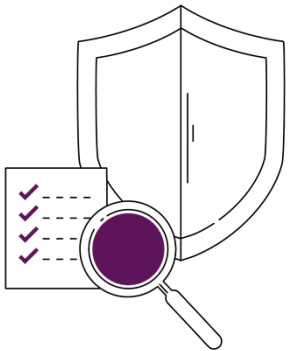
# A global legal business





# Insurance

Our strength in the Insurance sector comes from being recognised as a full service global legal business, with genuine expertise and depth in both insurance matters and also commercial services.



## Understanding the sector

We advise our insurance clients on the spectrum of their needs, from managing claims, advising on coverage, through to corporate and commercial transactions, regulatory and compliance issues and all commercial services.

Our highly experienced Insurance sector team have a deep understanding of the insurance industry and advise clients across the breadth of their claims issues and commercial services needs. We provide solutions to the challenges clients are facing in running their businesses and help them with first class multi-disciplinary teams to guide them through both their 'business as usual' work, as well as more complex areas requiring specialist and high level advice.

## Knowledge and expertise

We work with clients ranging from London Market and global insurers and reinsurers, to domestic insurers, MGAs, brokers and other intermediaries, based across the globe and covering all classes of insurance business.

Our expert legal teams are complemented by our Connected Services and Mindcrest teams, who help clients optimise efficiencies and innovation in their claims management and transactional work, combining technology and systems with service excellence.

Our expert insurance and reinsurance lawyers advise on **coverage, policy wordings** and **the defence of** complex cross border, London Market and international **claims**, through to the defence of both volume and complex claims across all classes of business: property, casualty, professional and financial lines and D&O, product liability, motor, fraud, cyber, marine, energy, trade credit, political and other specialty risk claims.

Our specialist **corporate, commercial** and **regulatory insurance** lawyers advise insurers on areas including M&A, commercial contracts, IP, IT, cyber security and data protection, regulatory compliance, regulatory investigations, dispute resolution, employment, health and safety, debt finance, real estate and tax.



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# DWF's Global reach

We have our own offices in the locations indicated opposite.

**Own offices:** We have our own insurance teams and offices in:

- Australia
- France
- Germany
- Ireland
- Italy
- Middle East
- Poland
- Spain
- UK
- Canada
- US

**London Market and Global Risks international team's reach:** Our internationally based London Market and Global Risks team handle complex and high value claims and coverage, advisory and disputes work in every continent. Following the hire of well known market leading lawyers, our team is rapidly making its name as being a primary choice for insurance and reinsurance work. Their work spans construction disputes in South America through to cargo disputes in Middle East and North Africa.

- London Market and European insurers in a successful arbitration in a Bermuda Form XL003 coverage dispute. The underlying claims related to property damage and bodily injury across the USA arising from products containing Polychlorinated Biphenyls (PCBs).
- The insurer of an Irish on-line travel company in respect of serious injury to a Chicago resident who fell out of a window when visiting a hostel in Chile. Jurisdiction arguments were successful in preventing proceedings in the US.

**Associations:** As well as having formal associations with firms in the US, Turkey, Singapore, South Africa and Panama, we work with a network of specialist insurance firms across the globe, in jurisdictions where we currently have no insurance team.

**Our Connected and Mindcrest services capabilities:** Our insurance legal teams are complemented by specialists teams from our DWF Claims Management and Adjusting teams in Canada and the US, as well as France, Italy, Australia, Ireland, and the UK. Also, our Mindcrest managed service teams in the US, India and the UK.

## Our global presence



Barcelona	Dubai	Manchester	Sydney
Belfast	Dublin	Melbourne	Toronto
Berlin	Dusseldorf	Milan	Valencia
Birmingham	Edinburgh	Munich	Vancouver
Brisbane	Glasgow	Newcastle (NSW)	Warsaw
Bristol	Leeds	Newcastle (UK)	
Chicago	Liverpool	New York	
Cologne	London	Paris	
Doha	Madrid	Pune	

- DWF Presence
- Mindcrest Offices

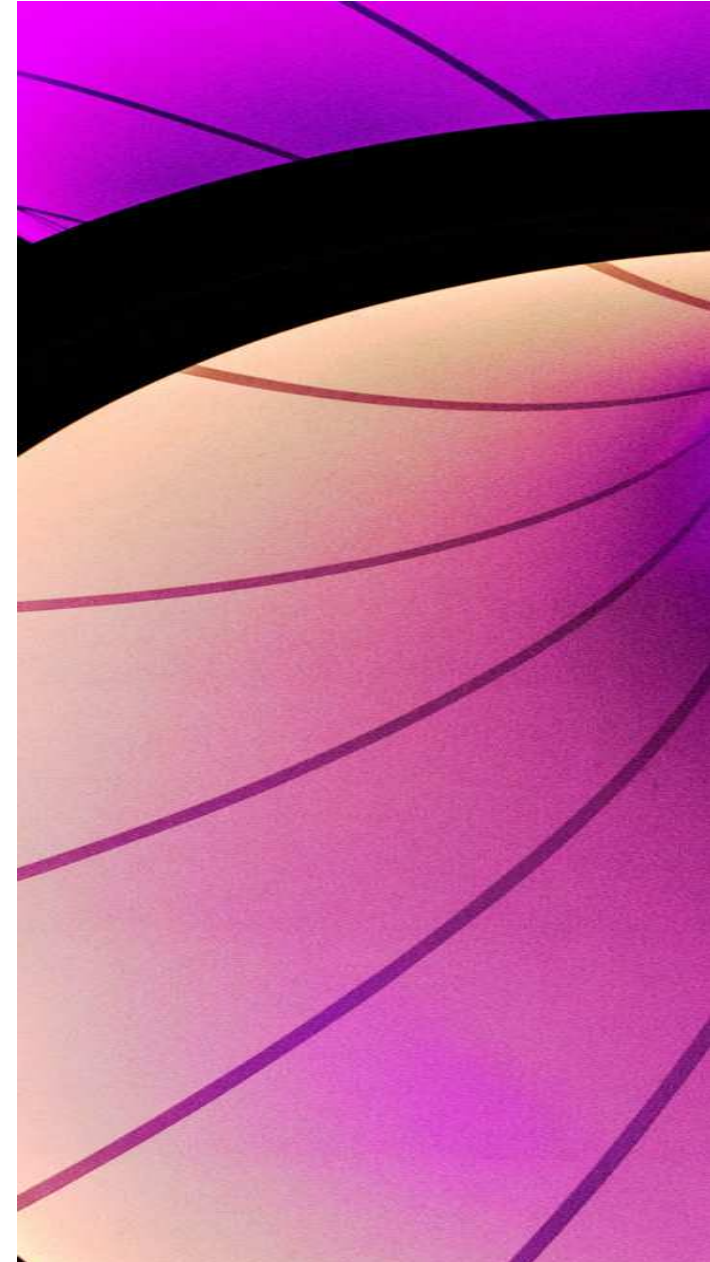
# Insurance and Reinsurance – Claims Defence & Coverage

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In the UK, our highly experienced Insurance team has a full national and international reach, and the ability to service our clients' needs across the globe. The team advise clients across the world and across the breadth of their claims, coverage and policy wording matters, from complex cross-border, London Market and multi-jurisdictional re/insurance issues, through to local claims on the ground and volume claims, we can work with you to tailor to your bespoke needs.

Our expertise spans all classes including:

- Property & Business Interruption
- Casualty, Complex and Major Injury
- Professional, Financial Lines and D&O
- Product Liability & Recall
- Construction and Engineering
- Motor
- Fraud
- Cyber and Data Risk
- Employment Practices Liability
- Healthcare, Medmal & Life Sciences
- Marine and Transport
- Energy and Power
- Reinsurance
- Trade Credit
- Political Risk
- Contingency
- Specie



# London Market and Global Risks

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Our London Market and Global Risks team are based across the world and handle high value, often high profile, and complex insurance claims and coverage issues across the globe. The team advise across all classes of insurance including:

- Aviation and Travel
- Bermuda Form and Excess Liability
- Business Interruption
- Construction and Engineering
- Directors & Officers
- Professional and Financial Lines
- Environmental liability and pollution
- Energy
- Marine, Trade and Commodities
- MGAs/ Coverholders,
- Product Liability/Life Sciences
- Property
- Reinsurance
- Warranty and Indemnity
- Reinsurance
- Specialty lines including:
  - Accident & Health and Sports
  - Bloodstock, Livestock, and Aquaculture
  - Contingency/Event Cancellation
  - Fine Art, Specie and Jewellers Block
  - Kidnap and Ransom
  - Political Risk
  - Trade Credit



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# Capabilities: examples of our experience

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DWF house a full service insurance team, handling the highest value, complex and often sensitive claims, whilst continuing to handle thousands of outsourced motor, casualty, property and professional indemnity claims on an annual basis for our clients.

## Examples of experience of the expertise are:

- Advising London Market aviation Insurers on property damage following the loss of a commercial drone and associated property damage in Malaysia with associated contractual disputes in Spain and London.
- Advising on coverage of property damage post completion of a US Power Station, including monitoring of underlying subrogated US proceedings between owner, contractor and sub-contractors.
- Advising Insurers following a fire at a leading hotel in London.
- Advising on coverage for Covid-19 claims arising in the hospitality, property management and other sectors, under property and BI policies.
- Advising a global manufacturer in respect of exposure in multiple jurisdictions for failure of components used in underground electrical joints by energy providers.
- Representing insurers and cargo interests in liability disputes regarding carriage of goods by sea and road, including advising on container demurrage claims, damage, misrepresentation, bills of lading and charterparty disputes.
- Advising on subrogated recoveries of precious metals in India.
- Conducting a series of audits and inspections of Lloyd's coverholders for Jewellers' Block in France on behalf of a Lloyd's syndicate.
- Acting in a claim where multiple claimants had alleged interference in their enjoyment of property, and personal injury from escape of gases from gas works.
- Advising insurers on coverage relating to abuse, including child victim sexual exploitation issues. We regularly conduct cases in the appellate courts and have wide experience of group actions.
- Advising an automotive and aircraft manufacturer in their US\$1.2bn financial risk insurance programme covering 300 regional aircraft with asset value guarantees.
- Acting for the insurers of a major firm of D&B contractors in a multi-million pound dispute arising from alleged defects in the construction of a European wind farm.
- For Defendant Personal Injury work, we are ranked Band 1 in Chambers & Partners UK-wide.
- Acting for insurers on a complex international D&O coverage claim concerning dishonesty allegations and incorrect certification of loans. Also instructed in discrete defence issues, acting in USA deposition taking process.

# DWF Claims Management & Adjusting

Operating in the US (Chicago), Canada (Toronto and Vancouver), France, Italy, Ireland, Australia and the UK, our commitment to delivering the most relevant, effective claims service is grounded in the commercial experience of our staff.

We have built a market-leading team of experts you can trust. The majority of our claims handlers have worked in law firms, brokerages, insurance companies and Lloyd's syndicates, blending valuable insurance market and legal experience.

We specialise in the management and administration of all classes of commercial lines claims and have particular expertise in matters concerning Professional Indemnity, General Liability, Property, Directors and Officers/Management Liability, Legal Expenses, Motor, Healthcare, Cyber and Hub/FNOL Bordereaux management.

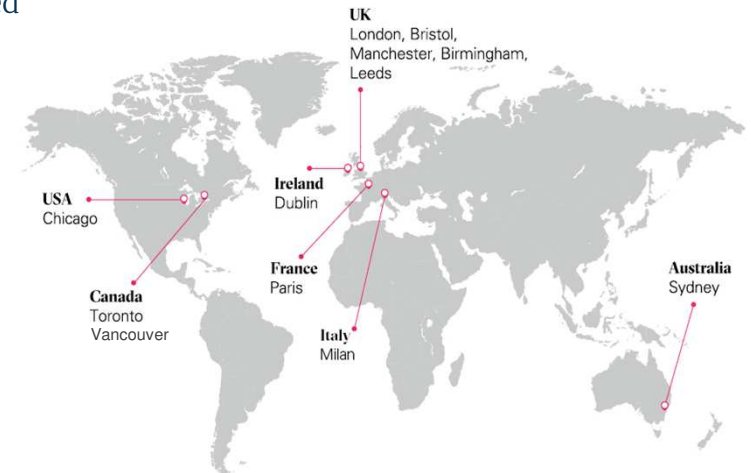
## Unrivalled Management Information and Technology

As part of our commitment to innovation and best practice, we have developed our own, proprietary claims management system, called **EvoClaim** that we use to accurately and efficiently manage volume portfolios to complex claims. EvoClaim provides clients with real-time access to full electronic files and comprehensive claims data.

### Key Facts

- We log more than 15,000 new claims every year;
- We manage claims arising from incidents in 67 different countries;
- We manage claims in 17 different currencies; and
- We are currently managing claims with reserves totalling more than GBP 250,000,000.

Our global claims locations:



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# Mindcrest

Mindcrest – managed service is our alternative legal service provider headquartered in **Chicago** and with an office in **New York**, with a total 28 staff including lawyers, paralegals and project management specialists. The majority of our Mindcrest people are located in **Pune, India**, where it has successfully operated for over 16 years. We are also now increasingly delivering services out of the **UK**. Our subject matter experts provide round the clock support and specialise in Compliance, Contracts Management, Legal Analytics, Litigation & Investigations.

Our clients benefit from integrated delivery, expansive data insights and the peace of mind that comes with ISO 27001 certification.



## Compliance

- Regulatory Remediation
- Regulatory Mapping
- Data Privacy
- Brexit, Libor Contract Repapering



## Contracts Management

- CLM Consulting Services
- Standardisation
- Drafting & Negotiation
- Abstraction, Due Diligence, & Obligation Management



## Insurance

- Full Claims Lifecycle Management
- Injury & Disease
- Subrogated & Uninsured Loss Recovery
- Analytics & Value-add Solutions



## Legal Analytics

- Case Law Analysis & Standardisation
- Statutory Analysis & Standardisation
- Legislation Tracking
- Product Development



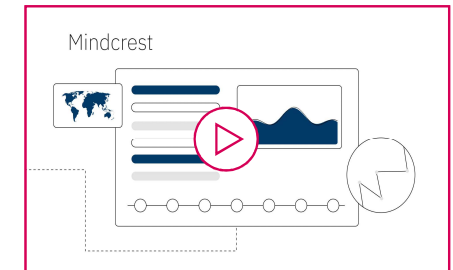
## Lender Services

- Early Arrears Rehabilitation & Arrears Management
- Volume Legal Collections & Recoveries
- Consumer Credit Complaint Lifecycle Management
- Commercial Debt Recovery



## Litigation & Investigations

- eDiscovery
- AI-Assisted Managed Document Review
- Ancillary Services



Please click on the image above to listen to our DWF Value Proposition



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Law firm LPO  
Contract Lifecycle Management  
Litigation Services



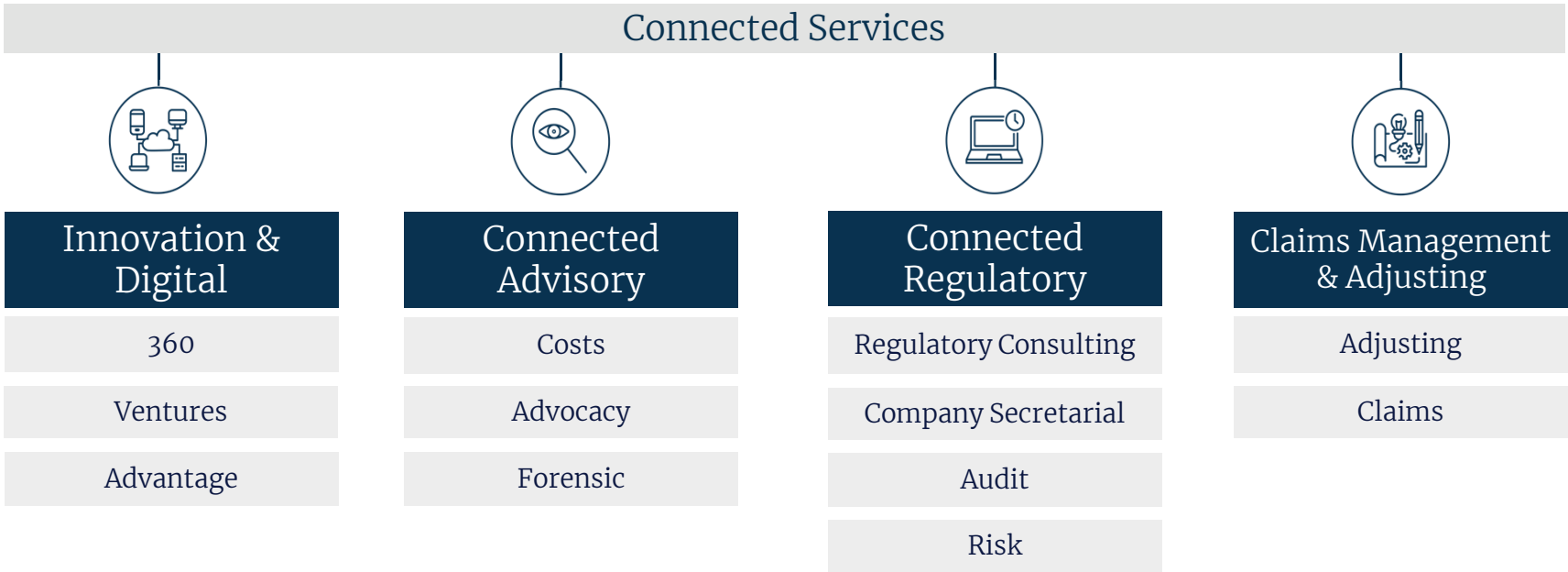
# Connected Services

Connected Services brings together multi-disciplinary teams to help you manage your business challenges such as risk, reputation, costs and time. You can directly access innovative products and technology, consultants, project managers and technology specialists who collaborate with our legal advisers to provide a seamless service enabling business growth and strategy.

Our clients benefit from DWF as a single provider, providing solutions from the beginning to the end of any matter or issue. This results in efficiency savings in time and cost, but also improves the quality of service and experience for our clients. Our Connected Services offering includes:



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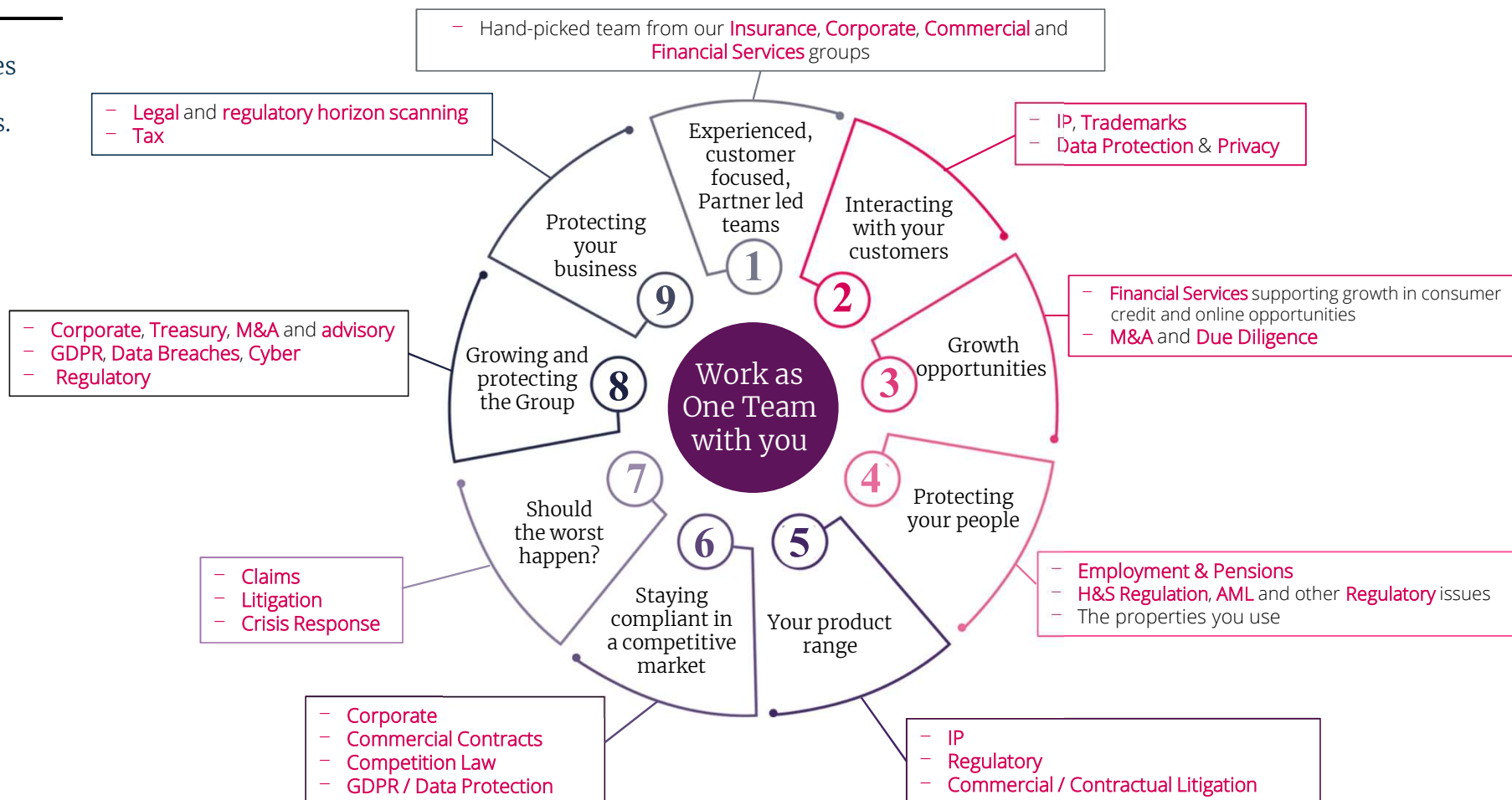




# One-stop-shop for legal services

DWF have the resources and tools to support across all legal matters.

We also have the strategic and expert resources to support your highly complex, reputational matters and transformational projects, as and when required.





DWF is a leading global provider of integrated legal and business services.

Our Integrated Legal Management approach delivers greater efficiency, price certainty and transparency for our clients.

We deliver integrated legal and business services on a global scale through our three offerings; Legal Advisory, Mindcrest and Connected Services, across our eight key sectors. We seamlessly combine any number of our services to deliver bespoke solutions for our diverse clients.

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