

# Alan C. Eagle, Esq.

Rivkin Radler LLP



Alan C. Eagle maintains a national insurance coverage practice that is supported by a group of Rivkin Radler's coverage lawyers.

For more than 20 years, insurance companies have called on Alan for his counsel and representation in coverage litigation. He successfully has resolved countless coverage matters, ranging from coverage opinions aimed at avoiding litigation to high-profile litigation involving hundreds of millions of dollars.

Alan has directed insurance coverage litigation across the country that has resulted in precedent-setting cases favorable to the insurance industry, including:

- Budget litigation in New York
- Liggett litigation in Delaware
- Polaroid litigation in Massachusetts
- F.L. Aerospace litigation in Michigan
- Noranda litigation in Idaho
- Howmet litigation in New Jersey
- Texaco/Primerica litigation in Iowa
- ISA litigation in New York

Alan frequently speaks on emerging insurance issues at insurance companies and other organizations, including the New York State Bar Association (NYSBA), Mealey's Insurance, and the Practising Law Institute. He also writes articles on insurance, including as a regular contributor of coverage updates to the Defense Research Institute and the NYSBA, and he is the author of the firm's monthly New York Insurance Coverage Law Update.

In addition, Alan serves as the vice chair of the Insurance Coverage Committee of the Torts, Insurance, and Compensation Law Section of the New York State Bar Association and as chair of the Insurance Section of the Nassau County Bar Association.

# Robert Horkovich, Esq.

Anderson Kill P.C.



Robert M. Horkovich is "the 'go-to person' in the area of insurance recovery," according to a client cited by Chambers USA, which has recognized Mr. Horkovich as a leading insurance recovery attorney every year since 2005. According to Chambers, Mr. Horkovich "has a strong 'client-first' attitude" and "is recognized in the market for his leading trial and negotiation skills, with an undisputed national presence."

Bob has obtained over \$5 billion in settlements and judgments from insurance companies for his clients over the past decade. Bob is a trial lawyer with substantial experience in trying complex insurance coverage actions on behalf of corporate policyholders and governmental entities. His victories include one of the top 10 jury verdicts in the United States in 2003, the top insurance recovery jury verdict in the United States in 2005, seven landmark state Supreme Court decisions, eight jury verdicts and nine bench trial decisions in favor of the policyholder since 1994 including:

- United Nations: Engaged on several significant projects by the United Nations as its general insurance counsel.
- State of California: Selected by the State of California as lead trial counsel. Won jury verdict securing coverage for the Stringfellow
- Acid Pits, described as the most complex environmental clean-up in the world. To date, the State has recovered settlements in excess of \$172 million in indemnity plus \$54 million in defense so far. Helped win two California Supreme Court victories (below).
- Fuller-Austin: Won jury verdict of \$188,793,014 against Lloyd's and other insurance companies in an asbestos insurance coverage case (a top 10 verdict in the U.S. in 2003); subsequently settled. Gross settlements of over \$190 million from 14 different insurance companies before trial.
- Weyerhaeuser: Two Washington Supreme Court decisions recognizing joint and several liability of multiple insurance companies on the risk over time and recognizing coverage for environmental clean-ups even without a government lawsuit. Two jury trial victories recognizing coverage for the clean-up of six environmental sites.
- Textron: Two Rhode Island Supreme Court decisions regarding coverage for unintentional environmental contamination despite the pollution exclusion and recognizing the trigger of multiple years of coverage for property damage over time.

- AT&T: Lead insurance recovery attorney against CNA in the successful resolution of AT&T's environmental insurance coverage litigation for a \$300 million site in Pennsylvania.

Bob also has represented General Electric, Thiokol, Waste Management, The Port Authority of New York and New Jersey, Alcatel-Lucent, Garmin, SCI, Clorox (First Brands), Saks Fifth Avenue, NYU, Princeton University, United Bank, Spalding, Cascade, Tektronix, Maidenform, Bijan and Evander Holyfield.

As to asbestos insurance recoveries, Bob represents the Trusts in the W.R. Grace, Owens Corning, Congoleum, Fuller-Austin, and Swan Transportation (Tyler Pipe) cases, the Debtor in the Asarco case, and the Asbestos Claimants' Committee in the Federal Mogul, PPG/Pittsburgh Corning, and A.P. Green (GIT) bankruptcies.

Benchmark deemed Anderson Kill a recommended litigation firm in New York recognizing Bob in 2016 as the top 10 insurance coverage lawyer in the US. Benchmark cites a frequent opponent in court who observes, "I would say that a good percentage of my time is spent fending off the likes of Bob Horkovich, but that's not an accurate summation because there is nobody exactly like Bob! He has done a great job with that firm, and no one fights harder for his clients. He really looks out for them like family." That explains why Law360 named Bob as an "Insurance MVP" by Law360 in 2012 and was named Lexis/Nexis "Policyholder Lawyer of the Year" in 2009. He is rated "AV® Preeminent™ Peer Review Rated" with a 5.0 out of 5.0 rating in Martindale Hubbell.

Mr. Horkovich has been selected by his peers for inclusion in Best Lawyers for insurance law in every year since 2009 and Super Lawyers for Insurance Coverage since 2006. He has been selected as a Fellow of the American Bar Foundation, the premier institute for social science research regarding law in the USA, an honor limited to one-third of one percent of the lawyers in America.

# Andrew R. Jones, Esq.

Furman Kornfeld & Brennan LLP



Andrew R. Jones, born in Essex, England, is dual-qualified attorney admitted to practice throughout New York State and in the United Kingdom\*. Mr. Jones is a Partner whose practice focusses primarily on professional liability matters. Mr. Jones' practice includes: (i) the direct defense of lawyers and other professionals; and (ii) giving advice to domestic and international insurers, including on policy language, product management, and claims management across the United States and abroad. More specifically, Mr. Jones' defense practice includes the representation of law firms, fiduciaries, and other professionals throughout all phases of litigation, including where necessary, at trial. His insurance coverage practice includes the representation of insurers in complex coverage litigations, arbitrations, monitoring local counsel, and providing various other forms of insurance coverage analysis and advice.

Mr. Jones represents individuals and corporations directly in matters alleging negligence or professional malpractice. Mr. Jones' practice includes counseling institutional clients and individuals on risk management. Mr. Jones has experience trying multi-million dollar cases in both Federal and State Courts. He has also negotiated favorable settlements for clients both in direct negotiation as well as in mediation and arbitration at various stages of proceedings.

Mr. Jones has drafted insurance policies and risk management guidelines for international insurers, and has advised on coverage matters both in the U.S. and abroad. Mr. Jones represents the Lloyd's insurance market in the World Trade Center/September 11, 2001 liability insurance coverage litigation in the Southern District of New York, and represents insurers in international arbitrations, including London, U.S., and Bermuda. Mr. Jones represents insurers in coverage disputes involving financial institutions, professional liability, marine and non-marine risks.

# Justin N. Kinney, Esq.

Kinney Lisovicz Reilly & Wolff PC



Justin N. Kinney is a shareholder of the Firm whose practice concentrates in insurance coverage litigation and counseling and civil litigation.

From 1993 to 1997, Justin was associated with the law firm of Ford Marrin Esposito Witmeyer & Gleser, LLP. Thereafter, he became associated with the law firm of McElroy, Deutsch & Mulvaney, LLP. In 2001, he became a Partner with that firm and served there until 2004. He joined Coughlin Duffy LLP as a Partner at its inception in March 2004. He joined KLRW at its inception in 2016.

# Jonathan C. Lerner, Esq.

Lerner, Arnold & Winston



Johnathan C. Lerner, founder of New York City law firm Lerner, Arnold & Winston (LAW), specializes in litigation of first-party and third-party property damage claims against insurance companies. He is dedicated to client satisfaction and champions the rights of residential and commercial property and business owners against insurance companies. Johnathan has successfully advocated for and attained multi-million dollar verdicts/settlements on behalf of his clients throughout his career.

Johnathan, the son of a former public adjuster, has vast knowledge and expertise in the field of first-party insurance claim litigation and has been instrumental in helping clients understand the provisions of their insurance policy's coverage clauses and their rights to receive the appropriate indemnification for the losses/damages sustained. His knowledge has been, and continues to be, particularly valuable during the aftermath of Superstorm Sandy as wind and flood issues continue to remain at the forefront of insurance claims. Johnathan's expertise regarding insurance coverage issues also makes him a highly-sought after speaker on hot topic issues in insurance litigation and property damage claims.

Johnathan's passion and commitment to the practice of law also extends to those in his community that need legal representation. He has assisted local homeowners with preparation and submission of claims to flood carriers. He also serves as a board member of Long Island's Community Mainstreaming Associates (CMA), an organization dedicated to helping men and women with developmental disabilities reach their highest potential of independence and lead purposeful lives.

# Robert J. Permutt, Esq.

## Nationwide Insurance

Robert J. Permutt currently serves as a Commercial Zone Practice Group Leader for Nationwide Insurance's Trial Division. In this capacity, he oversees the Commercial Litigation for four Northeastern states. Prior to his current role, Rob served for six plus years in the Office of General Counsel for Nationwide Insurance. During his last three years in General Counsel's Office, he was a Lead Assistant General Counsel, supervising a team of attorneys that provided legal support to the Personal Lines Casualty Claims Organization for the Northeast and Mid-Atlantic States. He also individually provided legal support to the New York Personal Lines Casualty Claims Organization.

Robert graduated from the State University of New York at Albany in 1991, with a Bachelor's Degree in History. Robert then attended Brooklyn Law School, obtaining a Juris Doctorate in 1996.

Following his graduation from law school, Robert worked in the Orange County District Attorney's Office for four years, ending his tenure in the office's Violent Felony Unit.

Upon leaving the District Attorney's Office, Robert worked for two New York State insurance defense law firms, handling a varied case load including products liability, Labor Law, premises liability, municipal liability and automobile liability cases.

Robert then joined the House Counsel operations for Progressive Insurance Company, handling large loss exposures throughout the Hudson Valley, New York City and Long Island.

Robert is a frequent presenter at New York CLE programs having presented for the New York State Bar Association, the New York State Judicial Institute, the New York State Board of Law Examiners and Lawline.com.

Robert has served on the Executive Committee of the Torts, Insurance and Compensation Law Section of the New York State Bar Association. On January 29, 2014, the Section honored him with the Committee Chairman of the Year award.

# Eric A. Portuguese, Esq.

Lester Schwab Katz & Dwyer, LLP



Rensselaer Polytechnic Institute, B.S., Management/Law Program (1978)  
Albany Law School, J.D. (1980)

Mr. Portuguese is the head of the firm's insurance coverage litigation practice group. He handles a broad spectrum of insurance coverage matters relating to general liability, personal and commercial auto, homeowner's, excess and umbrella, toxic torts and environmental, construction accident and defect, employment practices, intellectual property, products liability, directors and officers, professional liability and bad faith. He is a former Law Secretary to the Hon. Leon Lazer of the Appellate Division, Second Department.

He was admitted to practice in New Jersey in 1980 and in New York in 1981, as well as all of the Federal Districts in New York and New Jersey. He is also admitted to the United States Court of Appeals for the Second, Third and Eleventh Circuits, and the United States Supreme Court.

Mr. Portuguese has represented clients in courts throughout the country and in private coverage arbitration proceedings. He has regularly lectured on a variety of insurance coverage topics.

He has achieved the highest legal rating "AV Preeminent" from Martindale, and is a Top Rated Super Lawyers Insurance Coverage Attorney in New York City.

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# Patti F. Potash, Esq.

White Fleischner & Fino, LLP



Patti Potash, together with Ben Fleischner, heads the WF&F Insurance Practice. Patti provides coverage opinions, litigates, mediates, arbitrates and monitors coverage disputes for primary and excess insurers, as well as reinsurers. She also drafts agency agreements and appears before Insurance Departments on certain regulatory issues. She has handled insurance matters in all 50 states as well as in the U.S. Territories, Europe and Asia.

As resident partner of the White Plains office, Patti supervises the defense attorneys located in that office as well as the team of attorneys spread across all of WF&F's offices who handle the firm's coverage work.

Patti has been recognized by her peers for her excellence in the field: she was listed in the March 2012 New York Magazine Top New York Women Leaders in the Law; in the 2010 "Insurance and Reinsurance Lawyers Expert Guide," a worldwide guide of the leading Insurance attorneys selected by insurers; has received an AV Rating, the highest rating, from Martindale Hubbell every year since 1998; and has been included in the Martindale Hubbell Bar Register of Preeminent Women Lawyers since the Register's inception.

Patti lectures often at New York State Bar Association and Insurance Organization seminars, CLE classes and conferences on a wide array of insurance coverage issues. She has also authored several insurance and reinsurance-related articles for many different insurance publications, including Lloyd's List and the 2012 American Bar Association Handbook on Additional Insureds.

# Cheryl Vollweiler, Esq.

Traub Lieberman Straus & Shrewsberry LLP



Cheryl Vollweiler's practice concentrates in all aspects of insurance coverage and defense. Her areas of expertise include complex insurance disputes, reinsurance, bad faith litigation, international arbitration, products liability, general liability, premises and hotel liability, cyber risk, technology and data security, property damage and first-party coverage and toxic torts (including pharmaceutical and herbal/homeopathic products, chemical exposure, latent injuries, environmental, lead and mold). She has acted as coverage counsel, defense counsel to U.S. and foreign insurers in U.S. litigation nationwide and international arbitrations, and has supervised defense counsel on a nationwide basis on diverse books of business. Ms. Vollweiler also has extensive experience drafting insurance policies.

Ms. Vollweiler, a frequent lecturer on insurance coverage-related issues, punitive damages, e-discovery, toxic torts, pharmaceutical products liability, cyber law and other topics, was admitted to the bar in 1989 and is admitted to practice before the U.S. District Courts for the Eastern and Southern Districts of New York and the 2nd Circuit Court of Appeals. She received her Juris Doctor degree from Hofstra University School of Law in 1988. In 1985, Ms. Vollweiler received a Bachelor of Arts degree in Politics from Brandeis University. She is proud to join Traub Lieberman after many years as a partner at a prominent, large insurance defense firm.