

# Insurance Policy Review Program

Pillsbury's Insurance Recovery & Advisory group is a leading policyholder-side insurance team with more than 50 dedicated lawyers in Washington DC, New York, Los Angeles, San Francisco and Houston. Our breadth of practice and the decision to represent policyholders exclusively have provided us with a unique platform for success.

Our work includes handling policyholders' insurance claims such as major disasters like Superstorm Sandy and the Gulf of Mexico well blowout and oil spill, complex D&O liability disputes, and the largest insurance insolvency recovery on record. We are recognized among the leading construction insurance firms in the country, and are at the forefront of new coverages and claims in cybersecurity and many other areas. We advise policyholders seeking coverage under virtually every kind of insurance policy and represent policyholders around the world in all major industries.

## **Insurance Policy Review Program**

Although not insurance brokers, the Pillsbury team works closely with our clients' brokers and other advisors in evaluating the client's pertinent exposures, and to ensure that the coverage being placed is appropriate and optimized to respond when needed. We are frequently called upon to provide a "second look" at coverages to ensure that the client has the most advantageous, if not state-of-the-art, terms and wordings, and to help our clients and brokers negotiate with insurers to secure appropriate enhancements.

Pillsbury's team utilizes its experience in handling disputed claims and its extensive market knowledge (based on prior reviews and close relationships with

the national brokers) to identify areas of potential improvement to policy wording, and then to draft proposed wording changes as appropriate. We prioritize our recommendations, recognizing that not all change is achievable in one year, and advise our clients on the likelihood of success in securing those enhancements – based on our knowledge of market trends and the position each carrier is taking at the current time.

Of course, when a claim or potential claim arises, the Pillsbury team is available to advocate for coverage, and, if necessary, litigate to enforce our clients' coverage rights.

Some of the insurance policies that we routinely review include:

- D&O, E&O, Fiduciary and other executive liability insurance
- Cyber insurance
- Property and business interruption insurance
- Construction insurance
- Pollution liability insurance
- Product recall and liability insurance
- Other specialty insurance

## Frequently Asked Questions

### How often should this be done?

For some of our clients, negotiating enhancements to coverage is an annual process, and while the caselaw and other dynamics change constantly, requests for policy wording enhancements may be granted on an evolving basis over multiple years. Other clients consult us only when they have a particular transaction or exposure they are concerned about.

### What does a policy review cost?

We typically perform our insurance policy reviews on a reasonable flat-fee basis, with the cost dependent on the complexity of the coverage. Regardless, our clients have been unanimous in their opinion that the program provides tremendous value.

### Will this offend my broker?

Not the good brokers. The top brokers regularly recommend a “second look” by counsel, and frequently refer their valued clients to Pillsbury. We complement, but do not replace, your broker. Our strong relations with the top brokers and insurers are a key to our success.

## About Pillsbury

Pillsbury Winthrop Shaw Pittman LLP is an international law firm with offices around the world, and a particular focus on the technology, energy & natural resources, financial services, real estate & construction, and travel & hospitality sectors. Recognized by legal research firm BTI as one of the top 20 firms for client service, Pillsbury and its lawyers are highly regarded for their forward-thinking approach, their enthusiasm for collaborating across disciplines and their unsurpassed commercial awareness.

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