

# INSURANCE

REPRESENTING THE INSURED AND INSURERS



**SAXTON & STUMP**  
LAWYERS AND CONSULTANTS

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# YOUR PARTNER IN BUSINESS

The Saxton & Stump Insurance Law Group has extensive experience counseling insureds and insurers on coverage issues spanning virtually all lines of insurance. We litigate these matters in state and federal courts. The team's unique experience in insurance company leadership gives us insight into handling coverage and regulatory matters that benefit our clients. Our attorneys have counseled and worked on boards and executive, underwriting, and claims committees for numerous risk transfer vehicles. With this background, they have a full understanding of the risk issues facing these entities and the impact on insureds.

If your insurance matter goes to litigation, the well-recognized Insurance Law Group at Saxton & Stump is equipped with the knowledge, in-house trial technology, and trial strategies necessary to win your case.

## OVERVIEW

Saxton & Stump's Insurance Law Group regularly represents insurance industry clients and insureds in commercial and regulatory disputes. Our attorneys have decades of experience handling complex insurance issues.

Our experience and representative matters include, but are not limited to:

- Representing insurers in insurance coverage matters filed in state and federal courts around the country
- Representing insureds seeking coverage in declaratory judgment actions filed in Pennsylvania state and federal courts
- Experience defending insurers against claims under the unfair insurance practices act
- Representing primary carriers/self-insured trusts in connection with obtaining coverage from excess or statutory excess carriers (Mcare) in appropriate catastrophic cases
- Arbitration of coverage and bad faith claims on behalf of insurers
- Former national counsel for insurers litigating GL and EIL coverage claims in jurisdictions across the U.S.
- Experience with the Office of Liquidation and Rehabilitation of the PA Insurance Department
- Experience with UM/UIM arbitrations and coverage issues
- Drafting policy and endorsement terms and consulting on professional liability policy filings
- Experience with the actuarial and regulatory review of proposed policy endorsements/amendments through the Pennsylvania Department of Insurance

## INSURANCE COVERAGE

Drawing on our attorneys' extensive litigation backgrounds, the Insurance Law Group has litigated declaratory judgment actions and questions of insurance policy contractual interpretation throughout the Commonwealth. We have handled coverage litigation in matters pending between insured and insurer, between two primary insurers disputing coverage responsibilities, and disputes between primary and excess carriers.

## INSURANCE BAD FAITH

The threat of a bad faith claim is prevalent in coverage disputes and litigation. Our Insurance Law Group has experience handling and litigating claims of insurance bad faith. We defend insurers from claims asserting extra-contractual remedies under the Pennsylvania bad faith statute and common law. We also have experience working with insureds to utilize the protections of the bad faith law in appropriate cases to secure insurance coverage.





## REINSURANCE ARBITRATION

Our attorneys have experience with reinsurance arbitration under the Uniform Arbitration Act (both federal and PA's Uniform Act), PA Common Law Arbitration, and ARIAS-US® Arbitration Rules. Many treaty and facultative reinsurance contracts contain arbitration provisions requiring the use of ARIAS-US® arbitration procedures and the use of ARIAS certified arbitrators. Saxton & Stump's Insurance Law Group actively represents clients in arbitrations conducted under the Arias-US® Arbitration Rules as well as the Federal and Pennsylvania Uniform Arbitration Acts.

## A PROACTIVE APPROACH - MITIGATION

Insurance is an important risk management tool. As such, it is vital for the insured to know what they are and are not insured against. Similarly, an insurance company must know what risks they are underwriting so that they are collecting appropriate premiums to fulfill its obligations. Therefore, carefully written and interpreted insurance documents are vital for all aspects of business, personal, and leisure activities.

Examples of these types of documents, recent issues we have counseled clients about, and matter we have litigated include:

- General liability policies and breach of contract/failure to perform issues
- The other insurance provision and its application in a dispute between insurers
- The issue of what is a "claim" and when is a "claim" made under a claims-made policy
- Cyber insurance—protecting your business in the event of a data breach
- Moisture intrusion— whether or not coverage is provided for long-term water damage to buildings and construction projects
- Homeowners policies—flooding, depreciation, replacement costs
- Automobile policies—first party and third party issues, limited tort, stacking

For more information on Insurance Law, please contact **Matthew W. Rappleye, Esq.** at [mwr@saxtonstump.com](mailto:mwr@saxtonstump.com) or 717.556.1005.

# SAXTON & STUMP

LAWYERS AND CONSULTANTS

## PRACTICE AREAS

- Appellate & Post-Trial Advocacy
- Business & Corporate
- Construction
- Healthcare & Healthcare Litigation
- Insurance
- Intellectual Property
- Internal Investigations
- Labor & Employment
- Litigation
- Quality Assurance & Peer Review
- Real Estate
- Risk Mitigation & Safety
- Senior Care Services
- Trusts & Estates

## WHO WE ARE

Saxton & Stump is a full-service law firm providing businesses with legal and consulting services. We apply strategic solutions and problem-solving support to help our clients' businesses, organizations, and personnel navigate legal issues and thrive in an increasingly complex world.

Collaboration across disciplines allows our team to provide the highest level of service. The diverse backgrounds and extensive knowledge of our attorneys, business professionals, and industry experts creates a unique resource for our clients.

At Saxton & Stump, you'll be working with a team built for excellence that provides both quick response times and high-quality work. Our initiative of staying innovative and forward-thinking in the legal industry sets us apart. We also have a strong focus on investing in our team and the community to create robust relationships.

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