Insurance Coverage & Defense

Overview

AP&S attorneys provide a full range of time-sensitive legal services to individuals, insurers and companies – from Fortune 500 corporations to small employers throughout New England. Our experience encompasses defense and indemnity issues relating to construction claims, advertising injuries, environmental contamination, asbestos and other hazardous substances. We also offer experienced guidance and representation in professional liability defense, directors' and officers' liability, first-party property, homeowners, products, and specialty lines.

We advise clients on insurance coverage and bad faith claims for insurers, both admitted and surplus lines carriers, and provide coverage opinions on a variety of policies and issues, including questions pertaining to employee fidelity bonds, disability insurance, life insurance, environmental claims and construction defects.

As experienced litigators in state and federal courts, our attorneys have been nationally recognized as lead counsel in groundbreaking decisions of the appellate courts of Rhode Island, Massachusetts and New Hampshire, as well as the U.S. Court of Appeals for the First Circuit. We have successfully argued appellate cases concerning such issues as trigger of coverage, setoff for non-settling excess insurers, the sudden and accidental exception to pollution exclusion clauses, and employer immunity under workers' compensation acts.

We work closely with our clients' risk managers with respect to obtaining both appropriate insurance and the benefits thereunder. We also advise on selecting coverage and special endorsements suited to the particular circumstances of each undertaking, regularly dealing with issues of notice, adjustment of claims and coverage questions.

Perhaps most importantly, we recognize that litigation is not always the best option for our clients. Consequently, we're always sensitive to other solutions, including mediation and arbitration and we often guide our clients through alternative dispute resolution processes.

Areas of Concentration

- Construction claims
- Advertising injuries
- Commercial disputes
- Personal injury
- Environmental contamination
- Asbestos and hazardous substances

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- Professional, directors' and officers' liability
- Bad faith claims
- Coverage opinions
- Alternative dispute resolution

Experience

- Defended large regional contractor in complex litigation arising out of ground improvement defects, achieving favorable settlement for client.
- Obtained dismissal for board of directors from complex breach of fiduciary duty and corporate "freeze out" claims brought by large real estate developer.
- Successfully defended at trial a condominium association in corporate governance dispute.
- Defended and achieved favorable settlement of a class action on behalf of a national real estate business.
- Obtained dismissal on behalf of a condominium board of trustees of claims alleging discrimination and other tortious conduct.

Seminars/Publications

Seminars

- Geoffrey W. Millsom and Brenna A. Force, Social Media in Litigation, MetLife Auto & Home 2015 House Counsel Conference, May 7, 2015.
- Nicole J. Benjamin, Premises Liability Update, Rhode Island Bar Association Title Standards and Practices Committee, December 2013.
- John A. Tarantino, Insurance Coverage and Practice Symposium, New York, December 2006.

Awards

- Rated Tier 1 Metropolitan "Best Law Firm" by Best Lawyers®.

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