



Seth Lamden

Partner

Seth D. Lamden, a partner in Howrey's Global Litigation and Insurance Recovery practice groups, has extensive experience assisting policyholders in enforcing their rights to coverage under most commercial insurance products, including commercial general liability policies, London Market umbrella and excess policies, so-called "Bermuda Form" excess liability policies, directors and officers liability policies, errors and omissions/professional liability policies, and other specialized coverage. For more than ten years, Mr. Lamden has represented corporate and individual policyholders in high-stakes coverage disputes from a broad array of industries, including product manufacturers, utility companies, managed care companies, developers, contractors, design professionals, physicians and attorneys. He also has represented life and property insurers seeking coverage from their professional liability insurers for class action liability relating to insurance policy underwriting and marketing practices.

Seth Lamden

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ADMISSIONS

Illinois

EDUCATION

John Marshall Law School (JD, 1999), *magna cum laude*. Order of John Marshall

John Marshall Law Review

Brandeis University (BA, 1996)

In addition to litigation, Mr. Lamden regularly counsels clients on insurance-related matters such as maximizing coverage prospects while defending lawsuits, structuring defense cost-sharing agreements with multiple insurers for complex claims, negotiating policy commutations with solvent and insolvent insurers, and drafting contractual insurance specifications and indemnity agreements.

Mr. Lamden has lectured and written on a variety of subjects relating to insurance recovery and has been recognized as one of Illinois' "Rising Stars" by *Law & Politics* magazine.

REPRESENTATIVE MATTERS

- *American Economy Insurance Co. v. Holabird & Root*. Obtained summary judgment on behalf of architect seeking coverage as additional insured for occupational exposure bodily injury claim. 382 Ill. App. 3d 1017, 886 N.E.2d 1166 (1st Dist. 2008).
- *Country Life Insurance Co. v. St. Paul Surplus Lines Insurance Co.* Defeated insurer's summary judgment motion and obtained favorable settlement on behalf of life insurer seeking coverage for settlement of "vanishing premium" class actions. 422 F. Supp. 2d 977 (C.D. Ill. 2006).
- *H.A. Cordell, LLC v. Essex Ins. Co.* Prevailed at the Oklahoma state trial, appellate and supreme court levels on matter of first impression regarding the applicability of "non-renewal" statute when nursing

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home was destroyed by a tornado the day after the policy expired.

- *TIG Insurance Co. v. BU, et al.* Obtained favorable settlement against insurer, retail insurance broker and wholesale broker on behalf of child car seat manufacturer in policy reformation, breach of contract and broker malpractice action. No. 1:03-CV-1633 (S.D. Ind. 2003).
- *Utica Mutual Insurance Co. v. David Agency Insurance, Inc.* Obtained judgment on the pleadings on behalf of insurance agency seeking coverage for defense and indemnity in claim alleging defamation and violations of the Illinois Consumer Fraud Act. 327 F. Supp. 2d 922 (N.D. Ill. 2004).

COURTS & ADJUDICATIVE BODIES

- United States District Court for the Northern District of Illinois
- United States District Court for the Central District of Illinois

PROFESSIONAL AFFILIATIONS

- Vice Chair, Insurance Coverage Litigation Committee, American Bar Association, Tort Trial & Insurance Practice Section
- Insurance Committee, Illinois Association of Defense Trial Counsel

PUBLICATIONS & SPEAKING ENGAGEMENTS

ARTICLES

"Fourth District Extends *Virginia Surety* to Contribution Claims Brought by Project Owners Against General Contractors." *IDC Quarterly* (Fall 2009).

"Indemnity Risks." *Risk* (Fall 2009). Co-authored with Andrew M. Reidy.

"Related Acts and Related Claims Under E&O Policies." *Risk* (Summer 2009).

"Recent Developments in Insurance Coverage Litigation." *Tort Trial & Insurance Practice L.J.* (Spring 2009).

"Protecting a General Contractor from Liability Caused by a Subcontractor." *The Brief* (Spring 2008). Reprinted in the "Best of ABA Sections" issue of *GPSolo* Magazine (September 2008).

"Kajima v. St. Paul: Illinois Supreme Court Clarifies Interplay between Horizontal Exhaustion and Targeted Tender." *IDC Quarterly* (Spring 2008).

"Recent Developments in Insurance Coverage Litigation." *Tort Trial & Insurance Practice L.J.* (Spring 2008).

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"Does a Commercial General Liability Policy Provide Coverage for Defective Construction Claims against General Contractors?" *Risk* (2008).

"Managing the Risk: A Report of the September 30, 2007 IDC/SOICA Construction Insurance Symposium." *IDC Quarterly* (Winter 2007).

"Policyholder's Right to Reimbursement from Insurer." *Risk* (2007).

"The IDC Monograph: Insurance Coverage for Defense Counsel: A Primer." *IDC Quarterly* (Winter 2006).

"Six Myths to Overcome For Insuring Economic Loss, Breach of Contract, and Faulty Workmanship (Revised)." *CGL Reporter* (Spring 2005).

"Recent Developments in Insurance Coverage Litigation." *Tort Trial & Insurance Practice Law Journal* (Winter 2004).

BOOKS

The Construction Contracts Book: How to Find Common Ground in Negotiating the 2007 Industry Form Contract Documents. American Bar Association Forum on the Construction Industry (2008). Chapter 15, Insurance, 2nd Ed.

SPEECHES

"Everything You Wanted to Know About Your Client But Were Afraid to Ask." ABA Tort Trial & Insurance Practice Section 16th Annual Insurance Coverage Litigation Committee Midyear Program (February 25, 2010).

"Building Insurance Coverage for Construction Projects." RIMS Webinar (November 18, 2009). Presented with Peter Tracey and Stephen Palley.

"Crafting the Key Documents in Insurance Coverage Litigation." ABA Tort Trial & Insurance Practice Section 15th Annual Insurance Coverage Litigation Committee Midyear Program (February 26, 2009).

"Additional Insureds and Insured Contracts." American Bar Association, Tort Trial & Insurance Practice Section Annual Insurance Coverage Litigation Committee Midyear Program (February 16, 2007).