

Linda A. Powell | Of Counsel
Insurance Recovery

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Linda Powell focuses her practice on representing policyholders in complex insurance coverage disputes and pursuing recoveries for various losses, including product-related liabilities, environmental liabilities, first-party property losses, professional liabilities, and directors- and officers-related liabilities.

Linda regularly advises policyholders on commercial general liability, “Bermuda Form” excess liability, London Market, and professional liability, among other insurance issues. In representing policyholders, Linda guides clients through all stages of litigation and alternative dispute resolution, from pre-complaint investigation and counseling throughout trial. In addition, she has represented policyholders in domestic and international arbitrations, including London arbitrations of Bermuda Form coverage disputes.

Prior to going into private practice, Linda worked as a prosecutor in Florida and Maryland where she handled criminal cases that led to numerous jury trials.

Select Engagements

- Represented a major chemical manufacturer in multiple London arbitrations of Bermuda Form policy disputes for damages incurred in connection with product liabilities, which led to positive results for the client.
- Served as a key member of a team representing a U.S. utility in a London arbitration of a Bermuda Form coverage dispute for damages incurred in connection with an environmental cleanup, which led to an award of full policy limits.
- Represented a major coal producing company and its subsidiaries in an action against its liability insurers seeking coverage for allegations of bodily

injury and property damage arising out of coal mining operations in nearly 400 underlying actions. Obtained a significant ruling of first impression in West Virginia that the so-called "absolute" pollution exclusion was ambiguous when applied to claims allegedly arising from the policyholder's coal mining operations. Following this ruling, a favorable settlement was reached on behalf of the client.

- Represented a major coal producing company and its subsidiary in an action against its liability insurers seeking coverage for allegations of bodily injury and property damage arising out of coal mining operations in more than 700 underlying actions. After prevailing on summary judgment as to whether certain insurers had a duty to defend the client against the underlying claims, negotiated a favorable settlement on behalf of the client.
- Served as a key member of a trial team that obtained a \$383 million verdict for an American pulp and paper company, in a declaratory judgment action against 22 insurance carriers that had sold products liability coverage to the company. The verdict was one of the largest awarded by a California jury in 2003.

Admissions

- District of Columbia
- Florida
- Maryland

Education

- University of South Florida, BA
- University of Miami School of Law, JD