

## THE 2020 D.C. LITIGATION DEPARTMENTS OF THE YEAR

Insurance Winner

### Blank Rome

■ **DESCRIBE YOUR FIRM'S APPROACH TO LITIGATION AND YOUR STRATEGY FOR BUILDING SUCCESSFUL TEAMS FOR TRIALS OR OTHER MATTERS.**

We distinguish ourselves by winning efficiently. We are trial lawyers, not discovery litigators. We approach each case with a plaintiff's mindset and advance the case toward trial. Delay postpones our client's recovery from the insurer. We begin thinking about, and crafting, an opening statement very early in the case and continue to develop and refine the theme of our case until trial. At the same time, we treat our adversaries with the utmost civility. We have a zero-tolerance policy regarding unprofessionalism within our group. A balanced approach of zealous advocacy and civility directly corresponds to successful results for our clients.

■ **DISCUSS THE TWO BIGGEST INSURANCE LITIGATION CASES YOUR FIRM WORKED ON IN 2019 AND HOW YOU REACHED SUCCESSFUL OUTCOMES.**

The Diocese of New Ulm (Minnesota) filed for bankruptcy protection in 2017, facing 101 claims of sexual abuse occurring from the 1950s to the 1970s. In 2019, the diocese reached a global settlement of \$34 million. Of that, Jim Murray and Jim Carter assisted the diocese in recovering \$26 million from insurers. Our practice handling insurance coverage for sexual abuse liability cases is second-to-none, having recovered nearly \$1 billion in insurance proceeds. Trilantic Capital Partners pursued coverage under private equity liability policies for a series of lawsuits alleging that Trilantic was responsible for the ERISA withdrawal liabilities of portfolio companies. In a challenging matter of first impression regarding liabilities that jeopardized the private equity business model, Justin Lavella and John Heintz recovered sufficient insurance to reimburse Trilantic's defense costs and to pay a substantial portion of the underlying settlements.

■ **WHAT ARE THE MOST CHALLENGING AND SATISFYING ASPECTS OF YOUR WORK IN LITIGATION?**

Challenging: maintaining the "profession." Rewarding: watching young attorneys learn the craft. The practice of law today is described simultaneously as a "business" and a "profession." Providing business-oriented results for our clients is our primary, constant goal. We accomplish that, in part, through striving to perfect the art of trial work. On the other hand, training young attorneys is much more difficult than 20 years ago, when it was acceptable for two lawyers to attend a deposition to learn the ropes. We strive to provide young lawyers with the opportunity to take on meaningful roles early in our insurance cases.



JIM MURRAY

■ **WHAT IS THE MOST IMPORTANT PIECE OF ADVICE YOU'D SHARE WITH YOUNG LAWYERS?**

Strive for simplicity. Talk and write clearly. Use short sentences. Cast aside legalese and scrap insurance-speak. It takes practice and discipline but it's achievable! Be civil and professional with opponents, witnesses and the court. Finally, a one-word amendment to Paul Simon's advice: "Preserve your reputation; it's all that's left you."

*Responses submitted by Jim Murray, chairman of Blank Rome's insurance recovery group. Murray wrote that he has fought insurance companies for decades, leading to recoveries of over \$1 billion from many lines of insurance. He is a fellow of the American College of Trial Lawyers and the American College of Coverage Counsel.*

#### firm facts

- Number of Partners in Firm's Litigation Specialty Department in D.C.: 9
- Number of Associates in Specialty Department in D.C.: 5
- Number of Other Attorneys in Specialty Department in D.C.: 1
- Number of Partners in Specialty Department Firmwide: 17
- Number of Associates Firmwide: 12
- Number of Associates in Specialty Department Firmwide: 3
- Percentage of Firm Represented by Specialty Department: 5%