

## Dennis L. James | Of Counsel

Insurance Recovery

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Dennis James represents corporate policyholders in disputes seeking to enforce insurance coverage for a broad range of losses. These include claims involving products liability, environmental property damage, toxic torts, professional liability, cyber loss, and first-party property loss. He advises clients on a wide array of insurance policies, including commercial general liability, "Bermuda Form" excess liability, directors and officers liability, errors and omissions/professional liability, and cyber liability.

Dennis is experienced in all phases of litigation and alternative dispute resolution, including domestic and international arbitrations. He has represented well-known companies in the construction, manufacturing, energy, chemical, and financial services industries.

## Select Engagements

- Representing a major former chemical company in seeking coverage under Bermuda Form policies for alleged bodily injury and property damage claims allegedly arising from the use of, and exposure to, a chemical product that was widely used in building materials and in electrical appliances for decades.
- Representing a major agricultural company in seeking coverage under Bermuda Form policies for alleged bodily injury (non-Hodgkin's lymphoma) allegedly arising from use of, and exposure to, a leading herbicide product.
- Represented a manufacturer of slurry-coated roofing tiles against more than 18 insurers in an action in California superior court, which sought to enforce rights to defense and indemnity coverage for a putative California class action alleging that the roofing tiles prematurely deteriorated and degraded.

- Represented a major mutual fund complex with respect to insurance coverage issues arising from lawsuits related to the redemption of Auction Rate Preferred Securities.
- Represented an electric utility company in insurance coverage litigation for environmental liabilities and bad faith at numerous sites for claims in excess of \$100 million.
- 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. As part of the litigation team, 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 policyholders seeking defense costs and indemnity coverage under professional liability policies for liabilities incurred in class action and other multiparty cases alleging errors and omissions in connection with the sale of annuities.
- Served as a key member of a trial team that secured an approximately \$400 million verdict in favor of a manufacturer of hardboard siding against more than 20 of its insurers.
- Represented a major chemical company in seeking insurance coverage for various lawsuits alleging bodily injury arising from exposure to diacetyl.
- Represented a major mutual fund complex with respect to insurance coverage issues arising from allegations of so-called "market timing" and "late trading."

## Admissions

- Pennsylvania
- District of Columbia

## Memberships

- American Bar Association

## Education

- The Catholic University of America Columbus School of Law, JD
- Duquesne University, BA

## Recognitions

2024, Insurance Law in Washington, D.C., listed in *Best Lawyers in America*®

## Professional Activities

Dennis is a member of the Insurance Coverage Litigation Section and Tort Trial & Insurance Practice Section of the American Bar Association.