

TIMED AGENDA

:00	<i>Introduction & Opening Caveat</i>
:02	<i>Special Rules of Insurance Policy Construction</i>
:05	<i>The Grant of Coverage</i>
:15	<i>What Constitutes “Physical Loss or Damage”</i>
:35	<i>Civil Authority Coverage</i>
:45	<i>Dependent Property Business Interruption Coverage</i>
:55	<i>Virus Exclusion</i>
1:00	<i>Burden of Proof to Establish that an Exclusion Applies</i>
1:05	<i>Concurrent Causation</i>
1:10	<i>ISO Virus Exclusion Contains No “Anti-Concurrent Cause” Provision</i>
1:15	<i>Coverage Based on Government Action</i>
1:20	<i>Concurrent Cause Analysis</i>
1:25	<i>Bad Faith Issues</i>
1:30	<i>Conclusion</i>
<i>Total Minutes: 90 minutes</i>	

COURSE No. 200416D00

DESCRIPTION

The spread of COVID-19 has been swift, involving travel bans, emergency declarations, airport screenings, and stay-in-place orders in multiple states and cities. The financial impact of these decisions has resulted in the closure of businesses and widespread employee layoffs. Business owners and lawyers need to understand which insurance policies may provide coverage, and what insurance coverage issues are likely to arise if claims are made.

For this webinar, we have obtained two of the leading insurance coverage attorneys in the United States: Michael Bidart and Ricardo Echeverria of Shernoff Bidart Echeverria, LLP. Over the course of its forty-year history in insurance coverage, Shernoff Bidart Echeverria, LLP has obtained over \$5 billion in insurance coverage for their clients.

Topics of discussion will include:

- *Business Interruption coverage*
- *An analysis of exposures for insurers and of business sectors likely to suffer big losses*
- *Property, first party policies, and contingent business interruption coverage: to what extent is property coverage designed to cover coronavirus losses?*

This webinar is designed for attorneys and other legal professionals who advise (or want to advise) business clients on coverage matters on insurance disputes.

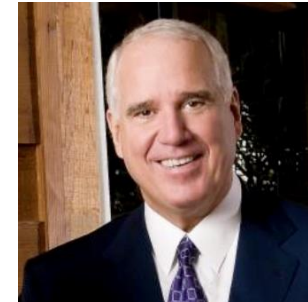
EDUCATIONAL MATERIALS

Presentation, 52 slides

PRESENTERS

MICHAEL BIDART

- Partner, Shernoff Bidart Echeverria
- J.D, Pepperdine University School of Law
- B.S., California State Polytechnic University, Pomona



Admissions: California

As a preeminent consumer attorney, Michael J. Bidart has made a major impact on the United States healthcare system. Mr. Bidart is the Managing Partner for the firm Shernoff Bidart Echeverria, and he leads the firm's HMO Litigation and Property/Casualty Departments.

Since bringing his expertise to the firm in 1986, Mr. Bidart has developed the firm's health insurance practice by successfully prosecuting bad faith disputes against insurers and HMOs.

His inexhaustible efforts were showcased in 1999 with a landmark \$120.5 million verdict against Aetna over its refusal to pay for care recommended by the health plan's own physicians (Goodrich v. Aetna). It is the largest jury verdict ever rendered against an HMO nationally. Recently, he was victorious on a jury trial on behalf of a young woman who lost her leg due to Kaiser Permanente's negligent care. The jury awarded the woman \$28.2 million.

Mr. Bidart's dedication and expertise are also exemplified by many earlier landmark decisions. In *State Farm v. Superior Court* (1996) he helped establish definitively that "unfair business practice" statutory liability applies to insurance companies in California. For victims of the 1994 Northridge earthquake he won more than \$300 million.

A well-known lecturer and keynote speaker on HMO litigation and bad faith insurance practices, Mr. Bidart has been a featured speaker for the Association of Trial Lawyers of America, Consumer Attorneys of California, American Conference Institute, The Rutter Group, the California Judges Association and many others.

Mr. Bidart has served on the Board of Governors of Consumer Attorneys of California and Consumer Attorneys Association of Los Angeles, on the Board of Regents of Loyola Marymount University and as chairman of the Board of Visitors for the University of La Verne Law School.

WEBSITES

<http://shernoff.com/attorneys/michael-bidart/>

HONORS AND AWARDS

- *Consumer Attorneys Association of Los Angeles (CAALA) Trial Lawyer of the Year, 2015*
- *CAL ABOTA Trial Lawyer of the Year, 2011*
- *Los Angeles Daily Journal Top Verdict Honoree, 2016*
- *Los Angeles Daily Journal Top 25 California Plaintiff Attorney, 2015, 2016*
- *Los Angeles Daily Journal Top Healthcare Attorney in California, 2019*
- *Southern California Super Lawyers Top 100, 2004-2020*
- *Southern California Super Lawyers Top 10, 2020*
- *Law & Politics Magazine, Super Lawyer, 2004-2020*
- *Who's Who Legal: Insurance & Reinsurance, 2016*
- *Best Lawyers' Inland Empire Insurance Law "Lawyer of the Year", 2014, 2017*
- *Law360 Insurance Law MVP, 2014-2015*
- *Association of Southern California Defense Counsel (ASCDC), Civil Advocate Award, 2008*
- *California's 100 Most Influential Lawyers, California Lawyer Magazine*

RICARDO ECHEVERRIA

- Partner, Shernoff Bidart Echeverria
- J.D, Santa Clara University School of Law
- B.S., California State Polytechnic University, San Luis Obispo

Admissions: California; US District Courts for Central, Northern, Eastern and Southern Districts of California, and US Court of Appeals for the 9th Circuit

Ricardo Echeverria is a trial attorney with Shernoff Bidart Echeverria LLP, handling insurance bad faith and catastrophic personal injury cases. Mr. Echeverria is a past-president of the Consumer Attorneys Association of Los Angeles (CAALA) the nation's largest local association of plaintiffs' attorneys. He was recognized as one of the Top 30 Plaintiff Lawyers in California in 2018 and 2019 and was named one of the Top 100 Attorneys in California in 2017 and 2018 by the Los Angeles Daily Journal. In 2019, he was honored with the Lifetime Legal Achievement Award from Consumer Watchdog. Mr. Echeverria's trial record is distinguished by impressive victories, including a \$68 million jury verdict in a medical malpractice case in Fresno, CA (Perez et al. v Community Regional Medical Center, Pervaiz A. Chaudhry) and numerous other million-dollar verdicts. He is a member of the American Board of Trial Advocates (ABOTA) and has been recognized as a Top 100 Trial Lawyer in the State of California by The National Trial Lawyers Association. In 2014, Mr. Echeverria was elected a Fellow of the American College of Trial Lawyers (ACTL), which recognizes the top one percent of total trial attorneys in the country.



WEBSITES

<http://shernoff.com/attorneys/ricardo-echeverria/>

PUBLISHED WORKS

- *Litigating an HMO Bad Faith Case from the Plaintiff's Perspective (Co-Author)*
- *The Erosion of ERISA Preemption of Bad Faith Liability Actions (Co-Author)*
- *Punitive Damages in Insurance Bad Faith Cases (Co-Author)*
- *HMOs: Delay of Treatment (Co-Author)*
- *Holocaust Insurance Claims: Getting Justice 50 years Later (Co-Author)*
- *Goodrich v. Aetna: A \$120.5 million Commentary, Mealey Publications*
- *Bad Faith Action from the Duty to Settle, The Advocate*
- *Handling Under-Insurance Cases, The Advocate (Author)*
- *Effective Presentation of Non-Economic Damages at Trial, The Advocate (Author)*
- *Trying an Insurance Bad Faith Case from A to Z, The Advocate (Author)*