

# FIRST PARTY INSURANCE MATTERS

There are obviously many specialties within the legal profession, as well as extraordinary differences in how lawyers practice law, especially in the area of first party insurance defense. Drew Eckl & Farnham's First Party Insurance attorneys bring more than 80 years of legal experience in this specific niche of law. Along with this experience, the first party attorneys also bring to each claim our firm's commitment to efficient, cost-effective solutions.

## Coverage Analysis, Appraisal, Litigation, and More

Whether you are investigating a claim or defending a lawsuit brought by your insured, our attorneys can guide you through each aspect of first party insurance claims to reduce your company's exposure. While Georgia is a large part of our practice, the First Party Insurance attorneys represent clients throughout the southeast.

### **A sample of some of the legal services provided by First Party Insurance Practice includes:**

- Defending breach of contract and bad faith claims in state and federal courts
- Conducting examinations under oath of insureds
- Coverage opinions
- Declaratory judgment actions to resolve coverage disputes
- Subrogation actions

### **RELATED ATTORNEYS**

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H. Michael Bagley  
Kimberly E. Coleman  
Alexander Fain  
Jay Patton  
Cameron Poole  
Arika Song  
J. Benson Ward

- Management of appraisals, including umpire appointment
- Representing insurers in arbitration
- Settlement mediation

**Our clients often need representation in claims involving:**

- Arson
- Fraud
- Theft
- Collapse
- Faulty workmanship in construction and design
- Water Damage
- Hail & Windstorm damage
- Appraisals
- Business Interruption
- Duty to Defend

The primary goal in the investigation of First Party claims and cases is the expeditious development of all relevant evidence to enable fully informed decisions regarding the loss. If litigation is involved, the primary goal is to terminate the litigation by summary judgment. If the facts or law prevent summary judgment, our First Party Insurance attorneys have substantial trial experience and a track record of excellent outcomes. In the past eight fraud and forfeiture trials, including arson defenses, our attorneys obtained a verdict for the insurance carrier, and in several cases obtained a judgment against the insured for monetary damages in favor of our clients.

## Related Insights

- “Law or Ordinance” – Code Upgrade Coverage for Single Family Dwellings in Georgia, Journal

- ACV and RCV: Are Courts Respecting the Difference?, Journal
- LISTEN NOW: Drew Eckl & Farnham's Podcast Episode on Proving Financial Motive With J.S. Held, Media
- Interactive Map: First Party COVID-19 Cases In the U.S., Journal
- Sticking Points: An Analysis of Georgia Federal Courts' Recent Daubert Rulings in First-Party Property Cases, Journal
- NEW COVID-19 RULING: TWO ADDITIONAL COURTS DENY INSURERS' MOTIONS TO DISMISS, Journal
- COURT ISSUES FIRST RULING IN A COVID-19 RELATED FIRST PARTY PROPERTY CLAIM, Covid-19 Legal Updates, Journal, News
- Coverage Issues Related To Remote Access Breaches – Part Two: What Damages Are Covered?, Journal
- Coverage Issues Related To Remote Access Breaches- Part One: What Is A Covered Data Breach?, Journal
- Seepage or Leakage: What Coverage Exists for the First 13 Days?, Journal
- Georgia Court Takes Bright-Line Approach to Question of When Liability Insurer Has A Duty to Settle, Thereby Limiting Insurers' Potential Bad Faith Exposure Where No Formal Settlement Demand Within Policy Limits Has Been Made, Journal
- Court Rules Claims Notes Prepared After Anticipation Are Discoverable For Bad Faith Claims But Only After Bifurcation of Claims for Breach of Contract and Bad Faith, Journal
- Georgia Courts Continue to Uphold "exclusive remedy" Rule Under O.C.G.A. § 33-4-6, Journal
- The Strike Zone's Over Here, Ump! A Multi-Jurisdictional Overview of Recent Coverage and Valuation Issues Arising During Appraisal, Journal
- Fraud in Part, Fraud in Whole?, Journal
- Can An Insured "Losing" His Cellphone Constitute Spoliation of the Evidence?, Journal
- Let the Seller Beware: Owner-financed Mortgages as a Bar to Insurance Coverage, Journal
- Think You Can't Win on Summary Judgment? Think Again, Journal
- Call Off the Dogs: Basic Steps for Analyzing a Dog Owner's Potential Liability under Georgia's Dog Bite Statute, Journal
- Can An Insured's Execution of An Authorization for Release of Information Satisfy A Insured's Duties Following A Loss?, Journal
- Rising Roof Claims Causing Courts To Address Numerous Coverage Issues, Journal
- Bias During the Appraisal Process: Are Contingency Fee Agreements Grounds for Appraiser Disqualification?, Journal

- First Party Property Div Claim: Federal District Court In Georgia Declines Request For Declaration That State Farm Homeowners Policies Provide Coverage For Future Div Claims, Journal
- LAM V. ALLSTATE Indemnity Company: Appraisal Provision Does Not Apply To The Scope Of The Loss, Journal
- Don't Waive Goodbye To Potential Coverage Defenses, Journal
- "Residence Premises:" Determining Where An Insured Resides, Journal
- The Great Windfall: Whether Insured's In Georgia May Cover Replacement Costs Without First Repairing Or Replacing Their Property, Journal
- Insurable Interest Revisited (Again), Journal
- Property Law Update, Journal
- Recovery Of Diminution In Value For First Party Property Claims In Georgia, Journal
- Facebook And Fraud: A Guide To Investigating Social Media During Insurance ClaimsFacebook And Fraud: A Guide To Investigating Social Media During Insurance Claims, Journal
- What You Should Know About Sue & Labor Coverage, Journal
- No Shelter From The Storm: Court Declines To Rule Uninhabitable House Not Residence Premises As A Matter Of Law, Journal
- Anticipation Of Litigation Protection For Claim Files, Journal