

SURETY & INSURANCE

The Surety & Insurance practice group at Meyers Roman provides highly experienced representation in all types of surety, fidelity and insurance matters. We counsel clients on proactive risk mitigation, as well as work to successfully manage claims from investigation through defense and resolution should a claim arise. We provide surety clients with end-to-end services and solutions pertaining to construction and other contract bonding matters, such as contract bids, performance and payment; financial assurance; and environmental risk. We counsel clients on underwriting/indemnity arrangements and collateralization, penal limits, notice requirements, default restructuring, negotiation with obligees, and preparation and enforcement of takeover and completion agreements. We also represent clients in loss recovery and subrogation litigation, including indemnification and exoneration claims. In addition, we counsel corporations, privately held companies and lending institutions on fidelity coverage and litigation matters, such as commercial crime policies, employee dishonesty and theft policies, financial institution bonds, business service bonds and ERISA bonds.

Our attorneys represent insurance companies and policyholders in all aspects of insurance claims management and defense, from the initial onset of a claim through investigation and defense. When a claim arises, we work with insurers to understand their duty to indemnify and defend, beginning with a comprehensive policy review to determine the scope of coverage, including coverage provisions, exclusions, endorsements, deductibles and limits of liability.

At Meyers Roman, we investigate, defend and resolve claims as expeditiously and cost effectively as possible, with the goal of mitigating losses and maximizing recovery. Whether through negotiations, mediation, arbitration, litigation or settlement, clients can rely on our extensive trial experience before state, federal and appellate courts, administrative agencies and arbitration panels. In addition, our attorneys have a unique blend of legal and practical industry experience. We have attorneys who have been an owner and principal of a construction material supply company, a surety company and an adjusting company; one who has acted as Special Counsel to the Ohio Superintendent of Insurance for a number of high profile cases; and a member of the Fidelity and Surety Committees for both the American Bar Association and the Defense Research Institute. Furthermore, our attorneys continually stay abreast of changes in the insurance regulatory landscape, actively lobbying on behalf of insurers and educating our clients. In order to provide the most efficient and practical solutions, we take a multi-disciplinary approach, drawing on the expertise of members of our related practice areas including, Civil & Commercial Litigation, Construction and Creditors' Rights & Bankruptcy.

Representative Services

- Takeover and Completion Agreements
- Default Restructuring
- Claims Investigation, Management and Resolution
- Defense of Claims
- Litigation
- Loss Recovery/Subrogation
- Negotiation with Obligees
- Regulatory Issues
- Underwriting/Indemnity Arrangements & Collateralization
- Counseling and Risk Mitigation

Representative Matters

- Defended surety facing more than \$100 million in bond claims in federal multidistrict litigation matter involving sub-prime commercial lease pool Ponzi scheme.

- Represented surety for asphalt subcontractor in assertion of claims against State of Ohio Department of Transportation for changed conditions and loss of productivity on interstate highway repaving project.
- Defended surety for roofing contractor on college dormitory project against claims by public university for costs to repair and replace allegedly defective standing seam copper and slate dormitory roofs.

Attorneys

- Ronald P. Friedberg, Chair
- Alan N. Hirth
- Anne L. Meyers
- Russell O'Rourke
- Peter Turner
- Matthew D. Golish
- R. Scott Heasley