

From The Chair

By F. Lane Finch, Jr.

**K**eeping pace in the digital age requires a network and resources that support you every step of the way.

# Helping You Prepare 24/7

We are reaching the end of another year; it is a little hard to believe. But I guess that time flies when you're analyzing and litigating crazy coverage claims day in and day out! With email, e-filing, e-discovery, and all the other "wonderful" (*please read that with a little snarkiness*) technological developments, the practice of law really is a 24/7 job.

Thankfully, we can commiserate and help each other out through our DRI network and the vast resources DRI has compiled and made available to us on that same 24/7 basis.



The Insurance Law Committee is proud to provide the DRI community with some great articles in this issue of *For The Defense*. The authors are great lawyers to network with and their articles are great



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resources to help you to stay on top of your 24/7 practice.

Alissa Christopher and Ashley Gomez-Rodon wrote a great article entitled “Coverage B: Advertising Then and Now.” If you don’t know what “Coverage B” is, be sure to read this article because insurance claims falling under this coverage are increasing with our increased use, and misuse, of

social media. She covers changes in the law applying to coverage for personal injury and advertising injury and brings you up-to-date on how the courts are currently applying this coverage in the digital age.

Stanley Kallmann provides “A Primer on Late Notice.” He explains how important this defense is, how it is not as simple as it seems on its face, and how certain

court-imposed requirements, such as prejudice, may limit the availability of this defense. Late notice poses real problems to insurers, and their insureds often do not have a good excuse for breaching their contractual obligation to provide notice on a timely basis. Mr. Kallman will explain how the effect of that breach depends on the policy language as well as judicial sentiment to prepare you to use this valuable defense effectively.

Adam H. Fleischer and Allyson C. Spacht penned “Square Pegs in Round Holes: Can America’s Opioid Epidemic Squeeze into Tort or Insurance Law?” This is a very important article, given the scope and devastation of the opioid epidemic as well as the billions of dollars at stake in the litigation over responsibility and complicity for the problem. And, of course, of highest importance to many of our readers, this article discusses who is going to pay for this epidemic? Will it be the insurance industry?

Ashlyn Capote’s article, “Primary and Noncontributory Coverage Requirements: An Overview of Recent Priority of Coverage Decisions,” tackles the important question of which insurers are responsible for what? We often face complex claims involving multiple defendants, each with separate insurers, and some with multiple insurers. Ms. Capote will provide you with some insights on how to “unscramble” the coverage conundrums associated with these complex clients.

The Insurance Law Committee hopes these articles will help you enter 2020 better prepared to represent your clients when they face complex coverage issues. Happy holidays and best wishes for the new year!

