



BRYAN W. PETRILLA

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BAR ADMISSIONS

- Pennsylvania
- New Jersey
- New York

COURT ADMISSIONS

- U.S.D.C., E.D. Pennsylvania
- U.S.D.C., D. New Jersey
- U.S.D.C., N.D. New York
- U.S.D.C., S.D. New York
- U.S.C.A., Sixth Circuit

EDUCATION

Villanova University School of Law (J.D., *magna cum laude*)
Washington and Lee University, (B.A.)

PROFILE

Bryan Petrilla counsels leading insurers across the country on a wide range of coverage issues and disputes. He offers the rare added value of having previously represented policyholders, giving him a full understanding of the issues and strategies from both sides of the table.

Bryan has litigated coverage disputes in bench and jury trials in state and federal courts throughout the country, including Alabama, California, Connecticut, Delaware, Louisiana, Nebraska, New Jersey, New York, Nevada, Ohio, Tennessee and Pennsylvania.

Many of the largest insurers turn to Bryan to handle a broad range of matters, including those arising from asbestos claims, directors & officers and financial institution liability, professional liability/errors and omissions, faulty workmanship and construction defects and additional insured and priority of coverage issues. Bryan has also handled complex first-party claims.

He has served as lead counsel in one of the largest coverage cases in Connecticut history, a complex matter that involved more than a dozen insurers, two trials and an appeal in the Connecticut Supreme Court. In another significant matter, Bryan partnered as co-counsel with a major international law firm on behalf of an insurer facing property claims resulting from Superstorm Sandy in New Jersey. The \$300 million dispute was litigated all the way to the state Supreme Court.

Bryan's clients praise him for his ability to efficiently analyze complex situations, whether it be cutting through financial jargon to clarify key coverage issues in the D&O context or simplifying complex issues, so they are easily understood by judges, jurors and clients. He is extolled for his writing ability, which has included briefing in intermediate appellate and supreme courts, as well as significant summary judgment victories.

He offers big law experience, being a former member of member of the Global Insurance Group of Cozen O'Connor and part of the Insurance Recovery Groups of Reed Smith, LLP and Anderson Kill & Olick, P.C. Bryan clerked for Magistrate Judge David R. Strawbridge, United States District Court for the Eastern District of Pennsylvania.

Bryan earned his J.D. (magna cum laude) from Villanova University School of Law where he was admitted to the Order of the Coif and his B.A. from Washington and Lee University.

PRIMARY PRACTICE AREAS

- First Party Coverage
- Construction Defect Coverage
- Contribution & Equitable Subrogation
- Extra-Contractual / Bad Faith
- Management Liability, Directors & Officers, and Financial Institutions
- Professional Liability / Errors & Omissions
- Third Party Coverage

AREAS OF FOCUS

- Additional Insured Coverage
- Advertising Injury & Business Tort Coverage
- Asbestos Liability Coverage
- Business Interruption
- CGL Insurance Coverage
- Construction Defect Coverage
- Directors' & Officers' (D&O) Coverage
- Excess & Primary Insurer Relations
- Long Tail Claims & Allocation
- Rescission & Fraud
- Umbrella & Excess Coverage

REPRESENTATIVE MATTERS

Graphic Packaging Int'l, LLC v. Everest Nat. Ins. Co., Delaware Superior Court Complex Commercial Litigation Division, Case No. N22C-03-192 (2023). Obtained judgment on the pleadings that \$25 million excess policy did not provide coverage for settlement of suit brought by insured's employee under exception to workers compensation scheme. Successfully argued that insuring agreement did not extend to the type of intentional tort liability settled by insured.

SPX Corporation v. Arrowood Indemnity Co., et al., North Carolina Superior Court, Mecklenburg County, Case No. 16-CVS-15605 (2021). Successfully argued and obtained summary judgment dismissing action to recover more than \$9 million from insurer in contribution action, including amounts in excess of policy limits.

First Horizon National Corp. v. Houston Cas. Co., at al., United States District Court, Western District of Tennessee (2017) (affirmed by Tenth Circuit). Obtained summary judgment under a Blended Risk Insurance Program totaling \$75 million, with a finding that insurers properly denied coverage and did not act in bad faith because the underlying claim did not fall within the applicable policy period, and, even if it did, the insured failed to give proper notice.

R.T. Vanderbilt Company, Inc. v. Hartford Accident & Indemnity Co., et al., Superior Court, Judicial District of Waterbury Connecticut, Complex Litigation Dep't, No. X02-CV-07-5016321S. Served as lead counsel for 28 insurers in a two phase seven-week insurance coverage trial involving underlying asbestos, silica and talc-related claims, obtaining successful verdict finding policyholder self-insured for 22-year period.

Evrax Claymont Steel, Inc., et al. v. Harleysville Mut. Ins. Co., Superior Court of Delaware, New Castle County (obtained summary judgment ruling regarding applicability of additional insured endorsement arising from construction accident).

Anna Kormilitsyna, et al. v. Everest National Ins. Co., Supreme Court of New York, County of New York, Index No. 650769/2013 (partial summary judgment entered dismissing declaratory judgment count and breach of implied covenant of good faith and fair dealing).

PROFESSIONAL MEMBERSHIPS & AFFILIATIONS

- American Bar Association
- Pennsylvania Bar Association
- Montgomery County Bar Association

NEWS, HONORS, & MORE ...

HONORS

Pennsylvania Rising Stars, Super Lawyers (2015)

Order of the Coif, Villanova University School of Law

Finalist, 44th Annual Moot Court Competition, Villanova University School of Law

PUBLICATIONS & SPEAKING ENGAGEMENTS

Coverage for Faulty Workmanship - Fundamental to Advanced Concepts, CPCU Society, October 2016

New Jersey Answers Critical Question Regarding Coverage For Faulty Workmanship (Insurance Coverage Alert), August 5, 2016

Reservation of Rights/Bad Faith Issues, (Client Seminar), November 2015

New York Appellate Court Rules Named Insured Does Not Need to be at Fault to Trigger Additional Insured Endorsement (Insurance Coverage Alert), August 2015

Fourth Circuit Holds Standard AI Endorsement "Plainly Lacks" Vicarious Liability Limitation, (Insurance Coverage Alert) June 2015

Pennsylvania Supreme Court Allows Assignment of Statutory Bad Faith Claims, (Insurance Coverage Alert) December 2014

DELVACCA: Cyber, Technology and Privacy Claims: *The Next Generation of Property and Third Party Loss*, November 2011

Anonymous, Hacks Sony PlayStation Network: The Increasing Importance of Obtaining Cyber Security Insurance Coverage (Insurance Coverage Alert) May 2011

15th Annual Insurance Institute, PA Bar Institute: Intellectual Property Insurance Issues, Faculty Member, Philadelphia, PA, April 2011

Excess/Umbrella Insurance Issues, [Client Seminar] December 2010

Pennsylvania Supreme Court Rejects Reimbursement of Defense Costs While Tenth Circuit Finds Support Under Colorado Law, [Insurance Coverage Alert!] September 2010

Recent Developments in Property Insurance Coverage Litigation, [Tort Trial & Insurance Practice Law Journal], Volume 44, Number 2 (Winter 2009) December 2009

Do Not Overlook the End Result: Finding Coverage Under Ensuing and Resulting Loss Provisions, [Coverage] Volume 18, Number 5, Published by Lexus Nexus September 30, 2008

It's Alive! Resurrecting Coverage for Property Damage Through an Ensuing Loss Provision, [Legal Intelligencer, Real Estate supplement] June 25, 2007