

## GREG A. DELFINER

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### BAR ADMISSIONS

- Pennsylvania
- New York

### COURT ADMISSIONS

- U.S.D.C., E.D. Pennsylvania

### EDUCATION

Delaware Law School (J.D.)  
Temple University (B.S.)



### PROFILE

Greg A. Delfiner has over two decades of experience in complex litigation. A significant portion of his practice has involved representing clients in connection with insurance coverage issues and disputes, and liability defense matters, including those arising out of underlying mass tort claims, excess liability coverage issues, construction defect claims, additional insured issues, and bad faith/extra-contractual claims. Greg has extensive experience drafting dispositive and discovery motions and handling all aspects of the discovery process in connection with large, complex insurance coverage and class action cases. Greg has been admitted pro hac vice in several jurisdictions throughout the United States and serves as an arbitrator for the Thirty-Eighth Judicial District of Pennsylvania Court of Common Pleas Trial Division.

Before joining Stewart Smith, Greg was a Member of the Global Insurance Group in the Litigation Department of Cozen O'Connor, served on the legal staff for Pennsylvania Senate President Pro Tempore Robert C. Jubelirer, and clerked for the Honorable Edward E. Naythons, United States District Court for the Eastern District of Pennsylvania.

### PRIMARY PRACTICE AREAS

- Complex Litigation
- Construction Defect Coverage
- Contribution & Equitable Subrogation
- Extra-Contractual/Bad Faith
- First Party Coverage
- Mass & Toxic Torts
- Third Party Coverage

## **AREAS OF FOCUS**

- Asbestos Liability Coverage
- CGL Insurance Coverage
- Excess & Primary Insurer Relations
- General Liability Coverage
- Long Tail Claims & Allocation
- Products Liability Coverage
- Punitive Damages
- Umbrella & Excess Coverage

## **REPRESENTATIVE MATTERS**

Everest National Ins. Co., et al. v. Illinois Union Ins. Co., et al., County of Kings, New York (2017) – Stewart Smith obtained summary judgment for clients with respect to claims as to a duty to defend, compelling other insurers to defend Stewart Smith’s insured clients as additional insureds under their respective policies, and to reimburse Stewart Smith’s insurer client for past defense costs.

First Horizon National Corp. v. Houston Cas. Co., Western District of Tennessee (2017) – Stewart Smith obtained summary judgment for its client under a Blended Risk Insurance Program totaling \$75 million, with a finding that the insurers properly denied coverage under their policies because the underlying claim against the insured did not fall within the applicable policy period, and, even if it did, the insured failed to give proper notice of the Claim. The Court also concluded that the insured’s bad faith claim failed, and dismissed all claims in the matter with prejudice.

R.T. Vanderbilt Co., Inc. v. Hartford Accident & Indemnity Co., et al., Connecticut Superior Court, Judicial District of Waterbury, Complex Litigation Dep’t, No. X02-UWYCV-07-5016321 (assisted lead trial counsel for 28 insurers in insurance coverage declaratory judgment and breach of contract action involving underlying asbestos, silica and talc-related claims)

In re Human Tissue Products Liability Litigation, United States District Court, District of New Jersey, No. 2:06-cv-00135 (assisted national and coordinating counsel for over four years in the successful defense of an allograft manufacturer in a complex mass tort claim arising out of the FDA’s recall of bone allograft tissue involving more than 1,000 plaintiffs nationwide in multiple state and federal jurisdictions; summary judgment granted for lack of general causation)

## **PROFESSIONAL MEMBERSHIPS & AFFILIATIONS**

- New York Bar Association
- Pennsylvania Bar Association
- Philadelphia Bar Association
- Montgomery County Bar Association
- Defense Research Institute
- Insurance Society of Philadelphia

## **NEWS, HONORS, & MORE ...**

### **HONORS**

Philadelphia VIP – May 2013 Volunteer of the Month

## **PUBLICATIONS & SPEAKING ENGAGEMENTS**

Bad Faith Claims Permitted Against Self-Insured Employers In Iowa – “Fairly Debatable” Defense Precludes Finding This Time [Avoiding Insurance Bad Faith Blog], June 17, 2013

Ever Had A Common Law Bad Faith Claim Dismissed? [Avoiding Insurance Bad Faith Blog], June 12, 2013

Bad Faith Claims Cannot Be Based Solely On Breach Of Contract And Must Allege More Than Conclusory Allegations [Avoiding Insurance Bad Faith Blog], March 20, 2013

New York Court Upholds Denial of Coverage Where Policyholders Breached D&O Policy’s Consent-to-Settle Provision [Insurance Coverage Alert!], October 17, 2011

Third Circuit Confirms That Pennsylvania CGL Insurers Have No Duty to Defend Claims Arising From Contractor’s Faulty Workmanship and Resulting Foreseeable Damages [Insurance Coverage Alert!], June 15, 2010

## **CHARITABLE & CIVIC INVOLVEMENT AND PERSONAL INTERESTS**

- Pro Bono Attorney for underprivileged clients through Philadelphia VIP, an organization promoting equal justice for the impoverished
- Volunteers and fosters dogs through the non-profit organization Wags Rescue
- Youth basketball coach