



## JOSEPH F. BERMUDEZ

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### BAR ADMISSIONS

- Colorado
- New Jersey
- New York
- District of Columbia

### COURT ADMISSIONS

- U.S.D.C., D. Colorado
- U.S.D.C., D. New Jersey
- U.S.D.C., S.D. New York
- U.S.D.C., E.D. Pennsylvania
- U.S.D.C., W.D. Michigan
- U.S.D.C., D. Wyoming
- U.S.D.C., D. New Hampshire
- U.S.D.C., D. Vermont
- U.S.D.C., E.D. Virginia

### EDUCATION

University of Michigan Law School (J.D.)

Boston University, (B.A.)

### PROFILE

Joe handles international and domestic insurance coverage matters. He maintains a special focus on crisis management insurance issues involving product recalls; cyber and data breaches; reputational risk; political risk; trade and supply chain disruptions; kidnap, ransom and extortion; piracy; and other emerging issues. He has handled crises matters throughout North America, Europe, Asia and South America.

Since crises do not necessarily occur on a business schedule, Joe makes himself available to clients on a 24/7 basis. He works with underwriters, brokers, claims professionals, and crisis consultants and their respective clients in developing new products and effectively resolving crises. Joe also consults with companies in the food, consumer goods, auto, pharmaceutical and aviation industries to ensure they are properly protected when a crisis strikes. Joe has authored numerous articles and lectured in North America, Europe, Asia and South America on crisis management and emerging issues.

### CRISIS MANAGEMENT

Joe has extensive experience in global and domestic crisis management events. He has assisted clients with matters ranging from international, multimillion-dollar catastrophes to smaller local crises. He also assists clients with expanding coverages for crisis management events as risks continue to become more specialized and losses are not covered under standard insurance portfolios. Joe undertakes commitments to create, develop and modify wordings to enhance coverages under various policy types. In addition, he has successfully managed crises under specialty, property and liability policies. As the risk environment has become more challenging with regulatory changes and condensed time requirements, Joe has worked with underwriters, brokers, claims professionals and crisis management companies to effectively handle, manage and resolve crises events.

## **INSURANCE COVERAGE**

Joe regularly represents foreign and domestic insurance companies and underwriters with regard to issues involving policy drafting, complex insurance coverage and reinsurance. He has represented and counseled clients in connection with first-party, third-party and specialty coverage matters involving advertising liability; bad faith; business interruption; contingent business interruption; commercial general liability; construction defects; cyber and data breaches; directors' and officers' liability; employment practices; environmental; excess and surplus lines; financial institutions; fracing; intellectual property; kidnap, ransom and extortion; non-profit organizations; piracy; political risk; professional liability; product contamination; product liability; product recall; property; punitive damages; reinsurance; reputational risk; toxic torts; and trade and supply chain disruptions.

Since moving west, Joe has handled coverage matters in all states throughout the Rocky Mountain and western regions of the United States. Joe has litigated matters in federal and state courts throughout the United States and represents clients in international arbitrations, mediations and alternative dispute resolution proceedings.

## **PRIMARY PRACTICE AREAS**

- Climate, Energy & Environmental
- Complex Litigation
- Construction Defect Coverage
- Extra-Contractual / Bad Faith
- First Party Coverage
- Mass & Toxic Torts
- Management Liability, Directors & Officers, and Financial Institutions
- Professional Liability / Errors & Omissions
- Public Entities
- Tech, Data Coverage & Breach Coverage
- Third Party Coverage

## **AREAS OF FOCUS**

- Advertising Injury & Business Tort Coverage
- Business Interruption
- CGL Insurance Coverage
- Construction Defect Coverage
- Crisis Management
- Directors' & Officers' (D&O) Coverage
- Event Cancellation
- Long Tail Claims & Allocation
- Products Liability
- Property
- Reinsurance
- Umbrella & Excess Coverage

## **PROFESSIONAL MEMBERSHIPS & AFFILIATIONS**

- Colorado State Bar Association
- District of Columbia Bar Association
- New Jersey State Bar Association
- New York State Bar Association
- American Bar Association
- Defense Research Institute
- Law360 Editorial Advisory Board

## NEWS, HONORS, & MORE ...

### **PUBLICATIONS & SPEAKING ENGAGEMENTS**

*Fourth Circuit Expands Cyber Coverage Under Commercial General Liability Policies, Coverage under CGL Policies for Cyber Events, April 14, 2016*

*Food Safety Insurance and the FDA's Forthcoming Rule, Law360, June 22, 2015*

*California's Highest Court Refuses to Review Denial of Coverage Under Contamination Products Insurance Policy for Ground Beef Recall, Food Companies Face Hostile Regulatory Environment, May 29, 2015*

*Product Recall Insurance: It's Not Just for Food Contamination Anymore, ABA Section of Litigation Insurance Coverage Litigation Committee CLE Seminar, March 2015*

*Lives and Businesses Interrupted by Rocky Mountain Floods, Rocky Mountain Floods: Is There Coverage and Will It Be Enough? September 19, 2013*

*Colorado Joins States That Exclude Insurance Coverage under Pollution Exclusion Clauses for Traditional and Nontraditional Pollution Events, March 5, 2013*

*Food Retail and Criminal Strict Liability: Why an Accidental Outbreak can be Criminally Prosecuted, Presentation for Chipotle, authored by Industry Expert: Joe Bermudez*

*U.S. Food Crisis: What Lies Ahead? - December 4, 2009, Presentation for the London Insurance Market, London (December 4, 2009)*

*Product Recalls: Disturbing Trends and Emerging Issues, Liberty International Underwriters Global Crisis Management Forum, New York City (November 12, 2009)*

*Master Class on Specialty Insurance Coverage for Food-Borne Illness Outbreaks and Recalls, ACI: Food-Borne Illness Litigation, Chicago, Illinois (October 25-27, 2009)*

*Product Recalls: Disturbing Trends and Emerging Issues, Liberty International Underwriters Global Crisis Management Forum, New York City (August 2009)*

*Cozen O'Connor 2009 Emerging Issues Insurance Coverage Seminar – New York City (April 30, 2009)*

*Tainted Food Recalls Create Widespread Risks to Manage, National Underwriter (with Mitchell Stewart of ACE USA) (August 31, 2009)*

*A Retrospective of 2008 Food Contamination Coverage Decisions, Mealey's Litigation Report: Insurance (with Suzanne Meintzer and Jason Melichar) (March 2009)*

*'FOOD FIGHT' Who Pays When Good Food Goes Bad? Insurance Coverage Issues Related to U.S. Food Contamination Claims, Swiss Re Presentation, Zurich, Switzerland (October 30, 2008)*

*Global Losses from Tomatoes Likely Pricey, Best Week (June 16, 2008)*

*Last Word – Food-borne ills pose sky-high peril, Business Insurance: Industry Focus (May 12, 2008)*

*A Retrospective of 2007 Food Contamination Coverage Decisions, Mealey's Litigation Report: Insurance (with Suzanne Meintzer and Jason Melichar) (March 13, 2008)*

*Of Mad Cows and Litigators, Best's Review (November 1, 2007)*