

## Are Your Losses Covered by Insurance?

Fishman Haygood will review your policies.

In the wake of Hurricane Ida, businesses should look to their insurance policies to find coverage, whether for property damage, business interruption losses, or other covered losses. Fishman Haygood's team of experienced insurance coverage attorneys successfully litigated many substantial property damage, business interruption, and other claims in the aftermath of Hurricane Katrina and other events. At no cost to you, our attorneys will analyze your insurance policies to determine whether your business may have a viable claim. If our team determines your business may have a claim, Fishman Haygood can help with all phases of your insurance claim, including preparation and submission of your claim and litigation of your claim if your insurer wrongfully denies coverage.

### Property Damage Insurance

Insurers may wrongfully deny coverage or refuse to pay the full amount of costs to repair damaged property. Fishman Haygood has extensive experience litigating unpaid and underpaid claims. Fishman Haygood represented the Orleans Parish School Board in coverage litigation against multiple insurers for property and other damages resulting from Hurricane Katrina. The OPSB reached a favorable and sizeable global settlement with its insurers. Likewise, on the eve of a federal trial, our attorneys obtained a \$17 million settlement for a local medical lab in a lawsuit over its wrongfully denied property damage and business interruption claims.

### Business Interruption Insurance

Business interruption insurance may provide coverage for business closures and interruption of operations that result from physical damage to your business. Our attorneys obtained an arbitration award in the hundreds of millions for an oil producer in its lost production claims, post-Katrina. Fishman Haygood also went to trial and obtained policy limits for a local apartment community whose insurer refused coverage, claiming that an exclusion completely barred coverage of post-Katrina business interruption losses.

### Contingent Business Interruption Insurance

Some businesses may have "contingent business interruption coverage" (CBI) that specifically includes loss of commerce caused by disasters. CBI coverage may include loss of revenue due to disruptions from forced closures, the cost to repair or replace equipment, and/or costs to clean and sanitize. CBI coverage may also apply when there is an interruption caused by a disruption to the business' suppliers. If a key

supplier to a business is unable to provide essential materials and the disruption in the supply chain impacts the insured ability to operate; the resulting losses may be covered.

## No Coverage or Insufficient Coverage?

If you review your policies and find that you do not have proper coverage or that your coverage is insufficient, it is possible that your broker is liable for failure to recommend and procure appropriate coverage. Cases like these are difficult, but not always impossible. Fishman Haygood has brought these claims for our clients and may be able to help you.

## Fishman Haygood is ready to help.

Our team is ready to review your policies for any exclusions and advise whether your policies likely provide coverage for your business' losses. Our review and advice of whether your business has a viable claim is at no cost to you. Please reach out to your attorney at Fishman Haygood contact or any of the attorneys on our insurance coverage team who are listed below.

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