

Insurance Litigation

Miller Canfield's Insurance Litigation team is made up of attorneys and paralegals with a wealth of trial and appellate experience in state and federal courts.

Our practice includes the representation of insurance companies in many areas of insurance litigation including directors and officers (D&O) and employees and officers (E&O) liability, insurance coverage, bad faith, fraud, and liability defense. We are also retained by insurers to represent insureds in virtually every type of litigation including commercial and professional malpractice (including attorneys, architects, accountants, physicians, hospitals, nurses and pharmacists), catastrophic personal injury, product liability, product recalls, title insurance, employment liability, including discrimination, harassment, wrongful discharge, retaliation, ERISA, and class actions.

We have particular expertise in representing insureds and insurance companies in fraud litigation, including schemes as diverse as kickbacks, pay-to-play, embezzlement and a variety of claims related to fraudulent injuries and fraudulent damages (including no-fault schemes). This team includes former state and federal prosecutors, and individual attorneys who have tried more than 100 cases to verdict.

Representative Matters

Represented large national insurer in prosecution of complex civil RICO/healthcare fraud litigation involving fraudulent insurance claims

Participated in the prosecution of actions for inadequate out-of-network insurance claims reimbursement on behalf of emergency physician groups

Successfully represented a large insurance company as a plaintiff in a series of cases involving with allegations of no-fault insurance fraud and the submission of false claims related to a variety of types for providers and billing practices. In so doing, we developed several methods to root out fraud through litigation

Represented a major city and its water and sewerage department against contractors, alleging fraud, kickbacks and a pay-to-play culture. The case resulted in a large confidential settlement

Represented a large local school district (a self-insured entity) in a fraud and kickback matter, resulting in an eight-figure recovery. Several defendants were later indicted and charged with various federal crimes related to the scheme. Some pleaded guilty, and another was convicted after a lengthy trial.

Defended a large industrial company in a case involving the explosion of a gas pipeline at an industrial site resulting in the death of one person and serious personal injuries to another. We settled the case very favorably for our client.

Represented a large industrial company in a case involving a death as a result of an industrial accident. We obtained summary judgment for our client

Defended a self-insured large commercial client in a case in Kalamazoo County arising out of a car versus pedestrian accident in which the Plaintiff, an employed young woman with small children, alleged permanent brain and leg injuries. We settled the case very favorably for our client

Continued

Convinced the Sixth Circuit to affirm summary judgment for our client on a claim brought under the Ohio intentional-tort statute arising out of a factory accident

Filed an amicus curiae brief on behalf of a professional association in the Michigan Court of Appeals, raising an argument that had not been briefed by the parties. The Court of Appeals agreed with us, holding that the Michigan non-party at fault notice requirement was not met when raised as an affirmative defense.

Won dismissal of multi-million-dollar fraud and malpractice claims against an Australian law firm

Insurance Companies

(Includes cases in which we directly represented the insurer, and where we were retained to defend the insured.)

ALAS

Allied World Assurance Company

American International Group (AIG)

OneBeacon Insurance Group

Auto-Owners Insurance Company

Chubb

CNA Insurance

Detroit Medical Center Insurance Corp.

Frankenmuth Mutual Insurance

Hartford Insurance Company Management Liability and Specialty (approved as panel counsel)

Michigan Insurance Coalition

Meadowbrook Insurance Group

Nationwide Excess and Surplus/Specialty (approved as panel counsel)

Oakwood Insurance Company

Prudential Insurance Company of America

Standard Life and Accident Insurance Company

State Farm Mutual Automobile Insurance Company

Agencies and Brokers

Advasure Insurance Agency

All Risks Insurance Brokers

Blackwell Insurance Agency

Burnham & Flower Agency

Burnham Group

McNish Agency

Peppler Agency

Rose Street Agency (Nulty Insurance Agency)