



David L. Koury represents domestic and international insurers in various general liability and professional liability matters, including D&O, E&O, and EPL coverage. Dave serves as lead counsel on a national title agents program involving fidelity and E&O coverage.

Dave has handled all aspects of claims and litigation assessment, management and resolution, and has considerable experience in resolving matters through alternative dispute resolution. He has handled lawsuits involving various commercial and insurance coverage disputes in numerous jurisdictions.

For approximately five months in 2010 and two months in 2011, Dave was seconded to a leading syndicate in the London insurance market. During these periods, he advised claims and underwriting personnel on various general liability and professional liability claims and other legal issues related to North American business.

Dave has given numerous presentations on topics related to insurance, ethics and professional liability, including agent liability, the attorney-client relationship, the tripartite relationship, and insurer best practices during settlement negotiations and in connection with claims handling and underwriting.

PUBLICATIONS

Co-Author, *Producer Misdeeds, Company Liability; In Theory and in Practice*, Bloomberg Finance L.P., Feb. 2010, Vol. 4, No. 2

Co-Author, *Management Under the Microscope: The Delaware Court of Chancery's Decision in In re The Walt Disney Company Derivative Litigation*, PLUS Journal, Oct. 2005, Vol. XVIII, No. 10.

Co-Author, *Lloyd's and the London Market: Overview and Recent Developments*, published in "Understanding Lloyd's and the London Insurance Market: 1998 Update and Outlook" (PLI 1998).

REPRESENTATIVE MATTERS

Gladstone v. Westport Ins. Corp., 2011 WL 5825985 (D.N.J. Nov. 16, 2011) (obtained summary judgment for an E&O insurer based on claim being made outside of the policy period).

Dickie McCamey & Chilcote, P.C. v. Westport Ins. Corp., 2:12-cv-00115-GLL (W.D. Pa.) (defended an E&O insurer in a coverage action involving breach of contract and bad faith claims).

State Farm Fire & Cas. Co. v. Dillon, Case No. 2009-CH-18893 (Ill. Cir. Ct. July 14, 2010) (obtained summary judgment for an E&O insurer based on late notice of claim given by insured).

Westport Ins. Corp. v. Saperstein Agency, Inc., 2:09-cv-02549 (E.D.N.Y.) (represented an E&O insurer in a declaratory judgment action filed against an insurance agent/broker).

Contact Information

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Practice Areas

- Arbitration
- Bad Faith
- Commercial General Liability
- Counseling and Risk Management
- Coverage Litigation
- Fidelity, Surety, and Crime
- First-Party Property
- General Commercial Litigation
- Healthcare Insurance and Reinsurance
- Professional Liability
- Sexual Misconduct Coverage

Education

- University of Iowa, J.D. 1993
- University of Iowa, B.B.A. Finance 1990

Memberships

- American Bar Association, Tort & Insurance Practice Section
- Professional Liability Underwriting Society

Admissions

- Illinois
- U.S. Court of Appeals for the Third and Seventh Circuits

Consolidated Resorts, Inc. v. Great American Ins. Co., Case No. 01-1-0582 (2) (Cir. Ct., Hawaii) (obtained summary judgment for a D&O insurer in coverage action involving breach of contract and bad faith claims).

GAF Corp. v. Reliance Ins., Case No. 2:00-cv-06189-DMC-MF (D.N.J.) (obtained a dismissal of a D&O insurer in coverage action involving breach of contract and bad faith claims).