

Insurance Coverage for Defense of Governmental Investigations



For nearly 30 years, the lawyers of K&L Gates have been developing and implementing innovative legal strategies to assist businesses in obtaining insurance coverage for an ever-increasing range of liabilities and losses. Nearly 100 of the firm's lawyers are concentrated in what has become one of the world's largest policyholder-side insurance coverage practices according to the November 2010 issue of *Business Insurance*. In 2011, *U.S. News & World Report* "Best Law Firm" rankings recognized our insurance coverage practice as a national first-tier insurance law practice.

In recent years, federal and state governments, as well as quasi-governmental enforcement entities, have aggressively pursued businesses in nearly every industry sector for alleged violations of civil and criminal laws. For those targeted businesses compelled to defend themselves against such investigations, insurance can be a significant asset providing protection, the value of which often depends on the skill and vigor with which claims for coverage are advanced and pursued. The firm's insurance coverage practice group has been at the forefront in obtaining insurance recoveries on the most challenging and complex claims, such as those arising from securities fraud investigations, False Claims Act litigation, and many other types of government enforcement actions. Over the years, we have represented corporate entities, nonprofit institutions, and other types of organizations in pursuing and obtaining insurance recoveries for fraud-based investigations and proceedings initiated by federal and state regulators and enforcement authorities, such as the Securities and Exchange Commission, the Department of Justice, and banking regulators. Such recoveries have been obtained under an array of insurance instruments, including professional liability and errors and omissions insurance policies, directors' and officers' liability insurance policies, and blended insurance programs.

Particularly in respect to government investigations, it is vital to coordinate the insurance coverage strategy with other client interests, including, of course, minimizing the likelihood of any adverse outcome in the investigation itself. Our insurance coverage group is particularly sensitive to these concerns, and our clients benefit from the firm's interdisciplinary approach to the challenges posed by such investigations.