



# Michael Bruce Abelson

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## PROFILE

Mr. Abelson's practice focuses exclusively on policyholder insurance litigation, as well as consulting with individuals and businesses on complex coverage matters (including "bad faith") across a variety of policy forms. In addition to pre-litigation advice and trial experience, Mr. Abelson has successfully prosecuted and defended coverage appeals which are the subject of numerous published opinions. Prior to joining the firm as Partner Emeritus, Mr. Abelson was a litigation partner with Latham & Watkins LLP (Los Angeles, CA), and was a founding partner of Abelson Herron Halpern LLP (Los Angeles), which specialized in complex coverage disputes for policyholders.

Mr. Abelson is a member of the California State Bar, the United States Court of Appeals for the Ninth Circuit, as well as the United States Court of Appeals for the First Circuit. He has been admitted to practice, pro hac vice, in numerous states outside California.

Mr. Abelson is routinely recognized by legal publications as a top lawyer in the area of policyholder insurance coverage litigation and counseling. He has been named a *Super Lawyer* by Thomson Reuters every year since 2006.

## EDUCATION

- New York University School of Law, J.D., 1987
- Note & Comment Editor, *New York University Law Review*
- Occidental College, B.A. *summa cum laude*, Political Science (honors), 1984

- *Phi Beta Kappa*, 1983

## REPRESENTATIVE CASES

- Harvey Weinstein – Coverage counsel to insured for criminal and civil allegations of sexual abuse. Tasks included client management, coordination of defense counsel, prosecuting and defending declaratory relief and bad faith actions and settlement negotiations
- Successfully overturned district court summary judgment precluding insurance coverage for securities class action. Appeal establishes analytic framework for insurability of fiduciary and restitution claims in California. See *Pan Pacific Retail Properties, Inc. v. Gulf Ins. Co., Inc.*, 471 F. 3d 961 (9th Cir. 2006)
- Summary judgment (on appeal), establishing insurance coverage for software company's Internet-based, invasion of privacy lawsuits. See *Netscape Communications Corporation., et al. v. Federal Insurance Company, et al.*, 2009 U.S. App. LEXIS 19500 (9th Cir.)
- Summary adjudication establishing insurer's breach of defense obligations for underlying lawsuit and arbitration asserting disparagement and competitive tort injuries against global, specialty pharmaceutical company. See *OMP, Inc. v. Nat'l Fire Ins. Co., et al.*, Case No. 2:11-cv-04209-MWF (JCx) (C.D. Cal. 2012)
- Policyholder counsel to numerous Fortune 500 Companies, non-profits, brokers, private practitioners and individuals regarding exploitation of coverage forms, including Directors & Officers; Errors & Omissions; Comprehensive General Liability; Employers' Liability; Fidelity Bond; Multi-Media; Crime; Cyber; Special Events; Personal Lines; and special form endorsement coverages
- Coverage counsel for Salt Lake 2002 Olympic Committee and World Cup USA 1994, Inc.

## PRACTICE AREAS

- Insurance Recovery
- Trials & Appeals