

Scott Seaman and Sarah Anderson Discuss in Mealey's the State of COVID-19 Coverage Litigation

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Scott Seaman, Hinshaw partner and Chicago-based co-chair of Hinshaw's Global Insurance Services Practice Group, and associate Sarah Anderson have co-authored a byline in *Mealey's Litigation Report* titled, "The State of COVID-19 Coverage Litigation In The United States: Insurers Are Prevailing In Coverage Cases, But COVID-19 Still Is Contributing To Social Inflation."

The article examines the current state of COVID-19 coverage litigation, which has heavily favored insurers to date, at both the trial court level and appellate court level. Seaman and Anderson also address the recurring comparison of the insurance industry's early experience with COVID-19 claims against the legacy asbestos and environmental claims that have previously confronted the industry. The authors anticipate that COVID-19 business interruption cases will continue for some time, as many appeals remain pending.

The article also analyzes the impact of COVID-19 on social inflation, which remains a major concern for both insurers and corporate policyholders. Seaman and Anderson note that social inflation involves abuses in the tort system, an expansive reading of policy coverages and rulings by courts in coverage litigation, shifting of policyholder attorney's fees in coverage litigation, independent counsel fees, and some legislative and regulatory pronouncements.

[Read the full article](#)

"The State of COVID-19 Coverage Litigation In The United States: Insurers Are Prevailing In Coverage Cases, But COVID-19 Still Is Contributing To Social Inflation" was published by *Mealey's Litigation Report: Asbestos* on June 22, 2022. The article was subsequently republished in *Mealey's Litigation Report: Catastrophic Loss*, Vol. 17, No. 10, July 2022.

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