

Trick or Treat? Scott Seaman Discusses Potential Exclusions in Coverage Lawsuits Against Candy Makers

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Scott Seaman—Chicago-based partner and co-chair of Hinshaw’s global Insurance Services Practice Group—recently discussed with *Law360 Insurance Authority* coverage exclusions that could apply in two federal lawsuits filed against candy makers alleging the use of dangerous ingredients.

Seaman said an insurer’s duty to provide a defense for the candy makers hinges on the nature of the claims in the underlying suits and the facts of the case. He also noted that the type and language of the insurance policies involved are significant.

Seaman added that establishing coverage could be challenging in some candy class actions where the plaintiffs allege uncovered economic loss or fail to allege “damages” because of “bodily injury,” “personal injury” or “property damage” within the meaning of the policies. He also pointed out that various exclusions, knowledge-based and other coverage defenses could apply.

“Policyholders looking for coverage for some of these claims may face a fate similar of trick-or-treaters showing up at a home with the lights off and no one at the door to provide them with candy,” he said.

[Read the full article](#) (subscription required)

“Suits Over Sweets Present Tricks And Treats For Coverage” was published by *Law360* on October 28, 2022.

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