

Dennis G. Rolstad

San Francisco, CA

He/Him

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About Dennis

With more than three decades of experience, Dennis advises and defends insurance companies, fiduciaries, self-insured employers, and their vendors and consultants in insurance coverage litigation and advises and defends a variety of other businesses in commercial claims and litigation.

Dennis' insurance practice encompasses a broad range of third-party and first party coverages and claims, with a focus on avoiding exposure for breach of the implied covenant and other extracontractual liability. He also represents and counsels payors and other insurers in all aspects of health care, life, accident, and disability matters, including claims involving health plan liability, health care service contracts, health plan network disputes, and mental illness claims. Regarding managed care litigation and dispute resolution, Dennis represents insurers and other payors, as well as employee benefit plans, fiduciaries, medical management providers, and their vendors, in litigation and arbitration, including trials and appeals. He has resolved and litigated disputes with providers and members regarding coverage, reimbursement, class actions, and other payments. Dennis also monitors high-dollar cases and trials for insurance clients.

Dennis' business litigation practice includes class actions and other complex litigation, business suits, and various media and intellectual property matters. He represents businesses such as wineries, financial companies, various manufacturers, and others asserting their rights in breach of contract disputes.

Dennis also handles cases in state and federal trial and appellate courts nationwide, including jury trials and all aspects of litigation, arbitration, and appellate proceedings. He is a proponent of alternative dispute resolution and creatively resolves matters of all sizes.

Dennis' Affiliations

- Bar Association of San Francisco
- California State Bar Association
- Defense Research Institute
- Federal Bar Association

Areas of Focus

Industries: Construction; Healthcare; Insurance; Life, Health, Disability & ERISA ; Managed Care

Services: Alternative Dispute Resolution (ADR); Appellate;
 Bad Faith, Market Conduct & Extra-Contractual Liability;
 Complex Commercial Litigation ; Insurance Coverage Litigation & Counseling;
 Intellectual Property; Litigation & Trial

Experience

- Obtained partial summary judgment of a provider's arbitration claim for payment of costs to treat patients hospitalized under psychiatric holds, and then defeated the remainder of the provider's claims at the arbitration hearing.
- Obtained dismissal of a purported class action filed by a chiropractor's association seeking statewide insurance payments for certain procedures performed by its members to covered patients.
- Persuaded a general contractor seeking coverage for defects existing at new ski resort base area to give up its claims to extracontractual damages and to settle for less than the agreed amount of remaining coverage.
- Obtained dismissal with prejudice of an insured's claims against her dental insurer for various breaches of ERISA, including alleged breaches of fiduciary duty due to failure to monitor or question a dentist that allegedly improperly treated the insured, and failures to produce ERISA documents, and then successfully defended the dismissal before the US Court of Appeals for the Ninth Circuit Court of Appeal. Plaintiff's petition for cert to the United States Supreme Court was also denied.
- Successfully represented multiple parties before the US Court of Appeals for the Ninth Circuit Court and California state appellate courts, including a Ninth Circuit appeal in which the insurer client prevailed over a highly compensated tech executive who sought disability benefits, and a state court appeal in which the plaintiff complained following trial about the designation and testimony of various experts.

Credentials

Education

University of California Los Angeles School of Law, JD, 1990

Stanford University, BA, 1987

Bar Admissions

California

Court Admissions

US Court of Appeals for the Federal Circuit

US Court of Appeals for the Ninth Circuit

US District Court for the Central District of California

US District Court for the Eastern District of California

US District Court for the Northern District of California

US District Court for the Southern District of California

Interests

Did you know...

Dennis enjoys a wide variety of activities, including hiking, sporting events, physical fitness, wine tasting, and live music. Most of all, he enjoys any activity that brings him closer to his family.

Community/Civic Activities

- St. Luke Presbyterian Church, Elder; Clerk of Session, Deacon

Thought Leadership

Presentations

Dennis makes frequent presentations on insurance, healthcare, ERISA, and construction topics to clients and industry professionals, including:

- Presenter, “California Claims-Handling Regulations,” Presentation to Client TPA, January 18, 2018
- Presenter, “Rescission of Health Policies,” Client Presentation, June 24, 2016
- Co-Presenter, “Construction Defect Coverage,” Client Presentation, July 1, 2014
- Co-Presenter, “Protecting Yourself From Legal Problems: Audits, Lawsuits and Insurance Issues,” National Center for Employee Ownership, Meeting on Fiduciary Issues for Internal ESOP Trustees, San Francisco, California, June 2009

Publications

- Contributing Author, *Managed Care Litigation*, ABA Health Law Section, 2013 – 2020 Editions
- Co-Editor, “Insurance” chapters, *California Practice Guide: Insurance Litigation*, published by The Rutter Group, 2008 – 2016

- Co-Author, “Supreme Court Decision: *Metropolitan Life Ins. Co. v. Glenn*, _ S.Ct. __, 2008 WL 2444796 (June 19, 2008) (U.S. Supreme Court Docket No. 06-923),” *The Voice*, Defense Research Institute, June 2008

Hinshaw Alert

- Insurance Coverage During Involuntary Legal Holds Under California Law, Oct 2, 2020

Press Release

- Hinshaw & Culbertson Expands in California, Jan 9, 2018