

Viviana A. Loshak

Fort Lauderdale, FL

She/Her

📞 954-375-1186

✉️ vloshak@hinshawlaw.com



About Viviana

Viviana represents clients in complex commercial litigation and insurance-related matters, particularly coverage, defense, and bad faith issues. Drawing on her industry knowledge and more than a decade of experience, she counsels major corporations, business entities, and carriers on a variety of claims and issues.

Viviana is experienced in matters related to commercial, business, professional liability, excess, umbrella, automobile, healthcare, directors and officers, errors and omissions, homeowner, and property policies. She also handles coverage disputes, from providing coverage evaluations and opinions to handling and prosecuting declaratory judgment and rescission actions. Viviana further defends and counsels carriers in first- and third-party bad faith/extra-contractual claims and litigation.

In addition, Viviana provides general business representation and counseling to business entities facing claims of breach of contract, indemnity, negligence, strict liability, professional liability, wrongful death, statutory violations, warranty breaches, and premises liability.

Viviana's Affiliations

- American Bar Association
- Broward County Bar Association
- Broward Hispanic Bar Association
- Dade County Bar Association
- Defense Research Institute
- The Florida Bar

Areas of Focus

Industries: Insurance

Services: Bad Faith, Market Conduct & Extra-Contractual Liability;
Insurance Coverage Litigation & Counseling; Litigation & Trial

Experience

- Secured a summary judgment win on behalf of an insurance client in a highly contested \$3 million sublimit coverage case. At issue was the application of an excess liability policy, which the client had issued to its insured, a hotel operator. The insured was seeking coverage for claims stemming from an assault and murder that occurred on its property. Under the policy, coverage was excluded for claims that were subject to a sublimit of liability under the primary policy. Hinshaw prevailed in a summary judgment decision that provides much needed clarity for carriers regarding judicial interpretation on the definition of “sublimit of liability.” Summary judgment was subsequently affirmed on appeal in a ruling by the US Court of Appeals for the Eleventh Circuit. Hinshaw represented the client in the appellate proceedings.

Recognition

- *Daily Business Review*, Professional Excellence Awards, Insurance Litigation Department of the Year – Midsize Firms, 2019

Credentials

Education

St. Thomas University School of Law, JD, *cum laude*, 2010

Florida International University, BBA, *magna cum laude*, 2007

Bar Admissions

Florida

Court Admissions

US District Court for the Middle District of Florida

US District Court for the Northern District of Florida

US District Court for the Southern District of Florida

Interests

Did you know...

Viviana spends her free time with her family and friends, but she also makes time for exercising and running. Viviana's alternate career would be in psychiatry.

Thought Leadership

Publications

- Co-Author, "Appellate Win Provides Needed Clarity on Sublimited Insurance Coverage," Law.com's *Insurance Coverage Law Center*, July 7, 2020

In The News

- Hinshaw Lawyers Author Article on Eleventh Circuit Case Addressing Sublimit Coverage, Jul 24, 2020

Press Releases

- Hinshaw Litigator Rory Eric Jurman Recognized as the Daily Business Review's 2020 Most Effective Lawyer in Insurance, Dec 7, 2020
- Client Success: Eleventh Circuit Affirms StarStone National Insurance Co. Victory in Sublimit Coverage Case, Jun 22, 2020
- Client Success: StarStone National Insurance Co. Prevails in Highly Contested Sublimit Coverage Case, Sep 3, 2019
- Hinshaw Adds Large Team of Insurance Law Professionals to its Fort Lauderdale Office, May 2, 2019