

# EdwinCoe LLP

## Insurance Litigation

Edwin Coe assists and advises clients on a wide range of disputed insurance claims arising from denial of liability and policy avoidance by insurers..

We have specialised in insurance litigation for more than 35 years and are ranked as a leading firm in this area of law, commonly advising in the following situations:

- **Breach of warranty** – claims denied on the basis of a breach of warranty or general condition
- **Business interruption** – claims for business interruption which flows from losses suffered from an insured peril
- **Fires** – where manufacturing and warehousing facilities have been destroyed
- **Floods** – where flooding has ruined stocks of goods such as carpets, clothing, textiles, pharmaceuticals, plant and machinery
- **Professional negligence** – claims against intermediaries for professional negligence, for loss of indemnity and under-insurance
- **Cyber Risks** – advising policyholders in relation to losses and policy coverage issues arising from damage to or loss of information from IT systems and networks as a result of data theft, network outages, viruses and fraud
- **Theft** – where valuable stock vital to the continued commercial trading of a client, has been stolen
- **Third Party claims** – for uninsured losses.

Our experience, coupled with our strengths in commercial and insolvency work, enable us to assist clients not only in dealing with their disputed claim, but also in coping with cash flow, trade creditors and many other related commercial problems that often arise from the delayed settlement of an insurance claim.

We receive a high level of referrals from professional intermediaries, accountants, assessors, brokers and other lawyers and we have strong connections with professionals in related fields, from barristers to forensic scientists, forensic accountants, specialist brokers and expert underwriters. Their expertise helps us to produce the best results for our clients.

In appropriate cases we will act on a “no win, no fee” basis.

## Examples of our work

- Acting on a £20 million claim regarding a commercial all-risks policy for a large CD/DVD manufacturer following a serious fire. The issues raised in the proceedings addressed points of law concerning moral hazard, material non-disclosure, misrepresentation and breach of condition precedent/breach of warranty.
- Advising a large UK crisp manufacturer on its negotiations with loss adjusters, following the settlement of a £12 million claim.
- Acting for the directors of an independent financial advisor pursued by the FCA for the alleged mis-selling of precipice bonds and SCARPS, including advising the directors on coverage issues arising on the D&O policy.
- Acting for the owner of a commercial building which collapsed into the street following extensive refurbishment work at the premises. The insurers refused to pay the claim. We advised on suing the architects and engineers for professional negligence.
- Advising a high street clothing business on issues of non-disclosure and what constitutes a material fact.
- Acting for a number of claimants pursuing claims for uninsured and under-insured losses and business interruption, arising from the explosion of a petrol depot in Buncefield. The explosion caused significant damage to surrounding businesses.

Banking & Finance  
Class Action Litigation  
Compliance & Regulatory Enforcement  
Construction  
Corporate  
Employment  
Immigration  
Information Technology  
Insurance Litigation  
Intellectual Property  
International  
Litigation & Dispute Resolution  
Philanthropy  
Private Client  
Property  
Property & Trusts Litigation  
Restructuring & Insolvency  
Tax



‘The team are fantastic from start to finish. They handle every aspect of the case and navigate various complex challenges with ease.’

Chambers UK 2024

‘I cannot speak highly enough about Roger Franklin. He is clear, fair and understanding of his clients’ needs and always delivers on his advice.’

Chambers UK 2024

‘Nicola Maher was fantastic. Professional and concise in everything she did. I would highly recommend her.’

The Legal 500 UK 2024

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'A special and rare knowledge and understanding of the standards of practice expected of companies and practitioners in the insurance world.'

The Legal 500 UK 2024

'They appreciate the sensitivity of the relationship between their policyholder client and the insurer with whom the client is in dispute; conscious that the relationship may extend beyond that issue and may have to continue post settlement.

Always courteous and respectful to their client and others, Edwin Coe is a winning team.'

The Legal 500 UK 2024

- Acting for a restaurant against its brokers for negligence regarding under-insurance of business interruption cover connected with the tronc.
- Advising in respect of a £multimillion fire claim on behalf of a leading laundry chain providing services to the NHS. This matter involved alleged non-disclosure and related professional negligence claims against the client's brokers.
- Acting for a leading London street market against its brokers in relation to a fire which caused approximately £8 million of damage.
- Advising a boat building company on a claim against its former insurance brokers for breach of duty in respect of losses due to substantial under-insurance in respect of its business interruption cover following a serious fire.
- Advising litigation funders of their entitlement to an indemnity in respect of adverse costs under an ATE policy including advising on the construction of the policy wording and exclusion clauses.
- Acting for a firm of consulting engineers after a claim of negligence was brought against them in relation to an underpinning scheme, and pursuing a claim against the brokers who arranged the client's Professional Indemnity (PI) cover which did not respond.
- Advising a major food manufacturer in a negligence action against its former insurance brokers for losses suffered as a result of under-insurance in relation to plant machinery and business interruption following a serious fire. This claim resulted in the recovery of a seven figure sum in damages.
- Advising a ready meals producer on the enforceability of a composite panels warranty and on a related claim against its insurance brokers for failing to advise on the meaning of the word 'combustible.'
- Advising a waste management company in relation to the construction and application of conditions precedent to liability and the status of and duties owed by sub-brokers and underwriting agents.
- Acting for a property re-development company in a claim against its insurers and insurance brokers following a large fire at a site owned by the company, which was due to be redeveloped. The insurance issues concerned alleged non-disclosure/misrepresentation of material facts and breaches of warranty. The claim against the brokers raised the interesting question as to whether a previous alleged non-disclosure of a material fact can itself be a material non-disclosure.
- Acting for and advising a number of policyholders in relation to Jeweller's Block policy coverage issues following thefts or large losses.
- Advising a professional partnership in respect of a policy coverage dispute with its primary and excess layer professional indemnity insurers arising out of a former partner's £9 million fraud against a client.

## Our Team

If you would like further information please contact a member of our team.

For individual profiles please visit our website: [www.edwincoe.com](http://www.edwincoe.com)



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