

Nicola Maher

Partner

Insurance Litigation



Nicola joined Edwin Coe in 2010 and became a partner in April 2013. Her practice covers advice to Claimants and Defendants in a wide range of commercial and insurance matters, including insurance policy interpretation and coverage issues, professional negligence, product liability, fraud, cyber risks, jeweller's block, fine art and antique disputes, and disputes arising out of critical illness and permanent health insurance policies.

Nicola has particular expertise advising policyholders on substantial property damage claims arising as a result of fires, thefts or floods and advising in respect of material damage, under-insurance and business interruption claims, assisting businesses to secure efficient resolution of claims and to maximise recoveries, if necessary, through litigation, mediation or arbitration.

In addition, Nicola provides advice in relation to health and safety and environmental issues arising out of substantial property damage claims including incident management, HSE investigations and PACE interviews and defending criminal prosecutions.

Nicola is also able to review policy wordings assisting policyholders to identify potential gaps and to improve coverage; providing advice on the interpretation of policy wordings, the duty of disclosure and the consequences of breaches of policy terms and conditions. She speaks regularly to corporate audiences and SME's about insurance, and health and safety related issues.

Experience

Insurance

- Advising an individual policyholder in relation to his various health insurance policies in the event of permanent ill health and his ability to work again.
- 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.
- Acting for a Claimant company for material damage and business interruption losses where the insurer denied cover relying on a material misrepresentation argument.
- Representing a professional firm in relation to insurance coverage issues following a substantial client account theft as a result of cyber fraud.

Professional Negligence

- Acting for a leading London street market against its brokers in relation to a fire which caused approximately £8m of damage.
- Acting in relation to a recycling plant which burnt down. Following insurer's purported avoidance of the policy; the insurance brokers were sued for failing to advise the policyholder of its duty to give full disclosure of all material facts.
- Acting for the Claimant's waste recycling business in a claim against its insurance broker in negligence for failure to advise on disclosure issues, policy conditions and failure to arrange cover which provided an indemnity in relation to loss of profit.

- Acting for the Claimant property owner in a claim against the broker in negligence for failure to arrange cover for loss of rent and for incorrectly arranging cover on a joint basis.

Commercial

- Acting for a corporate client in relation to a claim for fraudulent misappropriation of £9m of client's monies.
- Acting for a corporate client in relation to its claim for fraudulent misappropriation of company monies by a former employee and taking injunctive and possessory action to successfully recover the monies.

Expertise

- [Insurance Litigation: Overview](#)
- Insurance claims
- Assessment of Damage claims
- Business Interruption claims
- [Professional Negligence](#)
- Health and Safety investigations and defence of criminal prosecutions
- Claims against security providers
- Denied claims on the basis of Breach of Warranty or General Condition
- Third Party claims for Uninsured Losses
- Industry Sectors: Waste management, print & packaging, manufacturing, retail and leisure, construction, engineering, property, IT, SME's
- Issues arising out of fire, theft, flood, fraud, and cyber risks

Credentials

- Recommended in Legal 500 UK 2022
- Ranked as a 'Leading Individual' in Chambers UK 2022
- Ranked as a 'Leading Individual' in Chambers Global 2021
- Member of the London Business Interruption Association
- Member of the London Chamber of Commerce
- Member of the Professional Negligence Lawyers Association
- Member of the British Insurance Law Association

Contact

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