

ANTHONY J. PIAZZA



Partner

Areas of Practice

- ▶ Insurance Coverage & Regulation
- ▶ Commercial Litigation

Office Location

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Education

Villanova University School of Law, J.D., 1982

State University of New York at Binghamton, B.A., 1979

Tony Piazza's primary practice focuses on matters involving insurance, appellate law and commercial litigation; he also represents clients in a number of different industries with varied legal needs. Tony's experience in handling insurance matters has prompted national insurance companies to retain him on a regional, statewide and national basis. Tony's practice in this field includes preparing hundreds of coverage analyses and actively litigating declaratory judgment actions, including suits involving extracontractual claims. He is also a seasoned attorney who has successfully tried numerous cases to verdict.

Additionally, Tony frequently advises insurers, third-party administrators, self-insured entities and other parties in claims handling procedures and practices, addresses complaints with state Insurance Departments, and litigates matters arising out of claims handling practices. He is also called upon to counsel individuals and companies within the insurance industry – such as agents, brokers, adjusters, consultants, and related entities – on licensing, formation of companies, compliance, and disciplinary issues. Tony is Chair of the firm's Insurance Coverage & Regulation Practice Area. He has also demonstrated his leadership abilities by serving on the firm's Management and Compensation Committees.

Representative Experience

- ▶ Successfully handled appeal before the New York State Court of Appeals which ruled in favor of our client, the owner of a Canadian bus coach line, in a significant "choice of law" case; the matter involved a tragic accident occurring in New York, and 30 members of a Canadian women's hockey team. The court agreed to apply a Canadian "cap" on non-economic damages in favor of our clients, and the court declined to apply that cap to the co-defendant tractor-trailer. The decision resulted in a reduction of our client's exposure by several million dollars; the case ultimately resolved by mediation.
- ▶ Recent work on significant Declaratory Judgment lawsuits pending in California, including the NFL concussion cases and numerous child molestation suits involving the Los Angeles Unified School District.
- ▶ Represents numerous parties with regard to litigation and regulatory issues resulting from the failure of various New York State Workers Compensation Self-Insured Trusts.
- ▶ Successfully handled appeal before the Pennsylvania Superior Court, in which suit against client seeking Additional Insured coverage was dismissed for plaintiff's failure to name

necessary party.

- ▶ Successful representation of Rhode Island insurance association pursuing complex breach of fiduciary duty and contract claims against insurance service conglomerate, obtaining favorable result through early mediation.
- ▶ Represented successful litigant in one of New York State's leading construction defect appellate insurance coverage decisions (cited nationally), which holds that the faulty workmanship claims, without alleged damage outside the scope of the insured's work product, do not allege an "occurrence" as contemplated by a comprehensive general liability policy.
- ▶ Successfully handled motion for summary judgment and subsequent appeal involving a claim for Additional Insured coverage in conjunction with a shooting at a New York City Housing Authority apartment building. The court agreed that our client did not have a duty to defend the Housing Authority, since the shooting did not arise out of the insured's ongoing operations.
- ▶ Represented successful insurer in leading New York appellate decision which applied the bodily injury expected or intended by the insured exclusion to a negligence claim where the underlying facts pertained to sexual molestation, since the harm was inherent in the nature of [the insured's] acts.
- ▶ Successfully handled appeal involving a priority of insurance coverage dispute between two insurers with regard to a serious underlying construction accident claim and coverage for contractual and common law indemnification claims. We convinced the court that our clients' excess General Liability policy was inapplicable, resulting in a recovery of \$800,000 for our client.

Admitted to Practice

- ▶ New York, 1988
- ▶ Pennsylvania, 1982
- ▶ U.S. District Court, Western District of New York
- ▶ U.S. District Court, Northern District of New York
- ▶ U.S. District Court, Southern District of New York
- ▶ U.S. District Court, Eastern District of New York
- ▶ U.S. District Court, Eastern District of Pennsylvania
- ▶ U.S. Court of Appeals, 2nd Circuit
- ▶ U.S. Court of Appeals, 3rd Circuit

Publications/Speaking

- ▶ Speaker, "Law School for Insurance Professionals," New York State Bar Association, 2014
- ▶ Speaker, "Advanced Insurance Coverage," and "Construction Defect Coverage," New York State Bar Association, 2014
- ▶ Speaker, "Law School for Insurance Professionals," New York State Bar Association, 2013
- ▶ Rochester Insurance Day Classes, "The Law of Insurance Broker and Agent Liability in New York State," and "Top Ten Insurance Coverage Decisions in the Past Year and a Look at "Hot" Insurance Issues for the Future," Speaker, 2013
- ▶ Speaker, "Advanced Insurance Practice," New York State Bar Association, 2013
- ▶ Speaker, "Coverage and Legal Malpractice," New York State Bar Association, 2013
- ▶ Selected as Key Author for Thomson West Publishing Group
- ▶ Panelist, "Conflicts of Law in Cross-Border Litigation," New York State Bar and Ontario Bar Associations' One Legal System + Two Jurisdictions = Infinite Opportunity Legal Summit, 2012
- ▶ Author and Speaker, "Legal Malpractice: Identifying and Responding to Professional Liability Claims," New York State Bar Association, 2011
- ▶ Author and Speaker, "Insurance Coverage Issues in the Commercial General Liability Policy: Emerging Issues for the Next Decade," New York State Bar Association, 2010
- ▶ "National Errors and Omissions Insurance Conference," Speaker, 2008
- ▶ Co-Author, ***Couch on Insurance*** 3d, Forms, Vol. 3, 2006-2015
- ▶ Contributing Author, ***Insurance Law Practice***, Second Edition, New York State Bar Association, 2006-2015

Professional Affiliations

- ▶ ARIAS-U.S., Member
- ▶ Claims and Litigation Management Alliance
- ▶ Defense Research Institute
- ▶ New York State Bar Association
- ▶ Monroe County Bar Association, Member and Member of Judiciary Committee

Civic Activities

- ▶ Hochstein School of Music and Dance, Chair, Board of Directors
- ▶ Volunteer Legal Services Project, Board Member, Program Committee Chair, Past President and Volunteer
- ▶ Harpur Law Council (Binghamton University), Member, Steering Committee
- ▶ Rochester Area Business Ethics Foundation, Ethics Award Judge 2010-2013

Prior Experience

- ▶ Hiscock & Barclay, LLP, Partner

Honors

- ▶ Martindale-Hubbell Top Rated Lawyer in Litigation Award, 2015
- ▶ ***The Best Lawyers in America***, 2013-2017 for Insurance Law
- ▶ Selected by Peer Review for Inclusion in ***Super Lawyer*** Directory 2007-2016 for Insurance Coverage
- ▶ Selected as Federal Court Certified Mediator by the District Judges for the Western District of New York
- ▶ ***The Best Lawyers'*** 2014 Rochester Insurance Law "Lawyer of the Year"
- ▶ Selected as a 2013 Empire State Counsel Honoree by the New York State Bar Association