

David M. Kroeger

Partner

dkroeger@jenner.com

He / Him

Office

Chicago

Phone

+1 312 923 2861

Areas of Focus

Energy

ESG: Environmental, Social,
and Governance

Food and Beverage

Insurance Recovery and
Counseling

International Arbitration



Overview

David Kroeger is co-chair of the firm’s Insurance Recovery and Counseling Practice. Clients seek his counsel on a variety of insurance and reinsurance issues related to the review, analysis and negotiation of policy language, the development and presentment of insurance and reinsurance claims, and the arbitration or litigation of insurance and reinsurance disputes, including matters involving general liability, property, business interruption, directors and officers liability, errors and omissions, professional liability, fiduciary liability, crime, cyber, and many other forms of insurance coverage. In addition, he has experience with a wide range of commercial litigation matters. David also is a Fellow of the American College of Coverage Counsel, an invitation-only group of senior insurance coverage counsel nationwide.

David has been recognized by *Chambers USA* as a leading lawyer in the area of Insurance Dispute Resolution. He is also a co-author of the treatise *Directors and Officers Liability: Prevention, Insurance and Indemnification* and an updating author of the treatise *Insurance Coverage Disputes*. David also taught an insurance course as an adjunct professor at the University of Illinois College of Law.

A member of the firm’s Food and Beverage and International Arbitration practices, David also serves on the firm's Inclusion and Engagement Committee.

Areas of Focus

- Energy

- ESG: Environmental, Social, and Governance
- Food and Beverage
- Insurance Recovery and Counseling
- International Arbitration
- Hedge, Investment, and Private Equity Funds

Representative Matters

David has served as counsel on the following significant insurance matters:

- Represented a global investment firm in an insurance coverage action against more than a dozen aviation insurers related to the total loss of 18 commercial aircraft, valued at \$365 million, that were leased to airlines operating in Russia at the time of Russia's 2024 invasion of Ukraine.
- Represented a major western utility in obtaining a \$400 million recovery for business interruption and property damage to steam generators at a nuclear power plant.
- Represented a major international food and beverage company in obtaining cyber insurance coverage with respect to malware related losses in excess of \$100 million.
- Represented a major financial services institution in obtaining professional liability coverage in connection with class action claims asserted against the client.
- Represented an international food and beverage company in obtaining property insurance coverage with respect to significant fire damage at one of its manufacturing plants.
- Represented a major financial services institution in obtaining cyber insurance coverage with respect to losses arising from a ransomware attack.
- Represented a major western utility in successfully defending an insurer subrogation action seeking \$25 million relating to wildfire losses. Summary judgment in the client's favor was affirmed on appeal.
- Represented a leading global contract development and manufacturing organization in connection with property, stock throughput, general liability, professional liability, directors and officers liability, and certain other insurance coverage issues arising out of a product tampering incident.
- Represented an international e-commerce company in successfully obtaining D&O coverage for a securities class action and derivative action.
- Represented a major diversified holding company and its cosmetics industry subsidiary in a D&O insurance arbitration, recovering amounts paid for defense and settlement of a substantial consolidated shareholder securities class action.
- Represented a major eastern utility in recovering more than \$100 million for property damage and business interruption claims arising from a turbine failure accident at a nuclear power plant.
- Represented a Class 1 railroad with respect to insurance matters arising under its liability and property insurance programs as well as the insurance programs of affiliated and third-party entities, including derailment related claims.

- Represented a leading provider of financial services technology regarding claims seeking over \$100 million under various policies of Property Valuation Insurance for losses incurred in connection with appraisal values used to underwrite home equity loans.
- Represented a leading US law firm in successfully obtaining a jury verdict for the full amount of damages sought on professional liability insurance claims.
- Represented the world's premier mountain resort company in obtaining property damage coverage for construction defects at a luxury resort property in Vail, Colorado.
- Represented the Illinois Director of Insurance in his capacity as Rehabilitator/Liquidator with respect to the substantive consolidation of the estates of Lumbermens Mutual Casualty Company, American Manufacturers Mutual Insurance Company, and American Motorist Insurance Company.

Credentials

Admissions

- Illinois, 1994
- New York, 1992

Education

- University of Illinois College of Law, JD, *summa cum laude*; Order of the Coif, 1990
- University of Notre Dame, BA, *magna cum laude*, 1987

Court Admissions

- US Court of Appeals, Seventh Circuit, 1995
- US District Court, Central District of Illinois, 1995
- US District Court, Northern District of Illinois, 1995

Clerkships

- Hon. Harlington Wood, Jr., US Court of Appeals, Seventh Circuit, 1990-1991

Service / Recognition

Awards

- *Chambers USA*, Insurance: Dispute Resolution: Policyholder (Nationwide), 2025; Insurance: Dispute Resolution (Illinois), 2014-2025
- *Illinois Super Lawyers*, Insurance Coverage, 2006-2011; 2024
- Jenner & Block Mentorship Award, 2020
- *Lawdragon 500 Leading Litigators in America*, 2026
- *Legal 500 US*, Industry Focus - Insurance - Advice to Policyholders, 2018-2021

- *The Best Lawyers in America*, Insurance Law, 2015-2022, 2024, 2026

Service to the Bar

- International Bar Association, Insurance Committee, Vice Chair (elect), 2026; Membership Officer, 2024-2025; Special Projects Officer, 2023
- American Bar Association, Council Member At-Large (elect), 2026-2028; Co-Chair, ICLC Products/Food & Beverage Subcommittee, 2025-2026; Social Media Ambassador, 2025-2026; Co-Chair, 2025 Litigation Section Annual Conference, 2023-2025; Member, Membership & Marketing Committee, 2022-2024; Co-Chair, Regional CLE Programs Committee, 2021-2022; Member, Regional CLE Programs Committee, 2018-2021; Litigation Section Co-Chair for the 2018 ABA Annual Meeting, 2017-2018
- Illinois State Bar Association, Insurance Section Council, Vice Chair, 2025-2026; Editor, *The Policy*, 2020-2024; CLE Coordinator, 2010-2020; Chair, 2009-2010; Vice-Chair, 2008-2009; Secretary, 2007-2008; Special Committee on Law Firm Ownership (Presidential appointment), 2025-2026

Industry

- American College of Coverage Counsel, Fellow
- Illinois Institute for Continuing Legal Education, Business and Commercial Litigation, Contributing Author, 2026