

“A Look at Insurance Coverage for Government Investigations,” *Law360*

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In an article for Law360, Partner Jan Larson, Special Counsel Carolyn Small, and Associate Ben Seelig provide insight on the quirks and potential pitfalls in applying common definitions of a “claim” to different types of government inquiries and investigations. They also explain how recent decisions have interpreted whether certain initiating steps rise to the level of a claim for purposes of triggering potential insurance coverage under liability insurance policies.

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“The manner in which the inquiry or investigation begins is the starting point for whether it will constitute a “claim” under the relevant insurance policy,” the authors write. “Notably, the definition of ‘claim’ can vary substantially from policy to policy and create potential coverage gaps, depending upon the form of the inquiry or investigation.”

The authors discuss the manner in which the inquiry or investigation begins, recent developments concerning various types of inquiries and investigations, negotiating choice-of-law and forum-selection provisions, and keeping insurers apprised of investigations.

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