Foreword

The Insurance Coverage Litigation Committee of the ABA’s Tort, Trial & Insurance Practice Section, also known as TIPS, proudly presents the second edition of this book.

When we finished the first edition in 2010, we knew we had many writers. But we wondered whether we’d have any readers. In fact, many people bought the book and found it useful.

So, as four years have passed and cases are handed down every day, we have prepared this new edition that incorporates developments in the law. For the most part, the principles are the same, but many of the cases are new.

Our authors are active members of the Insurance Coverage Litigation Committee. We’re real insurance coverage lawyers. We handle insurance law every day.

In the spirit of embracing our status as dedicated insurance practitioners, we put this book together as a survey of the many issues that arise from a liability policy. It’s an overview of the whole area. We genuinely hope that our fellow lawyers will find it useful.

We must thank the many committee members who contributed to this effort. The authors and editors did a huge amount of work. We have attempted to recognize everyone that assisted, but unfortunately, as this work was done over an extended period of time, it’s possible that the list of editors is incomplete. We sincerely apologize to anyone who was overlooked.

In the words of Bob Dylan, “you’re gonna have to serve somebody,” and most of the authors are committed to serving either insurers or policyholders, though a few serve both. The authors tried to present their topics in balanced discussions. Since presentations are inevitably shaped by authors’ perspectives, we have made those perspectives transparent. The biography of each author notes the author’s primary affiliation, whether insurer or policyholder.

We have tried to avoid repeating many different individual disclaimers. Please understand that this book is a compilation of works by many different authors. Each author is expressing only his or her own view. The authors are not, in this book, intending to present the views of their clients or affiliated organizations. Generally, the authors of any one section did not work on other sections and thus
do not necessarily share the views presented in other sections. Finally, the editors
do not endorse all of the views presented in this book, and in some instances, theeditors disagree with the views presented in this book.

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