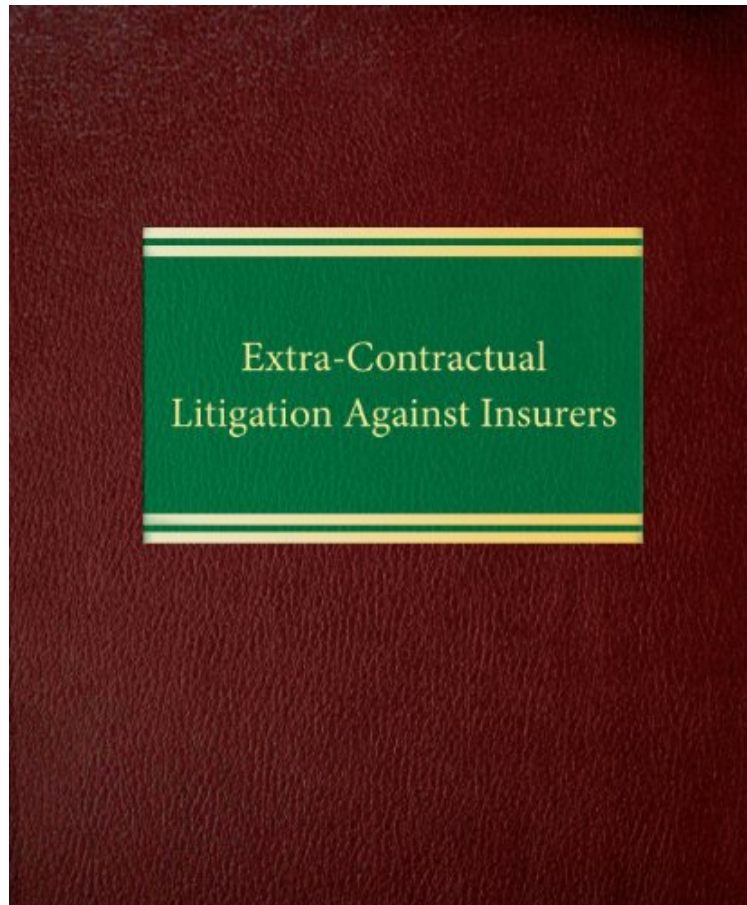


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## Extra-Contractual Litigation against Insurers (Insurance Law SeriesLitigation Series)

*Michael R. Nelson, Robert T. Horst, Mark H. Rosenberg*  
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Claims against insurers have multiplied over the past few decades, as have the strategies of plaintiffs. Extra-Contractual Litigation Against Insurers is a comprehensive guide to new theories used in insurance litigation. It examines both the legal underpinnings of novel causes of action and the practical aspects of bringing claims and defending against them. Topics covered include: the insurer's third-party bad faith in refusing to settle; first-party bad faith in refusing to pay benefits; bad faith claims involving specific lines of insurance; common law claims; unfair claims settlement practices; alternative theories of liability, such as unjust enrichment; and more. The authors provide

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**About the Author** Michael R. Nelson (Co-editor and Author of Chapter 2), a partner with Sutherland Asbill and Brennan in New York, New York, has served the interests of insurers for his entire professional career. Prior to his law career, Mr. Nelson was employed by what was then known as the Metropolitan Property and Casualty Insurance Company in Philadelphia from 1981 through 1992, becoming its Field Claim Manager with responsibility for a several-state region. He is a graduate of Temple University School of Law. Mr. Nelson is admitted to practice in New York, Pennsylvania, Ohio, and New Jersey, as well as the District of Columbia. He is an active member of the Federation of Defense and Corporate Counsel (FDCC) and the Lawyers for Civil Justice (LCJ). He has testified before the Federal Rules Advisory Committee and the Standing Committee on Civil Rules on matters such as the Class Action Fairness Act, Federal Rules of Civil Procedure reforms concerning E-discovery, Federal Rule of Evidence 502, and Amendments to Federal Rule of Civil Procedure 56. Mr. Nelson also holds a B.S. from the New York State University at Cortland. Robert T. Horst (Co-editor and Co-author of Chapters 1, 9, and 10), is a partner with Timoney Knox in Fort Washington, Pennsylvania, and graduated from Pennsylvania State University with a B.S. in Finance and from Villanova University School of Law. Mr. Horst specializes in the representation of insurers in class action and insurance fraud cases, complex coverage disputes, civil RICO, and "bad faith" litigation. Admitted to practice in Pennsylvania, New Jersey and New York, Mr. Horst has tried numerous cases to verdict and is proud to serve as General Counsel to the International Association of Special Investigative Units (IASIU). A frequent speaker and lecturer to trade associations and industry groups, Mr. Horst regularly presents regarding trial tactics, legal ethics, and emerging issues in the insurance industry. He was NLDHs Managing Partner from 2003 through 2008. Mark H. Rosenberg (Co-editor, Author of Chapters 5 and 12, and Co-author of Chapters 1 and 6), is an associate attorney with Clark Fox, and graduated from the University of Notre Dame with a B.A. and from Notre Dame Law School, where he was an Honors student and served as articles editor for the *Notre Dame Law*. Mr. Rosenberg specializes in the defense of complicated insurance practice and bad faith disputes. He frequently advises insurance clients regarding insurance bad faith, antitrust law, and class action law. Mr. Rosenberg has written numerous articles regarding topics such as insurance bad faith, antitrust law, computer animation evidence, and class action law. A frequent contributor to *For the Defense* and Metropolitan Corporate Counsel, Mr. Rosenberg has also assisted the Lawyers for Civil Justice in preparing comments to the Civil Rules Advisory Committee of the United States Judicial Conference regarding proposed revisions to the Federal Rules of Civil Procedure concerning electronic discovery.