



## Industry Thought Leaders Identify and Comment on Litigation Trends of 2021, Eric Stern quoted, Law.com

Eight attorneys from big insurance coverage firms across the country reflect on the most important cases and trends that arose in the last year.

By Hannah Smith, JD | December 21, 2021

Eric Stern, Partner at Kaufman Dolowich Voluck, LLP, and member of the ICLC Editorial Advisory Board: In addition to the COVID-Business Interruption cases, ...in March 2021, the Nevada Supreme Court held ...that an insurance company is entitled to reimbursement of defense costs where a determination is ultimately made that the insurer did not owe a duty to defend, and the insurer expressly reserved its right to seek recoupment falling in line with other jurisdictions that also recognize an insurer's right to recoup defense costs where the insurer has specifically reserved such rights, including: California, Connecticut, Massachusetts and Minnesota.

Additionally, as the cyber insurance market shifts... Silent Cyber (cyber risk that is neither expressly covered nor excluded in insurance policies) coverage disputes ...should continue for the foreseeable future.... Courts will continue to face insurers seeking to wedge cyber-risk into non-cyber policies in 2022. TO READ FULL QUOTE AND ENTIRE ARTICLE, SEE LINK BELOW.