

COVID Coverage Questions Linger as Challenges Wind Down

Media Mentions

October 10, 2024 | *Law360 Insurance Authority* | 1 minute read | New York

Bracewell's **David Shargel** spoke with *Law360* about judges overwhelmingly rejecting policyholders' arguments that the COVID-19 virus itself or government pandemic orders triggered coverage under property policies.

"A large number of the cases where policyholders have come out on the losing end have involved the question of whether the COVID virus constitutes 'physical loss or damage,'" Shargel said. "That's an uphill battle because it typically doesn't."

For policyholders, avoiding similar outcomes may lie in more careful underwriting, Shargel said. He advised policyholders to enlist experienced risk managers or outside counsel to carefully review renewals and policy language, such as coverage for events arising out of an illness and any resulting government mandate.

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