



Kristin V Gallagher

Partner

T: +1 908 848 1220

E: kristin.gallagher@kennedyslaw.com



Admissions

- New Jersey
- New York
- New York Supreme Court, Appellate Division, Third Judicial Department
- US Court of Appeals, First, Second, Third, Fourth, Fifth, Ninth and Eleventh Circuits
- US District Court, New Jersey
- US District Court, Eastern, Northern and Southern Districts of New York
- US District Court, Northern District of Florida
- US District Court, District of Colorado

Education

- Seton Hall University School of Law, JD, 1995
- Fairfield University, BA, 1992

Kristin is a Partner in the New Jersey office and handles complex coverage litigation across the country particularly in the context of mass tort and bad faith claims. Kristin currently acts as lead national counsel for several insurers with respect to COVID 19 business interruption claims. She also has extensive experience litigating, mediating, and arbitrating insurance coverage matters in the areas of commercial property and casualty, product contamination and product recall, professional liability, directors' and officers' liability, advertising liability, cyber risk, and environmental claims. Kristin's practice includes policy drafting and advice to domestic and international insurers.

Kristin's practice includes counseling insurers on large claim losses, risk analysis, policy drafting, bad faith exposures and general business matters. She is also a frequent lecturer on a myriad of insurance and litigation topics.

Earlier in her career, Kristin served as Law Clerk to The Honorable Peter E. Doyne, P.J.S.C., Superior Court of New Jersey, Bergen County. Kristin is currently a member of the Defense Research Institute, Council on Litigation Management, National Association of Professional Women and National Association of Insurance Women, and is a founding member of the firm's Women's Initiative. She also served as an elected member of the Board of Education in Washington Township, New Jersey for nine years and currently serves on the Mayo Performing Arts Center Board of Trustees.

Market recognition

- Ranked lawyer and notable practitioner for 'Insurance (New Jersey)'
"Kristin Gallagher acts on a wide range of insurance disputes, including covering disputes involving property damage, business interruptions, product liability, professional risk and catastrophic events."
"Kristin is very responsive."
Chambers USA 2023
- Ranked lawyer and notable practitioner for 'Insurance (New Jersey)'
"Kristin's stellar reputation and tactical awareness make her one of the best attorneys in the insurance coverage Bar."

"She is an excellent coverage lawyer and a good writer."

Chambers USA 2022

- Ranked lawyer and notable practitioner for 'Insurance (New Jersey)'
"Kristin Gallagher acts on a wide range of insurance disputes, including covering disputes involving property damage, business interruptions, product liability, professional risk and catastrophic events."

"Kristin is everything I need in a lawyer - responsive, knowledgeable, and very strategic."

Chambers USA 2021

- Ranked lawyer and notable practitioner for 'Insurance (New Jersey)'
"Kristin Gallagher handles coverage disputes relating to product liability, professional risk and catastrophic events. "She is smart, knowledgeable and responsive to our needs," reports a client, adding: "She understands our business, is innovative in her thinking and conscious of our focus on cost reductions."

Chambers USA 2020

- Recognized by New Jersey Super Lawyers (2017-2018)

Work highlights

- Lead counsel in a coverage dispute arising out of an underlying multi-district Telephone Consumer Protection Act ("TCPA") litigation in which the alleged violations potentially total \$2.8 billion in fines under the Act.
- Successfully represented an insurer in a dispute with its policyholder, a national healthcare company, regarding damages resulting from a data breach.
- Successfully defended a specialty lines insurer in a dispute with professional NASCAR racer Tony Stewart regarding coverage under a policy for an underlying wrongful death action stemming from Stewart's participation in a sprint car race.
- Successfully represented an excess insurer with respect to a dispute under a product recall policy with respect to \$15 million incurred in connection with a highly publicized recall of uninspected beef.
- Lead coverage counsel for a global insurer in the World Trade Center litigation.

Presentations and publications

- "The State of Bad Faith," In-House Client Training (May 2023)
- "2023 Insurance Coverage Litigation," presented for the American Bar Association (March 2023)
- "Making, analyzing and responding to policy limits settlement demands in an era of social inflation and nuclear verdicts," presented for the ICLC Litigation Conference (February 2023)
- "The State of Bad Faith," In-House Client Training (September 2022)
- Co-author, "Louisiana appellate court reverses COVID-19 coverage ruling," published for Kennedys (June 2022)
- Co-author, "Key amendments to New York's Comprehensive Insurance Disclosure Action," published for Kennedys (February 2022)
- "COVID 19 business interruption claims and litigation landscape US," In-House Client Training (January 2022)
- Co-author, "Understanding New York's Comprehensive Insurance Disclosure Act," published for Kennedys (January 2022)
- Co-author, "The Ninth Circuit Court of Appeals COVID-19 decisions," published for Kennedys (October 2021)
- Co-author, "COVID-19: commercial property litigation trends in the United States," (February 2021)
- "Hot Topics in Insurance Coverage" In-House Client Training (April 2020)
- "Preventing, mitigating and resolving the business Impacts of coronavirus/COVID 19 with ADR" In-House Client Training (April 2020)

- “COVID-19 Issues” In-House Client Training (April 2020)
- “Tender Boot Camp Risk Transfer Issues” In-House Client Training (December 2019)
- “Florida Bad Faith Law: The Insurer’s Duty to Settle and Responding to Time Limit Demands” In-House Client Training (December 2019)
- Co-author, “Large scale lawsuits present new challenge for insurers,” published for Insurance Day (October 2019)
- “Providing Effective Deposition Testimony” In-House Client Training (October 2019)
- “Insurance Coverage Hot Topics” In-House Client Training (October 2019)
- Co-author, “Notice, prejudice, and first-party property damage claims,” published for Kennedys (April 2019)
- Co-author, “Preemptive Recalls May Not Be Covered By Product Recall Insurance,” published for Kennedys (January 2019)
- Co-author, “Handling the Florida Claimant’s Demand for a Financial Affidavit,” published for Kennedys (January 2019)
- Co-author, “The Controversial Restatement of the Law of Liability Insurance,” published for Kennedys (October 2018)
- “Ethical Challenges with the Tri-Partite Relationship” presented for Perrin Conferences (October 2019)
- “Coverage B Personal and Advertising Injury” presented for Perrin Conferences (October 2018)
- “Claims: Cyber Intruders Target The Insurance Legal Community,” A.M. Best webinar (August 2018)
- Co-author, “Restatement of the Law of Liability Insurance approved, but controversy remains,” published for Kennedys (May 2018)
- “Policy Limit Demands: Strategies, Pitfalls and Recent Developments” In-House Client Training (May 2018)
- Co-author, “NJ Courts Struggle To Reach A Uniform Interpretation of The Phrase ‘Caused, In Whole or In Part, By’ in Additional Insured Endorsements,” published on Kennedys Website (March 2018)
- “Accomplishing Your Deposition Goals” In-House Client Training (March 2018)
- “Commercial Claims: Business Interruption, Lost Profits & More,” presented at the HB Litigation Conferences Hurricane Claims Forum (November 2017)
- “Fundamentals of Risk Transfer” in-house presentation to client (June and August 2017)
- “Hammering on Construction Liability,” A.M. Best webinar (February 2017)
- “Insurance Coverage - Additional, Horizontal, Vertical or Some Other Way,” presented to the Labor Law Claims, Coverage and Litigation Section of the New York Bar Association (December 2016)
- “The Relationship Between Primary and Excess Insurers,” In-House Client Training (December 2015)

Reported decisions

- *Axis Ins. Co. v. Stewart*, 198 F. Supp. 3d 4 (N.D.N.Y. July 2016)
- *Bingham v. 347 11th St., LLC*, 140 A.D. 686 (N.Y. Sup. Ct. App. Div. 2nd Dep’t June 1, 2016)
- *Carolina Cas. Ins. Co. v. Red Coats Inc.*, 624 Fed. Appx. 992 (11th Cir. August 17, 2015)
- *Goldstone Amber St. Realty Corp. v. New York Mar. & Gen. Ins. Co.*, 127 A.D. 3d 691, (N.Y. Sup. Ct. App. Div. 2nd Dep’t April 2015)
- *Jene’ Barranco, et al. v. Hog Wild Trucking, Inc. et al*, Cause Number 2011-0209 (Miss. Cir. Ct. October 18, 2013)