

## INSURANCE

SKV has long represented insureds in coverage disputes with their insurers, and also has served as go-to counsel for a number of insurers when their insureds have faced challenging, high-risk matters.

SKV has a varied insurance practice that has grown significantly in recent years. While SKV is primarily a defense firm, the majority of our insurance-related work has historically been on the plaintiff side.

Particular specialties have included representing healthcare providers, in particular in disputes with major health insurers over reimbursement rates and other contractual obligations. SKV also has extensive experience representing businesses and executives across myriad industries seeking coverage under applicable general liability insurance (GL) and directors and officers (D&O) policies, including bad-faith coverage litigation.

But that isn't everything we do: notable recent representations include the successful defense of a major health insurer accused of failing to properly reimburse practice groups for emergency services, and we have also been chosen by several major GL/D&O insurers to handle their insureds' most important, "bet-the-company" claims. While SKV lawyers are always ready to go to trial and relish the opportunity to do so, our track record of success and reputation as a formidable opponent in the courtroom means that we are often able to negotiate successful outcomes for our clients – and a great savings when such matters are being covered by insurers – long before trial is necessary.

SKV's boutique size and entrepreneurial spirit give clients numerous advantages. First, we are not a distinctly defense or plaintiff-side firm; while the majority of our insurance work is on the plaintiff side, we have a substantial defense practice. Second, because we are a trial firm, nearly all of our team, from senior partners to paralegals and secretaries, has significant experience in trials and arbitrations. Third, we staff matters leanly, which means that as a client, you will receive a dedicated and appropriately-sized team that learns your case thoroughly and is available to address your needs. Fourth, we play

### MAIN CONTACT(S)

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**Jeff Potts**  
Partner



**Ty Doyle**  
Partner

nicely with others, and have frequently worked with co-counsel in largescale/high-stakes disputes. And finally, we have never been wedded to the billable hour and are always willing to discuss alternative fee arrangements with clients. At SKV, we use a straightforward approach to evaluating your case and your needs, making sure we never lose sight of your goals.

**REPRESENTATIVE MATTERS**

*ACS Primary Care Physicians Southwest, PA, et al. v. Molina Healthcare, Inc., et al.*: An SKV team led by Craig Smyser, Karima Maloney, Justin Waggoner, and Razvan Ungureanu successfully defended health insurer Molina Healthcare in a dispute with a practice group over proper reimbursement rates for emergency care. Following a multiweek jury trial, the matter settled on terms favorable to Molina.

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**Memorial Hermann:** SKV lawyers, in particular Jeff Potts, Craig Smyser, and Jarod Stewart, have long represented Memorial Hermann, Houston’s largest not-for-profit operator of hospitals, in disputes with insurers. Significant cases include *Memorial Hermann Health System v. Aetna Health Inc. and Aetna Life Ins. Co.*, 2009-56574, in the District Court of Harris County, Texas; *Memorial Hermann Health System v. Health Care Services Corporation d/b/a Blue Cross Blue Shield of Texas*, No. 22-cv-01449, in the United States District Court for the Southern District of Texas; *Memorial Hermann Health System v. CIGNA Healthcare of Texas, Inc.*, AAA Arbitration No. 70-187-Y-00442-10.

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**Nobilis Health Corp. v. Great American Insurance Co.:** An SKV team lead by Ty Doyle and Crystal Robles successfully obtained D&O coverage for client Nobilis Health, a multistate owner and operator of surgical hospitals and ambulatory surgical centers, in multiple putative securities fraud class actions brought against the company in the United States and Canada.

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*XL Specialty Ins. Co., et al. v. CVR Refining, LP, et al.:* An SKV team led by Ty Doyle has represented numerous **Icahn Enterprises**-affiliated entities in an insurance coverage dispute related to a Delaware class action.

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