



Cara Tseng Duffield

Partner



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Cara represents insurers in complex disputes arising under directors and officers and other professional liability and general liability coverages. She provides strategic counseling to insurers for underlying exposures presented by securities and derivative litigation, government investigations, mergers and acquisitions, and bankruptcy. Cara litigates coverage and bad faith actions on behalf of insurers around the country at the trial and appellate levels.

Representative Matters

- Won appellate affirmance of judgment for insurer that specific litigation exclusion barred coverage for regulatory investigations, lawsuits, and over one thousand FINRA arbitrations filed after collapse of Puerto Rican bond market. *UBS Financial Serv. Inc. of Puerto Rico v. XL Specialty Ins. Co.*, 929 F.3d 11 (1st Cir. 2019).
- Won summary judgment for excess carrier holding that SEC investigation constituted a claim first made before the relevant policy period. *Jalbert v. Zurich Services Corp.*, 325 F. Supp. 3d 212 (D. Mass. 2018).
- Won summary judgment for insurer affirming its allocation of settlements between covered and non-covered matters and dismissing bad faith claims. *United Nat'l Ins. Co. v. Indian Harbor Ins. Co.*, No. 14-6425 (E.D. Pa. Feb. 8, 2016).
- Won summary judgment ruling for an insurer in a false advertising case based on failure to conform exclusion. *General Star Indemnity Co. v. Driven Sports, Inc.*, No. 14-3579, 2015 WL 307017 (E.D.N.Y. Jan. 23, 2015).

Practice Areas

Insurance
Litigation

Credentials

Education

J.D., *cum laude*, The University of Chicago Law School; Hinton Moot Court Cup

A.B., *magna cum laude*, Harvard-Radcliffe College

Clerkships

Law Clerk for the Honorable Nancy F. Atlas, U.S. District Court for the Southern District of Texas (2000-2001)

Bar and Court Memberships

District of Columbia Bar

U.S. Courts of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Ninth, Tenth, and Eleventh Circuits

- Obtained monetary judgment for an insurer based on prior knowledge, fraud and profit exclusions, and right to recoup defense costs. *Protection Strategies, Inc. v. Starr Indemnity & Liability Co.*, No. 13-763, 2014 WL 1655370 (E.D. Va. Apr. 23, 2014).
- Secured appellate reversal of an adverse district court judgment creating coverage by estoppel for a non-insured. *Britt v. General Star Indemnity Co.*, 494 F. App'x 151 (2d Cir. 2012).
- Won summary judgment for excess insurer in coverage dispute over internal and regulatory investigation costs arising from corporate restatement. *The Goodyear Tire & Rubber Co. v. Nat'l Union Fire Ins. Co.*, No. 08-1789, 2011 WL 5024823 (N.D. Ohio Sep. 19, 2011), *aff'd*, 694 F.3d 781 (6th Cir. 2012).
- Won summary judgment for excess insurer on prior knowledge exclusion in coverage dispute arising from collapse of commodities broker. *Murphy v. Allied World Assurance Co.*, No. 2009 WL 1227485 (S.D. N.Y. Apr. 30, 2009), *aff'd*, 370 F. App'x 193 (2d Cir. 2010).

Affiliations

- American Bar Association (ABA), Section of Litigation
 - Women in Insurance Subcommittee
 - Insurance Coverage Litigation Committee
- Professional Liability Underwriting Society (PLUS)

Recognitions

- Listed by *Chambers USA* as one of "America's Leading Lawyers for Business" in Insurance: Insurer (2020-2023)
- Recognized by *The Legal 500 US* in Insurance: Advice to Insurers (2017-2018, 2020-2022)
- Named to *Business Insurance* magazine's list of "Women to Watch" (2015)
- Recognized by *Law360* as a "Rising Star" in Insurance (2013)
- Included in *The Best Lawyers in America* directory for Insurance Law (2023)