

Sean P. Mahoney

Partner

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Sean Mahoney is a trusted advisor to insurers and commercial clients who is respected for his knowledge, responsiveness, creativity and understanding of his clients' business. He has extensive and successful trial and litigation experience in state and federal courts, as well as in numerous private arbitrations involving complex insurance coverage, life insurance, reinsurance, business torts and commercial contract disputes.

Sean's insurance practice spans a broad range of complex insurance coverage matters. He routinely evaluates coverage and advises third-party primary and excess liability insurers and has successfully litigated liability insurance coverage disputes in court and in private arbitration. Sean also often advises life insurers with respect to life insurance policies and litigates disputes over life insurance claims. Sean's diverse insurance coverage practice has also included litigating commercial property insurance coverage issues and transnational reinsurance coverage disputes.

Sean has also successfully litigated numerous commercial contract disputes both within and without the insurance industry. Within the insurance industry, commercial insurers have frequently called upon him to oversee and litigate disputes involving the collection of premiums, managing general agents, retail agents, insurance producers, and third-party claims administrators. Outside of the insurance industry, Sean has also counseled clients and handled litigation over sale-of-goods and service contracts, surety agreements, and the collection and enforcement of judgments.

Since Sean is a problem-solver, clients often seek his advice and counseling with respect to insurance coverage and commercial matters outside of the litigation context. He has frequently negotiated favorable resolutions for insurers and other clients involved in disputes with third parties that have avoided costly and protracted litigation.

Sean regularly publishes articles and delivers presentations to clients and general audiences about important insurance coverage issues. He has been published in *The Legal Intelligencer* and he has taught several Masters classes at White and Williams' annual Coverage College® event on a variety of topics, such as drafting effective reservation-of-rights letters, best practices for

Practice Areas

Insurance Coverage and Bad Faith
General Commercial Litigation
Life, Health, Disability and ERISA
Food and Beverage

Bar and Court Admissions

Pennsylvania
New Jersey
U.S. District Court for the District of New Jersey
U.S. District Court for the Eastern District of Pennsylvania
U.S. District Court for the Middle District of Pennsylvania
U.S. District Court for the Western District of Pennsylvania
U.S. Court of Appeals for the Third Circuit

Education

Villanova University School of Law, JD, 2002
University of Notre Dame, BA, 1999

Language

French

handling claims and the right to independent counsel. Sean has also spoken at CLE events on the insurability of punitive damages and conflicts-of-law issues in the liability insurance coverage context.

While in law school, Sean served as an Editor of the *Villanova Environmental Law Journal* and as a Board Member of the Public Interest Fellowship Program at Villanova Law School. Upon graduation, Sean served as judicial law clerk in the United States Court of Appeals for the Third Circuit before entering private practice in 2004.

Representative Matters

- Obtained arbitration award in favor of excess and surplus lines liability insurer from three-member arbitration panel concluding that insurer had no duty to defend or indemnify insured under the \$1 million primary general liability policy with respect to underlying wrongful death action in Pennsylvania
- Obtained summary judgment in favor of commercial liability insurer in Pennsylvania federal court concluding that lower, \$100,000 policy limit for reimbursement of defense costs only, without any indemnity coverage, applied instead of higher, \$1 million indemnity limit with unlimited defense cost reimbursement and further obtained judgment against insured for reimbursement of defense costs
- Obtained a six-figure award from a three-member private arbitration panel for a global commercial insurer in a dispute against an insurance producer over failure to remit commercial liability insurance premiums
- Successfully tried action in Kentucky for unpaid commercial liability insurance premiums to a six-figure jury verdict representing plaintiff insurer and nearly quadrupled damages award after successful appeal
- Successfully defended a commercial liability insurer in a federal bench trial against claims that a premium refund was due as a result of alleged mid-term cancellation of liability insurance and achieved ruling of no liability for insurer
- Secured arbitration award from a three-member AAA arbitration panel in favor of a professional liability insurer finding that insurer had no duty to defend/indemnify attorney in an underlying professional liability action
- Achieved a favorable settlement in a \$20 million reinsurance dispute representing a London-based reinsurer sued by a liability insurer over hundreds of unpaid claims

Recognition & Involvement

Sean has been selected in a survey of his peers as a Pennsylvania “Rising Star” in Insurance Coverage or Business Litigation by *Super Lawyers* nearly every eligible year since 2007.

Sean strongly believes in the value of volunteering time to give back to the local community. In that regard, he routinely provides pro bono legal work in conjunction with the Senior Law Center in Philadelphia. Sean also leads volunteer committees at his local church, has served as a Commissioner and team coach of the local Boys Youth Basketball league in Swarthmore, Pennsylvania for the past several years and often volunteers his time to coach several local youth sports teams and to support local charitable events.

In the News

13th Annual Coverage College Hosts Over 400 Insurance Professionals
November 1, 2019

12th Annual Coverage College Features Current Trends and State of the Insurance Claims Industry
October 23, 2018

Congratulations 2017 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
November 11, 2017

Sean Mahoney and Liz Venditta Co-Author Chapter of *The Law of Life Insurance: Key Issues in Each State*
April 26, 2017

Congratulations 2016 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
October 18, 2016

Coverage College Celebrates Its 10th Anniversary
September 22, 2016

Congratulations 2015 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
October 21, 2015

The Ninth Annual Coverage College Features True-to-Life Case Study
October 8, 2015

Coverage College® 2014 Brings Over 600 Students Together for Eighth Annual Insurance Industry Event
October 3, 2014

Sean Mahoney Joins White and Williams Coverage Practice
May 5, 2014

Events

Coverage College 2019
October 24, 2019

GL Halloween Grab Bag: Treats with Tricks for Insurers
12th Annual Coverage College | October 4, 2018

Friends Don't Let Friends Lose Coverage Defenses: A Practical Guide to Avoiding Waiver and Estoppel
White and Williams Coverage College | October 26, 2017

Game of Drones: Liability and Coverage Disputes are Coming
White and Williams Coverage College | September 22, 2016

Who Holds the Reins This Year? Current Issues with the Right to Independent Counsel
White and Williams Coverage College | October 8, 2015

Insurance Coverage 101 And The Life Of A CGL Claim
White and Williams Coverage College | October 2, 2014

Publications

Exxon Prevails in a Major Climate Change-Related Legal Battle, But Many Questions Remain Unanswered
Insurance Coverage and Bad Faith Alert | December 12, 2019

Climate Change in the Courts
Insurance Coverage and Bad Faith Alert | November 8, 2019

Third Circuit Clarifies Intent Requirement for Suicide Exclusion in Life Insurance Policies Under New Jersey Law
Insurance Coverage and Bad Faith Alert | September 19, 2019

Ninth Circuit Rejects Insured's "Internal Business Practice" Argument and Enforces D&O Policy's Broad Professional Services Exclusion
Directors and Officers Alert | June 8, 2018

Update: Texas Supreme Court Issues New Opinion in *Menchaca* Bad Faith Case
Complex Insurance Coverage Reporter | May 18, 2018

Texas Supreme Court to Rehear *Menchaca* Bad Faith Case
Complex Insurance Coverage Reporter | January 3, 2018

Rancosky Adopts *Terletsky*: Pennsylvania Supreme Court Sets Standard for Statutory Bad Faith Claims
Insurance Coverage and Bad Faith Alert | September 28, 2017

Delaware Allows Blockchain to Create and Maintain State Corporate Records
Corporate and Securities Alert | August 2, 2017

Game of Drones: Liability and Insurance Coverage Issues Coming
The Legal Intelligencer | August 30, 2016

Liability Coverage for Claims of Publishing Secret Data Does Not Require Access by Others
Insurance Coverage Alert | April 15, 2016

Pennsylvania Supreme Court Adopts New Rule in Breach-of-the-Consent-to-Settle-Clause Cases
Insurance Coverage Alert | August 19, 2015

Missouri Appellate Court Rules CGL Insurer's Reservation of Rights Letter Unclear, Untimely and Ineffective
Insurance Coverage Alert | September 10, 2014

Legal Bases for Claims by Liability Insurers Against Defense Counsel for Malpractice
The Brief, Volume 35, Issue 2 | Winter 2006

Cases & Deals

Coverage Team Obtains Summary Judgment in Case Involving Insurability of Punitive Damages
May 15, 2017

White and Williams Recovers High-Six Figure Damages for Insurer in Settlement of Unpaid Premium Dispute
June 29, 2016

White and Williams Obtains Significant Arbitration Award on Behalf of Insurer
April 2015