MusickPeeler

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Los Angeles, CA

Practice Groups

Insurance Litigation & Coverage

Litigation

Education

University of California, Davis, J.D.

University of California, Berkeley, B.A.

Nancy J.W. Brown

PARTNER

Nancy J.W. Brown is a partner in the Firm's Los Angeles office. She represents insurers carriers in coverage disputes and insurance related litigation in Federal and State court, with particular knowledge in the areas of excess and reinsurance. She handled a series of matters that evolved into a line published case law and other significant authorities that address excess policies and reinsurance contracts issued to employers who self-insure for workers compensation. Ms. Brown also has substantial insurance coverage and litigation experience involving many types of primary and excess insurance policies, including general liability, professional liability, and directors and officer's liability policies. Her work involves both direct representation of carriers and oversight of insurance litigation throughout the country. She also has performed regulatory work on behalf of insurers and their managing general agents.

Ms. Brown has bench, jury trial, and appellate experience representing insurance carriers as well as other businesses and professionals. She has represented insurance brokers, attorneys, accountants, real estate brokers, building contractors, and various retail and wholesale businesses in matters involving professional liability, breach of contract, licensing, intellectual property, antitrust, unfair competition, and other commercial disputes.

She previously owned a specialty practice representing fine artists, musicians, production and management companies, independent record labels, theatre companies, and non-profit arts and music foundations. She has served on boards of several non-profit music and theatre foundations.

After law school, Ms. Brown clerked for Justice Robert Rose of the Supreme Court of Nevada.

Community

Ms. Brown has contributed her time on a pro bono basis to these non-profit organizations: Ami Aloni Music Foundation, Westchester Parents Nursery School, California Lawyers for the Arts, 18th Street Art Center, Festival Theatre USA, Inc.

Admissions & Associations

State Bar of California

State Bar of Nevada

U.S. District Courts, Central, Southern, Eastern, and Northern Districts of California

United States Court of Appeals

Representative Matters

Miss. Dep't of Econ. & Cmty. Dev. v. Gen. Reinsurance Corp., 341 So. 3d 121(2021) - Defeated an appeal from a state agency as to its claim for declaratory relief against an insurer. The Court of Appeals held that the Mississippi Workers Compensation Commission lacked jurisdiction to preside over the agency's claims.

City of Vista v. General Reinsurance Corporation, 295 F.Supp.3d 1119 (2018) - Defeated a motion to remand by establishing complete diversity, including that insurer was not a citizen of all states, that amount in controversy in equitable claim exceeded jurisdictional minimum, and that the court may maintain jurisdiction over an action for declaratory relief.

San Francisco Bay Area Rapid Transit District v. General Reinsurance Corporation 726 Fed.Appx. 562 (9th Cir. 2018) - As a matter of first impression, established that an insurer is not bound by an administrative agency's determination when the insurer did not have notice and an opportunity to protect its interests.

Roman Catholic Diocese of Rockville Ctr. v. General Reinsurance Corp. 2016 U.S. Dist. LEXIS 133724 *; 2016 WL 579399 - Successfully moved to dismiss Plaintiff's prayer for punitive damages against an insurer.

Drummond Co. v. General Reinsurance Corp 2016 U.S. Dist. LEXIS 127118 *; 2016 WL 4993276 - Defeated motion to remand by establishing that the action does not arise under Alabama's workers' compensation law, and therefore does not fall within 28 U.S.C. § 1445(c), which lists claims that are nonremovable to federal court.

San Francisco Bay Area Rapid Transit District v. General Reinsurance Corp. 111 F.Supp.3d 1055 (2015) - Prevailed in bench trial, and established that a dispute over an excess insurance policy is not within the jurisdiction of the California Workers' Compensation Appeals Board, and also that an excess insurer is not bound by a prior determination, when its interests are not aligned with those of the self-insured entity.

San Francisco Bay Area Rapid Transit District v. General Reinsurance Corp. 2014 U.S. Dist. LEXIS 89403; 2014 WL 2960015 - Defeated motion to remand by establishing that a dispute between an excess insurer and a self-insured employer may be removed to Federal Court as it does not arise under California's workers' compensation law.

Contra Costa County, v. Workers' Compensation Appeals Board, General Reinsurance Corp., Jeffrey Millman, 79 Cal. Comp. Cases 439; 2014 Cal. Wrk. Comp. LEXIS 32 - Established at trial that the Workers Compensation Appeals Board does not have jurisdiction to determine a contract dispute between defendant and its excess insurance carrier

Genesis Ins. Co. v. BRE Properties, 916 F.Supp.2d 1058 (2013) - Prevailed on summary judgment, and established that insurer had no duty to defend when extrinsic facts eliminated the potential for coverage, despite complaint allegations that suggested potential liability.

Endurance Am. Specialty Ins. Co. v. WFP Secs. Corp., 2011 U.S. Dist. LEXIS 164037 - On behalf of investment advisors, successfully moved to dismiss interpleader action in which insurer improperly sought to interplead policy proceeds rather

than defend pending arbitrations.

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