

# MusickPeeler

## Karen L. Bizzini

PARTNER

Karen L. Bizzini joined the Los Angeles office as a partner in August 2019. She specializes in insurance coverage and general business litigation. She has extensive arbitration, mediation, trial and appellate experience. She regularly provides advice to clients on a variety of insurance issues involving general, excess and umbrella, professional, errors & omissions, and directors & officers liability policies. Karen regularly defends insurers in third-party lawsuits alleging environmental contamination, contribution, bodily injury, property damage, advertising injury, and "bad faith", and in first-party actions alleging fire, mold, water and earthquake damage claims. She counsels insurers on claims handling practices and developing policy provisions. She also represents individuals and businesses in litigation.

Ms. Bizzini excels at successfully resolving lawsuits by dispositive motion or by achieving other significant rulings that shape the litigation. In one case in the District of Kansas, she obtained a ruling in her client's favor that the crime-fraud exception to the attorney-client privilege applied, which required the plaintiff to produce hundreds of documents previously withheld as privileged. A few representative rulings Karen has obtained as lead counsel for clients include:

- *Montanez III v. State Farm General Ins. Co.*, Case No. SACV 20-271-JVS, 2021 WL 6104230 (C.D. Cal. Sept. 20, 2021) (Granted insurer's motion for partial summary judgment on claims for breach of implied covenant of good faith and fair dealing and punitive damages);
- *Jamison v. State Farm General Ins. Co.*, Case No. CV-19-9579-MWF, 2021 WL 640039 (C.D. Cal. Jan. 5, 2021) (Granted insurer's motion for partial summary judgment on claims for breach of implied covenant of good faith and fair dealing and punitive damages);
- *Moore v. Zurich American Ins. Co.*, Case No. CV 16-2466-AB, 2016 WL 10987368 (C.D. Cal. Dec. 1, 2016) (Granted insurer's motion to compel plaintiff's deposition on a date certain);
- *AKH Company, Inc. v. Universal Underwriters Ins. Co.*, Case No. 13-2003-JAR, 2015 WL 4642087 (D. Kan. Aug. 4, 2015) (Granted insurer's discovery motion and sanctions request that plaintiff's privilege claims are waived), and 2014 WL 5321074 (D. Kan. Oct. 17, 2014) (Court determined Insurer established a prima facie case sufficient to invoke the crime-fraud exception to the attorney-client privilege, and ordered plaintiff to produce documents withheld as privileged);
- *Signal Products, Inc. v. American Zurich Ins. Co.*, Case No. 2:13-CV-04581-CAS, 2013 WL 6814847 (C.D. Cal. Dec. 19, 2013) (Granted insurer's motion for partial summary judgment that it had no duty to indemnify plaintiff for trademark action);
- *Turner Construction Co. v. Zurich Ins. Co.*, 213 Fed.Appx. 533 (9th Cir. 2006) (Affirmed district court's grant of summary judgment to insurer that plaintiff breached the "no voluntary payment" policy provision and therefore had no claim for indemnification); and
- *Anaconda Minerals Co. v. Stoller Chemical Co.*, 990 F.2d 1175 (10th Cir. 1993) (Affirmed district court's grant of summary judgment to insurers, confirming that pollution exclusion barred coverage for discharges that were not "sudden and accidental," even if actual contamination was not expected or intended).

Ms. Bizzini has published numerous articles in the subject areas of insurance, reinsurance, and litigation. She co-authored a chapter titled "Analyzing

Insurance Policies” for the New Appleman Insurance Law Practice Guide (2007). Karen’s article titled “California Court of Appeal Affirms Vertical Exhaustion in Long Tail Asbestos Coverage Case,” is published on the Firm’s website.

She has represented many pro bono clients during her career. Most recently as a volunteer with the Inner City Law Center, Karen represented a female Army veteran in a benefits appeal. She thoroughly reviewed her client’s voluminous military and medical records, performed comprehensive research of her client’s service-related medical conditions, worked with her client’s friends to supplement the case file, and argued her client’s benefits appeal before the Veteran’s Administration (VA). She obtained an award that increased her client’s monthly VA benefits from \$450 to \$3,084, and paid her client retroactive VA benefits of more than \$120,000.

## **Community**

- Ms. Bizzini is an active leader in community organizations. She created and chaired for four years the American Cancer Society’s (ACS) Attorneys Committee for the Los Angeles Region, which raised more than \$600,000 for local cancer programs, research and scholarships under her leadership. For 25 years, she regularly volunteered for the ACS Just for Kids program, which provided entertainment outings to children whose parents or siblings were battling cancer.
- She served for 10 years on the Board of Directors of No Limits, a non-profit speech and language center and theater troupe for deaf and hard-of-hearing children.
- She has been a member of the Chancellor’s Associates at the University of California at Merced since 2004.
- She is a supporter and volunteer with the American Red Cross, and has donated 89 pints of blood in her lifetime.
- In 2008, Karen established a college scholarship in her name at Atwater High School. She has awarded 25 scholarships to female graduates since that time.

## **Admissions & Associations**

Ms. Bizzini's litigation practice includes matters before state and federal trial and appellate courts. She is admitted to the State Bar of California, the Ninth Circuit Court of Appeals, and the United States District Court for the Northern, Eastern, Central and Southern Districts of California. She has been admitted pro hac vice to serve as lead counsel in lawsuits in state courts in Washington, Arizona, New Mexico, Nevada, Oregon, Iowa, and New York, and in the Tenth Circuit Court of Appeals, Northern District of Georgia, District of Utah, Eastern District of Pennsylvania, District of Kansas, and District of Arizona.

Ms. Bizzini is a Lifetime Member of the Women Lawyers Association of Los Angeles (WLALA), and served on its Board of Governors for six years. She also served for 11 years on the WLALA Public Action Grant Foundation Advisory Counsel, and for one year as its President. She mentors law students and recent law school graduates through the WLALA Mentoring Program.

She is a member of the Women Rainmakers Roundtable, a networking organization of female partners in law firms located throughout the United States and Canada.

She is a member of the Harvard Law School Association of Los Angeles, and the Harvard Club of Southern California.

Ms. Bizzini served a three-year term on the State Bar of California's Committee on Women in the Law, and was Vice-Chair of that Committee for one year.