

## Elizabeth F. Ahlstrand

**Partner**

**New York**

T +1 212 872 9887

**elizabeth.ahlstrand@squirepb.com**



### About Elizabeth

Elizabeth Ahlstrand chairs the firm's insurance disputes and counseling practice. She is a litigator with more than two decades of experience representing domestic and international insurance clients in high-value first-party and third-party insurance coverage, contingent liability and bad faith litigation. Her expertise spans an array of insurance products, including commercial general liability, financial lines, personal lines, life and disability, and cyber policies.

Elizabeth regularly appears in front of state and federal courts on behalf of her clients who range from Fortune 500 companies to bespoke brokerages and has successfully handled numerous appeals across the US.

As part of her coverage insurance practice, Elizabeth also proactively supports general counsel and claims executives in developing and implementing strategies, pursuing uniform coverage positions, analyzing new and existing policy language and facilitating creative solutions to emerging insurance coverage issues.

Elizabeth also has significant insurance defense experience, with a particular focus on catastrophic losses involving the sports and recreational industry, products liability, and life sciences. Elizabeth routinely counsels her clients on risk management and litigation avoidance issues, offering her unique perspective in an effort to minimize their exposure to potential lawsuits.

Prior to joining the firm, Elizabeth spent over a decade honing her practice at a boutique law firm specializing in litigation matters related to insurance, construction, sports, and financial services. She also served as a Judicial Clerk to the Honorable Ellen Ash Peters, retired Chief Justice of the Connecticut Supreme Court.

### Experience

- Obtained summary judgment and an order declaring that the policy's liquor liability exclusion applied to all allegations in the complaint and that the insurance company is not obligated to defend or indemnify against a Pennsylvania wrongful death action resulting from a drunken assault at the insured's bar.

- Obtained dismissal of claims for declaratory judgment and breach of contract challenging insurer's denial of coverage under an excess-of-loss policy based on the insured's failure to comply with the policy's notice provision; the insured failed to file suit within the applicable statute of limitations based upon the advice of its prior counsel and the court adopted our argument that the continuing wrong doctrine did not apply. *New York Bus Operators Compensation Trust v. American Home Assurance Company*, 71 Misc. 3d 630 (N.Y. Sup. Ct. 2021).
- Obtained summary judgment in favor of excess insurer against claims for declaratory relief, breach of contract and bad faith by a third-party claimant by successfully arguing that coverage for the claimant's amputee injury was barred by her failure to timely file suit against the insured in New Jersey and that her failure to act was not fraudulently induced by the insured.
- Successfully defended appeal by primary insurer following denial of its motion for summary judgment, thereby thwarting its attempt to shift liability for pre-judgment interest onto the excess carriers. *Scottsdale Insurance Company v. RLI Insurance Company*, 190 A.D.3d 659 (N.Y. App. Div. 1st Dept. 2021).
- Obtained summary judgment in favor of excess insurer in a direct action by a third-party claimant seeking to collect a multi-million judgment entered against its insured and successfully defended the trial court's ruling before the First Department and New York Court of Appeals. *Jin Ming Chen v. Insurance Company of the State of Pennsylvania, et al.*, 36 N.Y.3d 133 (2020).
- Obtained dismissal of claim of breach of the implied covenant of good faith and fair dealing asserted against commercial general liability insurer as duplicative of breach of contract claim stemming from the insurer's denial of coverage, paving the way for a favorable global resolution for the insurer.
- Successfully defended appeal to the Second Circuit of *Daubert* motion and summary judgment rulings in favor of manufacturer in product defect case stemming from an industrial explosion that caused significant full-body burn injuries to the plaintiff.
- Successfully defended appeal to the Connecticut Appellate Court of the first defense verdict in the United States involving a catastrophic terrain park ski injury. The case involved a 15-year old skier who was rendered a quadriplegic after an accident on a jump. *Malaguit v. Ski Sundown, Inc.*, 136 Conn. App. 381 (2012).

## Credentials

### Education

- University of Connecticut School of Law, J.D., *high honors*, 2005
- Colby College, B.A., *magna cum laude*, 2001

### Admissions

- Connecticut
- New Jersey
- New York
- Vermont

### Courts

- U.S. Ct. of App., Second Circuit
- U.S. Dist. Ct., Dist. of Connecticut

- U.S. Dist. Ct., E. Dist. of New York
- U.S. Dist. Ct., N. Dist. of New York
- U.S. Dist. Ct., S. Dist. of New York
- U.S. Dist. Ct., W. Dist. of New York

## Memberships & Affiliations

- Trustee, Catholic Charities – Archdiocese of Hartford
- Board Member, University of Connecticut School of Medicine Emergency Institutional Review Board
- Former Trustee, Stratton Mountain School
- Member and Former Chair, Connecticut Bar Association Insurance Law Section

## Recognitions

- Ranked as a Super Lawyer by the *Connecticut Super Lawyers® Magazine*, 2020-2021
- Named a Rising Star by the *New England Super Lawyers® Magazine*, 2010-2019
- Recognized by the *Hartford Business Journal* as a 40 Under Forty finalist, 2016

## Expertise

### Services

- Litigation

## Publications and Speaking Engagements

- Speaker, "Avoiding General Verdicts and Asking a Jury to Divvy Up Damages Between Covered and Uncovered Claims," CLM Focus: Cyber Liability, Extra-Contractual, Insurance Coverage, Claims — & Litigation Capabilities Practice Areas Management Symposium, December 2021.
- Co-Author, "Staging an Intervention to Streamline Coverage Disputes," *For the Defense DRI*, April 2021.
- Speaker, "Staging an Intervention: How to Streamline Resolution of Coverage Disputes," DRI's Insurance and Coverage Practice Symposium, December 2020.
- Speaker, "Good For Business: The Ethics of Paying Ransom to Hackers," CLM Cyber, Management & Professional Liability Conference, July 2020.
- Co-Author, "U.S. Construction Risks on the Rise as Business Grows," *Insurance Day*, August 2019.
- Speaker, "Cyber Risks From Third Party Partners, Vendors & Suppliers," Connecticut Valley RIMS, May 2019.
- Speaker, "Mind the Gap: Employee Drivers & Their Family & Friends," Connecticut Valley RIMS, May 2019.
- Speaker, "Business, Strategic and Financial Acumen - The Missing Link to Upward Mobility and Long-Term Success," 3rd Annual Women in Insurance Leadership ExecuSummit, March 2019.
- Speaker, "Tales from the Mediation Crypt: Horrors Others Have Suffered and How to Avoid Them," American Bar Association 27th Annual Insurance Coverage Litigation Midyear Conference, February 2019.

- Speaker, "Was the Notice of Circumstance Sufficient to Preserve Coverage for a Future Claim? Pitfalls, Lessons, and Practice Pointers," CLM New York Conference, November 2017.
- Speaker, "Construction Contracts and Law," National Association of Home Builders and the Defense Research Institute, March 2017.
- Speaker, "Challenges of Obtaining Discovery and Proving Statutory Bad Faith at Trial," Annual Insurance Law Symposium: Bad Faith Litigation, Connecticut Bar Association and the Insurance Law Center of the University of Connecticut School of Law, February 2017.
- Speaker, "Corporate Designee Depositions in Insurance Litigation," Connecticut Bar Association, January 2017.
- Speaker, "Getting to Less: Strategies for Reducing Discovery in Insurance Coverage Litigation," Connecticut Bar Association and the Insurance Law Center of the University of Connecticut School of Law, February 2016.
- Speaker, "When Bankruptcy and Insurance Coverage Collide," Connecticut Bar Association Annual Conference, June 2015.
- Co-Author, "Managing Uphill Traffic," *Ski Area Management Magazine*, March 2014.
- Co-Author, "The Continuing Debate Over Global and National Insurance Regulatory Reform," *The Whisper*, February 2014.
- Speaker, "Insurance Coverage 101," Connecticut Bar Association, January 2014.
- Author, "As the Waves of Superstorms Recede, States Seek to Amend Insurance Laws," *Insurance Coverage Law Bulletin*, July 2013.
- Speaker, "Cover Yourself (and Your Client): Critical Insurance Considerations When Prosecuting or Defending Civil Actions," Connecticut Bar Association, April 2013.
- Speaker, "Lessons Learned from Terrain Park Litigation," National Ski Areas Association, February 2011.
- Co-Author, "When Pleadings Lack Specific Facts," *CT Law Tribune*, February 2010.
- Co-Author, "Just How Late is Too Late," *CT Law Tribune*, November 2009.
- Author, "Pro-Rating Defense Costs to an Insured for Periods of Uninsurance: What Happened to the Duty to Defend?" *Connecticut Insurance Law Journal*, 2004.

## About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.