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Chris Barth Quoted by Chicago Lawyer on Nature of Work-Related COVID-19 Insurance Litigation Claims

Chicago Lawyer

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Chicago Partner [Chris Barth](#) was quoted by Chicago Lawyer on trends in the business insurance industry stemming from the COVID-19 pandemic. While workers' compensation claims have so far represented less of a cost than initially predicted and feared by the industry, the unprecedented nature of COVID-19 creates potential for long-tail claims in the future, Barth said.

While a magnitude – 80-85% of claims – are currently coming in at less than \$5,000, Barth noted the future of COVID personal injury claims and the long-term impact on the insurance industry is uncertain.

“We are so much in the dark when it comes to understanding the long-term effects of the illness and what that means legally,” Barth said. He noted the cases could resemble long-tail claims like those in the wake of Agent Orange use in Vietnam or exposure to friable asbestos in the work place, where long-term health complications were not evident until later. The impact may not be limited to workers themselves, he added.

“With asbestos you had the first wave, which was employees who were working directly with asbestos-containing materials,” he said. “But then you started getting the second and third generation, and those were what they called the take-home claims, where the people would come home in their work uniforms and their families would be exposed to asbestos fibers and start developing asbestosis.”

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