

# D&O and Professional Liability 2021 | A Year in Review

## WRITTEN BY

[Brandon D. Almond](#) | [Charles A. "Tony" Jones](#) | [Jennifer Mathis](#) | [Daniel W. Cohen](#)

---

The past year once again saw a breadth of court decisions addressing a wide variety of directors and officers and professional liability insurance coverage issues. At various levels, state and federal courts across the country issued notable decisions in this arena. We focused on topics we believe will continue to be important in the directors and officers and professional liability insurance field, and hope you find the following selection of cases to be informative and helpful.

The topics covered in this report include:

- Notice
- Related Claims
- Prior Knowledge, Known Loss, and Rescission
- Prior Acts, Prior Notice, and Pending and Prior Litigation
- Dishonesty and Personal Profit
- Restitution, Disgorgement, and Damages
- Insured Capacity
- Insured v. Insured Exclusion
- Coverage for Contractual Liability
- Professional Services
- Independent Counsel
- Advancement of Defense Costs
- Allocation
- Recoupment of Defense Costs and Settlement Payments
- Consent

[Access the full report](#) and feel free to share it with your contacts who may have an interest in its content.

---

Please join us on March 16, 2022 as we further discuss these notable decisions during the webinar, "Notable Professional Liability Insurance Decisions of the Past Year." We hope you can participate. To register, please [click here](#).

## RELATED INDUSTRIES + PRACTICES

- [Directors + Officers Insurance](#)
- [Insurance + Reinsurance](#)

- Professional Liability