

D&O and Professional Liability 2023 | A Year in Review

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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. In this report, we focused on topics we believe will continue to be important in the directors and officers and professional liability insurance field. We hope you find the following selection of cases to be informative and helpful.

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

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