

Brandon D. Almond

Partner

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Brandon provides counseling and defends insurance companies nationwide in complex coverage litigation involving disputes under a variety of professional liability, directors and officers liability, media-tech/cyber liability, and general liability policies. He also maintains an active complex commercial litigation practice.

OVERVIEW

With a comprehensive knowledge of the insurance industry, Brandon advises clients and handles complex litigation with policyholders across the U.S. on a broad range of coverage and bad faith issues arising under a variety of policies, including architects and engineers, health care professionals, and attorneys' professional liability; directors and officers liability; employment practices liability, media-tech and cyber liability; and commercial general liability. Brandon also regularly provides advice and counseling to insurers on various claims-handling and coverage issues.

Outside his insurance coverage practice, Brandon has handled complex litigation in a variety of arenas, including banking, intellectual property, antitrust, and pharmaceutical. He also has experience in congressional lobbying.

Brandon also has significant pro bono experience, including successfully representing a Salvadoran domestic violence survivor in her application for asylum before the U.S. Immigration Court, and a six-month rotation at Bread for the City Legal Clinic, representing low-income Washington, D.C., residents in landlord-tenant disputes in the District of Columbia Superior Court.

REPRESENTATIVE MATTERS

- Obtained summary judgment on behalf of a medical professional liability insurer in coverage litigation brought by an insured nurse staffing agency, which was recently affirmed by the Supreme Court of New York, Appellate Division.
- Successfully represented a primary insurer in a bad faith/subrogation action brought by excess insurer.
- Successfully represented an insurer in litigation with the National Football League regarding coverage under commercial general liability policies for the billion-dollar NFL concussion class action settlement and other concussion-related lawsuits.
- Successfully represented a D&O insurer in litigation related to multimillion-dollar government-contract overbilling allegations.
- Recently obtained summary judgment in favor of an architects & engineers liability insurer in the U.S. District

Court for the Northern District of Illinois.

- Successfully represented an insurer in bad faith litigation brought by policyholder arising out of commercial general liability insurer's denial of coverage based on policyholder's application misrepresentations and omissions.
- Obtained favorable ruling on behalf of a D&O insurer in an arbitration with a state electric company involving coverage for a multibillion dollar wildfire claims.
- Successfully represented an insurer in an action by a prejudgment claimant in the U.S. District Court for the District of Nevada related to a personal injury suffered on Native American tribal property, with the Ninth Circuit affirming the lower court.
- Successfully represented an insurer in a subrogation claim related to trademark violations, in the Ninth Circuit.
- Represents numerous insurers involved in nationwide coverage litigation with respect to health care liability, directors and officers liability, employment practices liability, architects and engineers professional liability, media-tech/cyber liability, and commercial general liability.
- Obtained a favorable settlement on behalf of a national accounting firm in a malpractice suit asserted by the FDIC.
- Secured asylum on behalf of a pro bono client fleeing the domestic violence of her partner in El Salvador.

AWARDS

- *Best Lawyers in America®*: Insurance Law (2024-2026)
- Rising Star, Insurance Coverage, *Law & Politics' Super Lawyers* (2016-2018)
- Honors, Capital Pro Bono Honor Roll, D.C. Access to Justice Commission and the D.C. Bar Pro Bono Center (2020, 2024)

TOP AREAS OF FOCUS

- Directors + Officers Insurance
- General Liability
- Insurance + Reinsurance
- Professional Liability

ALL AREAS OF FOCUS

- Directors + Officers Insurance
- Environmental Insurance Coverage
- General Liability
- Insurance + Reinsurance
- Litigation + Trial
- Mass Torts Claims + Litigation
- Professional Liability

EDUCATION AND CERTIFICATIONS

EDUCATION

- Washington and Lee University School of Law, J.D., *magna cum laude*, *Order of the Coif*, lead articles editor, *Washington & Lee Law Review*

- University of Virginia, B.A.

BAR ADMISSIONS

- Virginia
- District of Columbia

COURT ADMISSIONS

- U.S. District Court, Eastern District of Virginia
- U.S. District Court, District of Columbia
- Supreme Court of Virginia
- Superior Court of the District of Columbia
- U.S. Court of Appeals, Ninth Circuit

SPEAKING ENGAGEMENTS

- Speaker, "Notable Professional Liability Insurance Decisions of Last Year," Troutman Pepper, February 9, 2023.
- Speaker, "Notable Professional Liability Insurance Decisions of Last Year," Troutman Pepper, March 16, 2022.
- Presenter, "A Bird's Eye View of Potential Drone Risks and Insurance Issues," PLUS Conference, November 8, 2018.
- Presenter, "Private Companies and Nonprofits: Key D&O Insurance Considerations," American Bar Association Insurance Coverage Litigation Conference, March 3, 2017.
- Presenter, "Ten D&O and Professional Liability Insurance Decisions from 2015 That Should Be on Your Radar," Troutman Sanders Webinar, March 23, 2016.
- Presenter, "Top Ten Insurance Decisions of the Last Year," Troutman Sanders Webinar, May 13, 2015.

PUBLICATIONS

- Co-author, "D&O and Professional Liability – 2023: A Year in Review," *Troutman Pepper*, February 28, 2024.
- Co-author, "D&O and Professional Liability 2022 | A Year in Review," *Troutman Pepper*, February 6, 2023.
- Co-author, "Del. Related Claims Ruling Is Good News for Insurers," *Law360*, April 6, 2022.
- Co-author, "Supreme Court of Delaware Clarifies Standard for Related Claims," *Troutman Pepper*, March 17, 2022.
- Co-author, "D&O and Professional Liability 2021 | A Year in Review," *Troutman Pepper*, February 22, 2022.
- Co-author, "D&O and Professional Liability Update 2018: A Year in Review," *Troutman Sanders LLP*, January 31, 2019.
- Co-author, "A Bird's Eye View of Potential Drone Risks," *PLUS Journal*, October 2018.
- Co-editor, "D&O and Professional Liability Update 2017: A Year in Review," *Troutman Sanders LLP*, 2018.
- Co-author, "Key D&O and Professional Liability Trends of 2017," *Law360*, February 2018.
- Author, "Potential SAFETY Act Issues for Insurers to Consider," *Law360*, January 2017.
- Editor, "D&O and Professional Liability Update 2016: A Year in Review," *Troutman Sanders LLP*, 2017.
- Editor, "D&O and Professional Liability Update 2015: A Year In Review," *Troutman Sanders LLP*, 2016.
- Editor, "D&O and Professional Liability Update 2014: A Year In Review," *Troutman Sanders LLP*, 2015.
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Editor, "D&O and Professional Liability Update 2013: A Year In Review," *Troutman Sanders LLP*, 2014.

- Author, "Lose the Illusion: Why Advertisers' Use of Digital Product Placement Violates Actors' Right of Publicity," *Entertainment, Publishing, and the Arts Handbook*(2008) (reprinted from 64 & Lee L.R. 625, 2007).
- Co-author, "Pre-Filing Injunctions: A Practical Solution to the Problem of Harassing Pro Se Litigants," *B.A. News Journal*, August/September 2006.

MEDIA COMMENTARY

- "Drone Use Presents New Risks," *Claims Journal*, November 27, 2018.