

Brandon D. Almond

Partner

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Brandon provides coverage and claims counseling and defends insurance companies in federal and state courts nationwide in complex coverage and bad faith litigation involving disputes under a variety of professional/errors and omissions liability, directors and officers liability, media-tech/cyber liability, employment practices 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 and TPAs on various claims-handling and coverage issues, providing "ground-up" advice from initial claim reporting to preparation of coverage opinion letters. Brandon further advises insurance companies and underwriters on claims handling and underwriting best practices, and regularly works with insurers on policy language revisions.

Outside his insurance coverage practice, Brandon has handled complex litigation in a variety of arenas, including bankruptcy, banking, intellectual property, antitrust, commercial disputes, 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 and her dependents' applications for asylum and permanent resident status before the U.S. Immigration Court and Department of Homeland Security, 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 affirmed by the Supreme Court of New York, Appellate Division after oral argument.
- 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.
- Successfully represented eight insurers in litigated coverage dispute with other insurers over interpretation of manuscript policy provision in lawyers' errors and omissions policy.
- Obtained a favorable settlement in cyber liability coverage dispute in U.S. District Court.
- Obtained summary judgment in favor of an architects & engineers liability insurer in the U.S. District Court for the Northern District of Illinois.
- Obtained a favorable settlement under D&O liability policy in coverage litigation arising out of high-profile media conglomerate merger litigation.
- Successfully represented an insurer in bad faith litigation brought by policyholder arising out of 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 after oral argument.
- 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. Subsequently secured lawful permanent resident status for client and her children as asylee beneficiaries.

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
- Employment Practices Liability
- General Liability
- Insurance + Reinsurance
- Media, Technology + Cyber Liability Insurance
- Professional Liability

ALL AREAS OF FOCUS

- Directors + Officers Insurance
- Employment Practices Liability

- [Environmental Insurance Coverage](#)
- [General Liability](#)
- [Health Care Insurance](#)
- [Insurance + Reinsurance](#)
- [Litigation + Trial](#)
- [Mass Torts Claims + Litigation](#)
- [Media, Technology + Cyber Liability Insurance](#)
- [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., editor-in-chief, *The Cavalier Daily*

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.
- 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.