

Jonathan D. Hauptman

Associate

New York

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OVERVIEW

Jon represents foreign and domestic insurance companies in connection with complex coverage issues and disputes. He is experienced with major professional liability lines, trade credit insurance, and transactional risk policies. Jon has handled a diverse range of insurance matters relating to environmental liability, architects and engineers' liability, securities class actions, shareholder derivative actions, private company disputes, and regulatory investigations.

Jon's diverse practice also includes counseling clients on matters relating to cybersecurity, business interruption, and digital currency. Additionally, he handles a wide range of first- and third-party claims, principally those arising under cyber, tech E&O, and media policies.

In addition to handling all aspects of discovery, pretrial, and motion practice in state and federal courts, Jon regularly advises clients and insurers on damages, liability issues, and policy exposure. In addition to litigating coverage disputes, he provides clients with a direct defense of matters in both New York state and federal courts.

REPRESENTATIVE MATTERS

- Represented LPL insurers in multimillion-dollar coverage litigation in New York State Commercial Division involving apportionment of underlying securities litigation malpractice settlement.
- Negotiated successful resolution of high-stakes environmental pollution claims relating to oil discharge at a refinery facility in upstate New York.
- Represented cyber insurer in multimillion-dollar coverage litigation in federal court action relating to interpretation of business interruption provisions.
- Advised client on cyber extortion/ransomware claims relating to social engineering schemes and \$5 million digital currency theft.
- Achieved favorable resolution and successfully defended management liability insurer in connection with multimillion-dollar coverage litigation involving public company claims arising out of an undisclosed Justice Department investigation.
- Obtained successful vacatur of \$10 million default judgment against management liability policyholder in connection with underlying fraudulent private securities placement claims.
- Represented EPL insurer at arbitration in connection with a multimillion-dollar claim involving allegations of

wrongful discrimination coverage.

- Briefed, argued, and won motion to dismiss in New York attorney malpractice claim involving alleged misuse of statutory short-form power of attorney.
- Briefed, argued, and won a motion to dismiss in New York real estate dispute involving the interpretation and application of a mixed-used condominium's declaration and offering plan documents, and successfully defended appeal.
- Represented management liability insurer in connection with multimillion-dollar coverage dispute over scope of fraud exclusions in underlying policy and successfully negotiated resolution of the same.
- Represented management liability insurer in connection with coverage dispute arising out of the scope of covered claims and economic damages relating to Delaware stockholder litigation.
- Provided direct defense of law firm in federal litigation relating to violation of the Fair Debt Collection Practices Act.
- Provided direct defense of law firm in state court litigation relating to tortious interference with contract and fraud claims arising out of underlying real estate disputes.
- Provided direct defense of condominium association in connection with tort and breach of fiduciary duty claims arising out of a retail chain's alleged violation of public health and safety laws.
- Successfully obtained a defense verdict in favor of the condominium association in connection with breach of fiduciary duty claims relating to flood policy placement.
- Successfully obtained plaintiff's verdict at inquest in connection with pro bono representation of educational consulting firm.

AWARDS

- Recognized as a "Rising Star" by New York Metro *Super Lawyers* (2022)
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TOP AREAS OF FOCUS

- Insurance + Reinsurance

ALL AREAS OF FOCUS

- Business Litigation
- Insurance + Reinsurance
- Real Estate

PROFESSIONAL/COMMUNITY INVOLVEMENT

- New York City Bar Association, Insurance Law Committee
- Professional Liability Underwriting Society

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of California, Davis, School of Law, J.D., 2015
- Johns Hopkins University, B.A., *with honors*, 2009

BAR ADMISSIONS

- New York
- New Jersey

COURT ADMISSIONS

- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. Court of Appeals, Second Circuit

CLERKSHIPS

- Hon. Carolyn E. Demarest, New York Supreme Court, Commercial Division, 2015-2016

PUBLICATIONS

- Author, "The New Normal: Why the Electronic Transmission of Interlocutory Civil Litigation Documents in The Age of Covid-19 Is Here to Stay (And Where the CPLR Needs to Catch Up)," *New York Law Journal*, September 30, 2021.