



John C. Sullivan

Principal
Chair, Insurance Law Department

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Addresses complex insurance coverage problems, including pollution claims, toxic exposure claims, bad faith claims, personal and advertising injury liability claims, and errors and omissions and professional liability claims. He represents clients in cases filed throughout the United States, including cases with multi-million dollar exposures involving pollution, exposures to asbestos and other toxic substances, and commercial disparagement.

Bio

John C. Sullivan is a Principal and Chair of the Firm's **Insurance Law Department**. He has handled insurance coverage questions and coverage litigation for more than 30 years. Mr. Sullivan has addressed complex insurance coverage problems, including pollution claims, toxic exposure claims, bad faith claims, personal and advertising injury liability claims, and errors and omissions and professional liability claims.

He provides opinions and counseling on contract drafting, interpretation, and application, and trends in the law. Mr. Sullivan has also represented clients in cases filed throughout the United States, including cases with multi-million dollar exposures involving pollution, exposures to asbestos and other toxic substances, and commercial disparagement.

Mr. Sullivan serves as counsel to clients in a variety of industries with respect to the analysis and drafting of policy language to help ensure appropriate coverage protection. He also provides risk management analysis to clients helping them to avoid unnecessary liability exposures.

Mr. Sullivan is a frequent lecturer on insurance coverage matters, including topics such as the use of experts and investigators, insurance issues in toxic torts and environmental contamination, the trigger of coverage, and coverage for sexual harassment claims. He has spoken before the Environmental Insurance Law Institute, New Jersey Institute for Continuing Legal Education, the Philadelphia Bar Education Center, the New Jersey Bar Association, RIMS, the Vermont Captive Insurance Association, and others.

Since 2007, Mr. Sullivan has been named by his peers as a Pennsylvania Super Lawyer as published by American Lawyer Media and *Philadelphia Magazine*. Mr. Sullivan has been selected by his peers for inclusion in the 2012 and 2013 editions of *New Jersey Super-Lawyers*, featuring outstanding lawyers in the state. In 2012 and 2013, he was also listed in Super Lawyers Business Edition. He was recently selected by his peers for inclusion in *The Best Lawyers in America*© 2015, 2019, 2020, and 2021 editions in the field of Insurance Law. For information about these selections and an overview of common third-party publications, rankings, and lists methodologies, [click here](#).

Practices

- Insurance Law
- Complex Insurance Coverage Advice and Litigation
- Bad Faith and Extra-Contractual Litigation
- Reinsurance
- Life, Health, Disability and ERISA Litigation
- Appellate

Industries

- Insurance

Education

- J.D., Villanova University School of Law, 1980
Staff Member, *Villanova Law Review*, 1979-1980
- B.S. in Economics, University of Pennsylvania, 1977
Emphasis in Accounting and Entrepreneurial Management

Bar Memberships

- New Jersey
- Pennsylvania
- District of Columbia
- New York
- Massachusetts

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Seventh Circuit

Representative Cases

- Successfully obtained award of summary judgment on behalf of defendant insurance company in the District of New Jersey in suit seeking coverage for commercial disparagement claims asserted in two antitrust cases in which the insured sought reimbursement of a \$49 million settlement and more than \$18 million in defense costs. Ruling was affirmed by the Third Circuit.
- Successfully obtained award of summary judgment on behalf of plaintiff insurance company in the Western District of Pennsylvania that asbestos-related personal injury claims asserted against policyholder arose from one occurrence and that a non-cumulation provision precludes stacking coverage. Ruling was affirmed by the Third Circuit.
- Successfully obtained award of summary judgment on behalf of defendant insurance company in the District of Maine in suit seeking coverage for bodily injury and property damage claims based on alleged exposure to hexavalent chromium in tanning sludge that was applied as fertilizer to farms in Missouri.
- Successfully obtained award of summary judgment on behalf of defendant insurance company in the Eastern District of Pennsylvania that abuse or molestation exclusion precludes coverage for claims against insured, a personal care home, arising out of the abuse of an elderly patient. Ruling was affirmed by the Third Circuit.
- Successfully obtained award of summary judgment on behalf of defendant insurance company in the District of New Jersey in suit brought under the citizen suit provision of RCRA, 42 U.S.C. § 6972, based, in part, on res judicata and the entire controversy doctrine. Ruling was affirmed by the Third Circuit.
- Successfully obtained award of summary judgment on behalf of plaintiff insurance company in the Eastern District of Pennsylvania that employee exclusion barred coverage for sexual harassment claims against insured even where was off duty and not actually working at the time of harassment.
- Successfully obtained award of summary judgment on behalf of defendant insurance company in the Superior Court of Delaware, New Castle County, that coverage under a commercial umbrella policy was not triggered for claim against real estate manager until all primary coverage had been exhausted despite the "Real Estate Property Managed" endorsement in one primary policy which stated that "if the insured is a real estate manager then [the] policy is excess over any other valid and collectible insurance." Ruling affirmed by the Supreme Court of Delaware.
- Successfully obtained award of partial summary judgment on behalf of defendant insurance company in the Northern District of Illinois on grounds that policies containing pollution exclusion were not required to defend Woburn TCE contamination case that was the subject of *A Civil Action*.
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Western District of Michigan
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the District of Columbia
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the District of Massachusetts
- U.S. District Court for the Southern District of New York

Publications

- "US Environmental Law and its Impact on the Insurance Industry," *The Swiss Re Centre for Global Dialogue* (October 16, 2014)
- "No Coverage for Sexual Harassment Under General Liability Policies," *Litigation Quarterly* (August 28, 2000)
- "Suing for Bad Faith: How Long Can You Wait?," *Legal Intelligencer Insurance Supplement* (September 27, 1999)

- "Coverage Bytes: Downloading on the Insurance Industry," 14th Annual Conference of the Vermont Captive Insurance Association (August 1999)

Affiliations

- American Bar Association
- Philadelphia Bar Association,
- Pennsylvania Bar Association