



Kathleen K. Kerns

Principal
Insurance Law

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Defends insurance company clients involved in all manner of coverage disputes, including general liability, bad faith, and employment practices liability, as well as asbestos, toxic tort and environmental property damage, and bodily injury cases.

Bio

Kathleen K. Kerns is a Principal in the Firm's **Insurance Law Department**. She concentrates her practice in the area of insurance coverage litigation, particularly in the environmental field. She represents insurance company clients involved in all manner of coverage disputes, including general liability, bad faith, and employment practices liability, as well as asbestos, toxic tort, and environmental property damage, and bodily injury cases. She has also represented insurer clients in direct negotiations with policyholders and environmental consultants. Ms. Kerns has also been involved in alternative dispute resolution and negotiations for settlement agreements covering insurance disputes.

Representative clients include Liberty Mutual Insurance Company, Safety National Casualty Corporation, Penn National Insurance Company, and Scottsdale Insurance Company, as well as other primary insurers, excess/umbrella insurers, and reinsurers.

The Best Lawyers in America®, a national peer-review publication, selected Ms. Kerns for inclusion in its 2020 and 2021 editions in the category of Insurance Law. For information about this selection and an overview of common third-party publications, rankings, and lists methodologies, [click here](#).

Representative Cases

- *British Ins. Co. v. Safety Nat'l Cas. Corp.*, 146 F. Supp. 2d 585 (D.N.J. 2001) (where District Court ruled on matter of first impression in New Jersey that reinsurer need not show prejudice in order to invoke late notice defense under a facultative reinsurance treaty).
- *Scottsdale Ins. Co. v. Scholl-Fassnacht*, 2000 U.S. Dist. LEXIS 9030 (E.D. Pa., June 26, 2000) where District Court ruled that former employee's claims of sexual harassment under Title VII against employer were not covered under a general liability policy issued to employer).
- *American Mutual Liability Ins. Co. v. Beatrice Cos., Inc.*, 924 F. Supp. 861 (N.D. Illinois, 1996) (where District Court applied late notice provision

Practices

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

Industries

- Insurance

Education

- J.D., Widener University School of Law, 1989
Law Journal: Staff Member, *Delaware Journal of Corporate Law*, 1987 - 1989
- B.A. in English Communications, *Cum Laude, Dean's List*, Allentown College of St. Francis De Sales, 1986

Bar Memberships

- New Jersey (1989)
- Pennsylvania (1989)

Court Admissions

- 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 District of New Jersey
- U.S. District Court for the Western District of Pennsylvania
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fourth Circuit

on insurance issues related to the pollution case highlighted in a civil action).

Affiliations

- New Jersey State Bar Association (Insurance Section)

Clerkship

- Magistrate Judge Richard A. Powers, III., Eastern District of Pennsylvania