



Ellen M. Van Meir

Management Committee

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As a lead lawyer in Thompson Coe's insurance litigation and coverage practice group, Ellen represents primary and excess insurers nationwide on questions of coverage and claims handling. Her practice focuses on significant losses in a variety of industries including construction, oil and gas, financial products, trucking and products liability across the country. Ellen regularly represents insurers in disputes arising out of catastrophic bodily injury and property damage claims, intellectual property and cyber law claims, environmental claims, and professional malpractice claims. Ellen frequently counsels her clients in matters of policy contract rights and obligations, good faith duties to insureds and settlement and allocation issues involving single and multi-carrier cases in areas of liability, professional errors and omissions, pollution, umbrella and excess coverage, *Stowers'* liability and "bad faith" litigation.

Ellen has been recognized in Chambers USA for Insurance as a Leading Lawyer since 2013 and was named a Top 50 Woman Lawyer in Texas in *Texas Monthly* magazine in 2018.

Representative Experience

- Prevailed in Oklahoma and Tenth Circuit on issues involving general liability and employer liability coverage for workplace injuries.
- Prevailed in Texas trial and appellate courts on claims for pollution coverage.
- Represented insurance carriers in several multi-million dollar "personal and advertising injury" claims in litigation, including at trial and on appeal.
- Prevailed on cases of first impression involving West Virginia and Arkansas law regarding "occurrence" and workplace accident endorsements.
- Designated national coverage counsel for the Deepwater Horizon incident on behalf of a major insurance group.
- Represented an insurance carrier in coverage disputes involving international losses and Defense Base Act claims
- Represented major insurers evaluating massive construction litigation claims in Arizona, California, Hawaii, Nevada and Texas.

Services & Industries

- Insurance Coverage
- Insurance Litigation
- Appellate
- Energy
- Subrogation & Loss Recovery

- Obtained a jury verdict and appellate decision in favor of major insurance company client in a case of allocation of covered damages between two insurers in a construction defect matter.
- Negotiated a settlement on behalf of major insurer to resolve a multi-million dollar dispute between major travel industries entities.
- Litigated several commercial indemnity cases between major petrochemical companies.
- Prevailed in personal and advertising injury case determining the scope of libel and slander offense coverage under Ninth Circuit law.
- Negotiated resolution of multi-insurer copyright infringement case involving horizontal allocation, primary/excess and personal and advertising injury issues regarding theft of architectural plans.
- Negotiated resolution on behalf of major insurers claims under professional errors and omissions policies for Fair Claims Act, TRCA, SEC, RICO and class action allegations successfully.
- Resolved commercial property claims for storm damage/bad faith.

Education

- The University of Texas School of Law (J.D., 1995)
 - with honors
 - Journal of Women & the Law, Articles Editor
- University of Notre Dame (B.A., 1992)
 - English and French, with high honors

Bar Admissions

- Texas, 1995

Court Admissions

- United States District Court, Western and Eastern Districts of Arkansas
- United States District Court, Northern, Western and Eastern Districts of Oklahoma
- United States District Court, Northern, Southern, Western and Eastern Districts of Texas
- United States Court of Appeals, Fifth, Eighth, Ninth and Tenth Circuits

Professional Recognition

- Named the *Best Lawyers*® Dallas Insurance Law and Litigation - Insurance "Lawyer of the Year" - 2021.
- Named Top 50 Women Attorneys in Texas 2018, Texas Monthly Magazine (Oct. 2018)
- [Chambers USA, Band 2 for Insurance in Texas, 2013-2020](#)
- Named by peers to *The Best Lawyers in America*® 2015-2021 in the field of Insurance Law.
- Named Top Rated Lawyer in Insurance Law by American Lawyer Media and Martindale-Hubbell™
- *Texas Super Lawyers*® - *Super Lawyer* for Insurance Coverage (2010-2019)
 - Top 100 attorneys (Texas)
 - Top 50 Women

- Top 100 attorneys (Dallas/Fort Worth)
- *Super Lawyers-Texas Rising Star* (2004 - 2010)
- *D Magazine, Best Lawyers in Dallas Under 40* (2006)
- “AV” Peer Review Rated by *Martindale-Hubbell*.

Professional and Community Activities

- DRI (Defense Research Institute)
- Texas State Bar Tort & Insurance Practice Group
- ABA Tort & Insurance Section
- Dallas Women’s Lawyer Association

Speeches and Presentations

- “Subrogation, Equitable Contribution, and Other Insurance: Untangling the Gordian Knot Without Prolonged Litigation,” American College of Coverage and Extracontractual Counsel Fifth Anniversary Meeting and Program, May 10-12, 2017
- "An Excess Carrier's Duty to Defend: A Slippery Slope in a Tangled Web?", 2014 ABA Insurance Coverage Litigation Seminar, March 6-8, 2014
- ICLC, 25th Annual ABA CLE Seminar, Feb. 27-March 7, 2013
- "Stepping Back: Mid-Continent Ins. Co v. Liberty Mutual Ins. Co." 16th Annual Insurance Law Institute, University of Texas, Nov. 3-4, 2011
- "Payback - The Nuts & Bolts of the Allocation Case" for Thompson Coe's 9th Seminar on Texas Insurance Law Developments, May 6, 2010
- "Good Faith Claims Handling", 7th Annual Seminar on Texas Insurance Law Developments (2007)
- "The ABCs of DJs", 6th Annual Seminar on Texas Insurance Law Developments (2006)
- Mentoring Dallas Woman and the Law Association (2006)
- "Documentation, Duplication & Doom", All Industry Day (2005)
- Numerous client CE/CLE presentations specifically tailored for the client’s individual needs and benefit

Appellate

Ellen has handled appellate matters in various Texas appellate courts and U.S. Court of Appeals for the Fifth, Eighth, Ninth and Tenth Circuits. Ellen’s experience in appeals primarily lies in representing insurance carriers in matters of policy interpretation and subrogation. Ellen also represents clients in commercial disputes involving indemnity or risk transfer. She has worked on amicus briefing, mandamus matters as well as appeals to intermediate state appellate courts, the Texas Supreme Court and several federal appellate courts.

Representative Experience

- Prevailed in Oklahoma and Tenth Circuit on issues involving general liability and employer liability coverage for workplace injuries.

- Prevailed in Texas trial and appellate courts on claims for pollution coverage.
- Obtained a jury verdict and appellate decision in favor of major insurance company client in a case of allocation of covered damages between two insurers in a construction defect matter.
- Represented a major insurance company in an appeal in which the United States Court of Appeals for the Fifth Circuit affirmed the district court's judgment allocating a settlement to uncovered claims and required the insured to reimburse the carrier.
- Prevailed in personal and advertising injury case determining the scope of libel and slander offense coverage under Ninth Circuit law.

Publications

September 6, 2013

Texas Supreme Court Accepts Certified Questions on Scope of Additional Insured Coverage

June 18, 2012

Fifth Circuit Holds Coverage for Faulty Workmanship Barred by the Contractual Liability Exclusion

June 22, 2011

New Legislation Affects Risk Shifting In Certain Construction Contracts

April 2, 2007

Coverage News: Volume 7, Issue 2

October 12, 2006

The When, Where and Why's of Litigation Coverage: Strategies for DJ Actions

April 10, 2006

Construction Defect Coverage Revisited — With A Twist: Lennar Corp. v. Great Am. Ins. Co.

April 3, 2006

Coverage News: Volume 6, Issue 1

December 6, 2004

Punitive Damages in Texas - Where Do We Stand?

August 12, 2002

Pollution Law Update

June 18, 2001

Insurability of Punitive Damages: Who Really Gets Punished