



## Harrison H. Yoss

Partner

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Harrison H. Yoss devotes his practice to the representation of insurers in coverage and extra contractual litigation in state and federal courts throughout the State of Texas and the Southwest.

Harrison has represented insurers on hundreds of coverage and bad faith claims handling disputes with insureds under general liability and excess/umbrella policies, professional liability policies, homeowners and commercial property/inland marine policies, directors and officers liability policies, workers' compensation policies, and life, health, accidental death and disability policies. He has also represented numerous insurers in large commercial property insurance cases involving Hurricane Rita and Ike, as well as significant hail and wind storms throughout Texas. He has also tried and handled on appeal numerous bad faith, Stowers and coverage lawsuits in state and federal courts throughout Texas.

Harrison has assisted insurers in drafting language for commercial general liability, errors and omissions and commercial property insurance policies.

In addition, Harrison has presented speeches and papers on insurance issues for adjusters and lawyers at in-house training and at continuing education seminars.

### Representative Experience

- Favorable resolution of several large commercial property insurance lawsuits involving Hurricane Rita and Ike.
- Favorable resolution of many commercial property claims arising from hail and wind storms in Texas and Arizona, either through the appraisal process or litigation.
- Obtained defense verdict defending a commercial auto insurer in a bench trial regarding the application of a named driver exclusion in a wrongful death case.
- Defended umbrella insurer in a \$43,000,000 Stowers lawsuit resulting in amicable settlement during jury trial.
- Defended workers' compensation insurer in bad faith jury trial resulting in no

### Services & Industries

- Insurance Coverage
- Insurance Litigation
- Specialty Lines
- Construction

damages.

- Defended workers' compensation insurer in bad faith jury trial resulting in amicable settlement during appeal process.
- Obtained summary judgment for insurer on accidental death ERISA claim involving employee's drowning.
- Obtained federal court summary judgment for insurer on state law claims for accidental death claim resulting from death while on a common carrier.
- Obtained federal court summary judgment for liability insurer based on application of worker's compensation exclusion to injury claim by employee of a non-subscribing employer.
- Obtained Texas Supreme Court opinion overruling trial court on certified question from the Fifth Circuit Court of Appeals regarding insurer's liability for \$1,000,000 default judgment against former employee of insured.
- Drafted language of CGL and errors and omissions policies issued to association providing international scuba diving instruction.
- Obtained plea to the jurisdiction and summary judgment on behalf of worker's compensation insurer on bad faith claim where claimant failed to exhaust administrative remedies.
- Obtained defense verdict in federal jury trial on UM/UIM claim where tortfeasor driver rear ended plaintiff.
- Obtained federal court summary judgment on behalf of liability insurer based on denial of defense due to late notice.
- Obtained federal court summary judgment on behalf of liability insurer on securities errors and omissions claim due to insured's failure to satisfy condition precedent to coverage.
- Authored over 500 coverage opinion letters to clients

## **Education**

- Southern Methodist University Dedman School of Law (J.D., 1990)
- The University of Texas at Austin (B.B.A. Finance, 1987)

## **Bar Admissions**

- Texas, 1990

## **Court Admissions**

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

## **Professional and Community Activities**

- CLM Region 7 Co-Chair
- Member of the Council on Litigation Management 2008-present
- Member of the Defense Research Institute
- Member of the American Bar Association, Tort and Insurance Practice Section
- Member of the Texas Bar Association, Insurance Section
- Member of the Dallas Bar Association, Tort and Insurance Section
- Board of Trustees, The Legacy Senior Communities, Inc. 2008-present
- Board of Directors, American Jewish Committee, Dallas Chapter 2009-present

- South Dallas/Fair Park Trust Fund Board 2009-present
- Member, Jewish Federation of Greater Dallas, Planning and Allocations Committee 2006-present
- Member, Jewish Federation of Greater Dallas, Cardozo Society 2006-present

### **Speeches and Presentations**

- "Revisiting Extrinsic Evidence in Insurance Coverage Cases," CLM 2020 Focus Seminar, November 3, 2020
- Participated in roundtable presentation at CLM Coverage and Bad Faith Conference in December 2014 on bad faith litigation tactics
- Presented continuing education seminar in October 2014 on Texas coverage issues for Navigators Insurance
- Presented speech on Oilfield Anti-Indemnity Acts in October 2013 for Thompson Coe Cousins & Irons LLP Insurance Seminar for insurance representatives and attorneys
- Presented roundtable speech on claims handling issues at CLM Annual Conference in March 2013
- Presented continuing education seminar in January 2012 on insurance coverage and claims handling issues for insurance representatives of Starr Companies
- Presented continuing education seminar in January 2009 on insurance coverage and claims handling issues for insurance representatives of Cincinnati Insurance Company
- Presented roundtable speech on important insurance cases in November 2008 for Thompson, Coe, Cousins & Irons LLP Insurance Seminar for insurance representatives and attorneys
- Presented roundtable speech on important insurance cases in November 2007 for Thompson, Coe, Cousins & Irons LLP Insurance Seminar for insurance representatives and attorneys
- Presented continuing education seminar in November 2008 on insurance coverage and claims handling issues for health insurance representatives of AIG
- Presented continuing education seminar in December 2007 on insurance coverage and claims handling issues for health insurance representatives of AIG
- Presented continuing education seminar in October 2006 on insurance coverage and claims handling issues for health insurance representatives of AIG
- Presented continuing education seminar in May 2006 in San Ramon, California on construction defect insurance coverage and claims handling issues for insurance representatives of AIG
- Presented continuing education seminar in May 2004 in San Ramon, California on construction defect insurance coverage and claims handling issues for insurance representatives of AIG

### **Professional Recognition**

- Named by peers to *The Best Lawyers in America*® 2016-2021 in the field of Insurance Law.
- Named to *Texas Super Lawyers*® list for Insurance Coverage, 2010-2019

- “AV Preeminent rated” Peer Review Rated by *Martindale-Hubbell*

## Publications

December 20, 2020

**Concurrent Causation Is Key In Texas Storm Insurance Suits**

*Law360*

May 17, 2019

**Property Insurers: Beware Getting Stuck In Texas State Court**

*Law360*

June 25, 2012

**Texas Supreme Court Virtually Eliminates Workers' Compensation Bad Faith**

August 29, 2011

**Texas Supreme Court Severely Cuts Back Workers' Compensation Bad Faith**

January 16, 2008

**The Texas Prompt Payment of Claims Statute and its Application to the Duty to Defend**

January 2, 2007

**Coverage News: Volume 7, Issue 1**

October 3, 2006

**Coverage News: Volume 6, Issue 2**

September 1, 2006

**Duty to Defend Could Be Triggered by Extrinsic Evidence**

December 6, 2004

**Insurer's Duty to Defend is Not Triggered Until Insured Tenders its Defense**

August 16, 2001

**Toxic Mold - Lawsuits Mushroom**

October 4, 2000

**To Sever or Not to Sever? Is the Decision to Sever Bad Faith Claims from Contractual Claims Always w**