

TODD J. LEON

SHAREHOLDER



AREAS OF PRACTICE

Insurance Services – Coverage & Bad Faith
Litigation

CONTACT INFO

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ADMISSIONS

New Jersey
1998

Pennsylvania
1998

U.S. District Court of New Jersey
1998

U.S. Court of Appeals 3rd Circuit
2001

U.S. District Court Eastern District
of Pennsylvania
2011

U.S. Supreme Court
2016

OVERVIEW

Todd focuses his practice on complex insurance coverage litigation and contractual disputes. He has extensive experience litigating a wide variety of claims at the trial and appellate levels of both the state and federal courts. Admitted to practice in both Pennsylvania and New Jersey, he splits his time between our Philadelphia and Mount Laurel offices.

Todd is particularly experienced in managing cases that involve sophisticated "risk shifting" issues, including both additional insurance coverage and contractual indemnification. He has worked on a wide array of insurance coverage matters, spanning a broad base of first- and third-party claims and policy types. Todd has counseled insurers, third-party administrators and self-insureds throughout the life cycle of a matter, from the drafting of policy language to pre-suit investigation to the drafting of coverage opinions to litigating matters through the trial and appellate courts.

Todd lives with his wife, two children and pug in Bucks County, PA. In his spare time, he is an avid fan of Philadelphia's professional sports teams and Rutgers basketball and football, and he plays in a modified fast-pitch, wood bat softball league. He is also a member of the Board of Directors of Shir Ami, the largest reform synagogue in Bucks County, where he serves as Secretary of the Board of Directors and the Chairperson of the Philanthropy Committee.

EDUCATION

Rutgers University School of Law,
Camden (J.D., 1998)

Rutgers College (B.A., 1995)

HONORS & AWARDS

New Jersey Law Journal's New Leaders of the Bar
2013

New Jersey Super Lawyers Rising Stars
2009-2013

The Super Lawyers list is issued by Thomson Reuters. A description of the selection methodology can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

ASSOCIATIONS & MEMBERSHIPS

Claims & Litigation Management Alliance

Defense Research Institute

New Jersey Defense Association

YEAR JOINED

2020

THOUGHT LEADERSHIP

The Supreme Court of Pennsylvania Rules That COVID-19 Closure Claims Are Not Covered in Pennsylvania, Absent Physical Damage to Property

Philadelphia - Headquarters
Insurance Services – Coverage & Bad Faith Litigation
September 26, 2024

Earlier today, the Supreme Court of Pennsylvania handed down its heavily anticipated decisions in Ungarean v. CNA and Valley Forge Insurance Company and MacMiles, LLC v. Legal Update for Insurance Services - September 26, 2024, has been prepared for our readers by Marshall Dennehey.

NJ Justices Clarify First-Party Indemnification Availability

Mount Laurel
Roseland
Insurance Services – Coverage & Bad Faith Litigation
June 27, 2024

Supreme Court of New Jersey Holds that Indemnification Can Exist in First-Party Claims, With the Appropriate Language

Mount Laurel
Insurance Services – Coverage & Bad Faith Litigation
May 30, 2024

For many years, the rule of law governing claims for contractual indemnification in New Jersey has been well-established under the so-called "Azurak" rule, which requires that, in order for a party to be indemnified for its own negligence, the agr Legal Update for Insurance Services

The Supreme Court of New Jersey Holds that "Self-Insurance" Is NOT "Other Insurance"

Mount Laurel
Insurance Services – Coverage & Bad Faith Litigation
February 17, 2023

On February 16, 2023, the Supreme Court of New Jersey handed down its unanimous decision in Statewide Insurance Fund v. The material in Legal Updates for Insurance Services, February 17, 2023, has been prepared for our readers by Marshall Dennehey.

Third Circuit Holds that Commercial Property Policies Do Not Provide Coverage for Businesses' COVID-19 Closure Claims

Philadelphia - Headquarters
Mount Laurel
Insurance Services – Coverage & Bad Faith Litigation
January 9, 2023

On January 6, 2023, the Third Circuit Court of Appeals handed down a unanimous opinion in Law Offices of Rhonda H. Wilson, et al. v. USI Insurance Service, et al., which was drafted by Judge Michael A. Chagares. The material in Legal Updates for Insurance Services – Florida Alert – January 9, 2023,

CLASSES/SEMINARS TAUGHT

DeMarco v. Stoddard - A Behind the Scenes Look at the Decision by the Supreme Court of New Jersey on Fraud in the Application for a Medical Malpractice Insurance Policy, National Academy of Continuing Legal Education, April 2016

Shifting the Risk: Tips and Tools for Transferring Liabilities Via Indemnification Agreements and Insurance Procurement Obligations of Indemnitors, New Jersey Law Journal In-House CLE Seminar, November 2012

PUBLISHED WORKS

"NJ Justices Clarify First-Party Indemnification Availability," *Law360*, June 27, 2024

"Third Circuit Holds That Commercial Property Policies Do Not Provide Coverage for Businesses' Covid-19 Closure Claims," *Marshall Dennehey Legal Update for Insurance Services*, January 9, 2023

"In Twin Decisions on Insurance Coverage for COVID-19 Closure Claims, Superior Court of Pennsylvania Makes Clear that Policy Language Matters," *Defense Digest*, Vol. 28, No. 12, December 2022

Contributing Author, Defense Research Institute Insurance Law Committee's Coverage B: Personal and Advertising Injury Compendium, "Chapter 14: Advertisement Offenses - Use of Another's Advertising Idea in Your Advertisement" (definition f.)

RESULTS

Summary judgment for insurer in UIM recovery case.

Insurance Services – Coverage & Bad Faith Litigation December 2, 2022

We prevailed on a motion for summary judgment with respect to the applicability of a UIM "step down" clause. Following an accident with an underinsured tortfeasor, the underlying plaintiff sought UIM recovery under three policies, including one issued by our client with limits of \$500,000. The defense successfully argued that our client's UIM limits of \$500,000 "stepped down" to the \$100,000 UIM limits of the plaintiff's own policy, pursuant to our client's policy language. The Superior Court of New Jersey, Morris County, granted our motion.

REPRESENTATIVE MATTERS

Successfully represented a state-created medical malpractice insurer in a matter involving fraud in the application for an insurance policy, successfully arguing before the state Supreme Court for the remedy of voiding the policy and reforming the policy limits to \$0.

Extensive experience representing insurers on numerous risk-shifting claims for contractual indemnification and additional insurance coverage, including in matters stemming from worksite accidents, construction defects, slip-and-falls, product liability and vendor claims, and a range of other factual scenarios.

Represented an insurance industry group as amicus curiae in a matter requiring interpretation of the prospective or retroactive application of a statutory amendment.

Defended insurers in a broad array of cases involving insurance coverage issues arising from construction defect claims arising out of residential and commercial projects.

Represented insurers in a variety of insurance coverage claims under automobile liability policies, including for permissive use, loading and unloading, and uninsured and underinsured motorists coverage.

Defended insurers and their third-party administrators against insurance coverage claims stemming from employment practices, liability, education and land use claims.