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## PRIMARY PRACTICE

- Insurance Coverage

## SECONDARY PRACTICES

- Appellate Litigation
- Commercial Disputes
- Cyber Law and Cybersecurity
- International Arbitration
- Privacy, Data Protection and Information Management
- Product Liability
- Telecom, Media and Technology
- Toxic Tort

# Roberta D. Anderson

## OVERVIEW

Ms. Anderson is a partner in the firm's Pittsburgh office with over fifteen years of experience in complex commercial litigation and alternative dispute resolution. A member of the firm's global Insurance Coverage practice group, and a co-founder of the firm's global Cyber Law and Cybersecurity practice group, Ms. Anderson concentrates her practice in the areas of insurance coverage litigation and counseling and emerging cybersecurity and data privacy-related issues, including incident planning and breach response. She has represented clients in connection with a broad spectrum of insurance issues and disputes arising under almost every kind of business insurance, including "cyber" and data privacy liability, directors and officers (D&O) liability, general liability, commercial property and business interruption, errors and omissions (E&O), technology E&O, professional liability, employment practices liability (EPL), political risk, environmental, fidelity, fiduciary, crime, terrorism, residual value, and nuclear. Ms. Anderson provides strategic advice on ways to maximize the value of clients' current and historic insurance assets.

Ms. Anderson also counsels clients on complex underwriting and risk management issues. She has unique and substantial experience in the drafting and negotiation of D&O, technology E&O, data privacy and "cyber"-liability, and other insurance coverages. She provides strategic insurance coverage advice to clients in assessing their potential risks, analyzing new insurance products, considering the adequacy of existing insurance programs, and negotiating new placements tailored to the clients' specific risk profile. Ms. Anderson has performed insurance due diligence for clients contemplating mergers and acquisitions concerning the adequacy of the target companies' insurance programs. She also counsels clients on risk transfer and representation and warranty insurance in connection with corporate transactions.

Ms. Anderson has served as counsel in a variety of forums, including United States federal and state courts, ad hoc arbitration and private mediations. She has acted as special counsel in reorganization proceedings in the United States Court of Appeal for the Fifth Circuit. Ms. Anderson also has participated in arbitrations in leading national and international situses, including London, Bermuda and New York. Ms. Anderson has significant knowledge and experience relating to the London and international insurance markets.

## PROFESSIONAL BACKGROUND

A recognized national authority in insurance coverage, cybersecurity and data privacy related issues, Ms. Anderson frequently lectures on these subjects, including for the American Bar Association (ABA), the Risk and Insurance Management Society (RIMS), the Professional Liability Underwriting Society (PLUS), the Pennsylvania Bar Association, Practicing Law Institute, Strafford Continuing Legal Education, and Law Seminars International. In addition, she regularly provides interviews and comments on these subjects to leading industry publications, such as *Law360* and *Advisen* and national mainstream publications, such as *The Washington Post*. Ms. Anderson also publishes extensively, and currently serves on a number of editorial boards for leading industry publications, including the *Tort Trial & Insurance Practice Law Journal* (American Bar Association) and *The Insurance Coverage Law Bulletin* (American Lawyer Media). She served on the editorial board of the *CGL Reporter* (International Risk Management Institute) from 2007 to 2010.

Ms. Anderson is a member of both the ABA Litigation Section and the ABA Tort and Insurance Practice Section (TIPS). She currently serves as a co-chair of the ABA Section of Litigation's Insurance Coverage Litigation Committee (International/London Subcommittee). She also serves as a vice-chair of the ABA TIPS Insurance Coverage Litigation Committee. Ms. Anderson is past chair of the ABA TIPS Excess, Surplus Lines and Reinsurance Committee (2008-2010) and served as a member of the ABA Public Relations Special Standing Committee from 2010 to 2012.

## PRESENTATIONS

### LIVE PRESENTATIONS (CLE, CPU, CE, AND CPD)

- Presenter: "Cybersecurity: Minimizing Risk and Managing Consequences," K&L Gates LLP Seminar (Pittsburgh, PA), December 9, 2014
- Panelist: "The Board's Role in Management of Cybersecurity and Data Privacy Threats:

Achieving Cybersecurity and Data Privacy Resilience Before the Breach," K&L Gates LLP Briefing (Seattle, WA), November 25, 2014

- Panelist: "The Exchange Data Privacy and Cyber Security Forum," Today's General Counsel and Institute (Washington, D.C.), November 18, 2014
- Lecturer: "Cyber Risk, Regulatory Issues, and Insurance Mitigation," ISACA Pittsburgh Information Security Awareness Day (Pittsburgh, PA), November 17, 2014
- Panelist: "Cyber Speed Debates 2.0," 2014 PLUS Conference, November 6, 2014 (Las Vegas, NV)
- Panelist: "Boardroom Risks," 22nd Annual SMU Corporate Counsel Symposium, October 31, 2014 (Dallas, TX)
- Panelist/Moderator: "Coverage Considerations," Advisen 2014 Cyber Risk Insights Conference, October 28, 2014 (New York, NY)
- Lecturer: "Cyber Crimes: Trends and Protections," The Allegheny Chapter CPCU All Industry Day, October 15, 2014 (Pittsburgh, PA)
- Panelist: "Cyber Risk and Global Security Issues: is your business fully prepared?," October 2, 2014 (London)
- Lecturer: "Cybersecurity Law 2014: Minimizing Data Legal Liability Risk in the Digital Age," Pennsylvania Bar Institute CLE Program, August 11, 2014 (Pittsburgh, PA)
- Panelist: "D&O & Cyber Forum," AON, May 7, 2014 (Pittsburgh, PA)
- Speaker/Coordinator: "Cyber3.0: Cutting Edge Advancements in Insurance Coverage For Cyber Risk & Reality," RIMS Annual Conference, April 29, 2014 (Denver, CO)
- Panelist: "What Your Company Needs to Know about Cybersecurity," OCTANE Presentation, April 17, 2014 (Irvine, CA)
- Lecturer: "Cutting-Edge Advancements in Insurance Coverage for Cyber Risk and Reality," RIMS Pittsburgh Chapter Meeting, April 8, 2014 (Pittsburgh, PA)
- Panelist: "Cybersecurity Threats in the Financial Sector," March 5, 2014 (Jersey City, NJ)
- Panelist: "Who's On First? Insurance Coverage For Mass And Class Actions," ABA Tort Trial & Insurance Practice Section Insurance Coverage Litigation Committee Midyear Program, February 20-22, 2014 (Phoenix, AZ)
- Speaker: "Cybersecurity and Privacy: Managing Threats, Risks and Protection," October 22, 2013 (Palo Alto, CA)
- Speaker: "Insurance Coverage For Cyber Risks And Realities," Co-Sponsored by the Association of Corporate Counsel, Western Pennsylvania Chapter and K&L Gates, September 24, 2013 (Pittsburgh, PA)
- Speaker: "Additional Insured Coverage & Contractual Indemnification," K&L Gates Insurance Coverage Training Series CLE, June 3, 2013 (Pittsburgh, PA)
- Speaker: "Cyber Risk And Insurance," K&L Gates Insurance Coverage Training Series CLE, September 5, 2012 (Pittsburgh, PA)
- Panelist: "Finding Balance in the Shifting Sands of Insurance Coverage" – ABA Tort Trial & Insurance Practice Section's Insurance Coverage Litigation Committee's Midyear Program, February 24-26, 2011 (Phoenix, AZ)
- Speaker: "Insurance Coverage Training Series: Nuclear-Related Liabilities" Insurance Coverage Training Series CLE, January 7, 2009 (Pittsburgh, PA)
- Panelist: "Testing the Waters: Discovering the Latest Currents in Insurance Coverage Law: Navigating Current Issues Under E&O and D&O Policies," ABA Tort Trial & Insurance Practice Section Insurance Coverage Litigation Committee Midyear Program, February 28–March 1, 2008 (Marina Del Rey, CA)
- Panelist: "The Battle Before the Battle: Shifting Sands of Insurance Coverage Seeking Relief

from the Changing Winds of Judicial Review," ABA Tort Trial & Insurance Practice Section Insurance Coverage Litigation Committee Midyear Program, February 15–17, 2007 (Tucson, AZ)

- Speaker: "Challenging the Guidelines & the Carrier's Response," LexisNexis® Mealeys™ Litigation Management Guidelines Conference, July 20-21, 2006 (New York, NY)
- Speaker: "Broker Contingent Commissions Investigations," RIMS Pittsburgh Chapter Meeting, April 2005 (Pittsburgh, PA)
- Speaker: "Getting the Most Out of Lloyd's And Equitas: Basics I: Organization And Terminology," ABA Section of Litigation Essential Intelligence for US Coverage Lawyers™ Conference, May 14-15, 2002 (Chicago, IL)

## LIVE WEBINARS

- Lecturer: "Navigating the Privacy Law Landscape: US and Europe," K&L Gates CLE Webinar, January 21, 2015
- Lecturer: "What You Need to Know About Defending Cyber Related Class Action Litigations," K&L Gates CLE Webinar, January 15, 2015
- Panelist: "Feeling the Heat? How to Cool Off with Cyber Risk Insurance," AccessData Webinar, October 16, 2014
- Lecturer: "Data Privacy and Cybersecurity Due Diligence in M&A Deals," Strafford CLE Webinar, October 9, 2014
- Panelist: "Cyber Exposures of Small and Mid-Size Businesses – A Digital Pandemic," Advisen, October 7, 2014
- Lecturer: "Dropping the 'Hammer' on Security Threats with Rapid Detection and Resolution," ALM Virtual LegalTech Webinar, September 12, 2014
- Lecturer: "FDIC and Other Banking Agency Litigation Against Auditors, Law Firms, Appraisers and Other Outside Advisors: Latest Developments in Defending Agency Claims and Maximizing E&O Insurance Coverage," Strafford CLE Webinar, August 7, 2014
- Lecturer: "Insurance Coverage for Data Breaches and Privacy Violations: Are Your Corporate Clients Truly Protected?," Strafford CLE Webinar, August 6, 2014
- Panelist: "Cyber Sanity: Innovative Approaches to Data Security," Advisen, July 22, 2014
- Lecturer: "Before the Breach: Insurance and Other Ways to Proactively and Effectively Mitigate Cyber Risk," FX Conferences, July 14. 2014
- Lecturer: "Cybersecurity Brief: Understanding Risk, Legal Framework, & Insurance Managing a Cyber Disaster: Cyber Insurance and Tools to Mitigate Losses and Liability 2014," Practicing Law Institute CLE Webcast, July 8, 2014
- Lecturer: "Cyber-Attacks: Insurance Coverage for Cyber Risks and Realities," K&L Gates CLE Webinar, June 25, 2014 (Pittsburgh, PA)
- Lecturer: "Cybersecurity Brief: Understanding Risk, Legal Framework, & Insurance," Securedocs Webinar, June 12, 2014
- Lecturer: "Cultivating Ethics: Mitigating Vulnerability to Cyber and Data Security Threats in Order to Maintain Client Confidentiality." ALM Virtual LegalTech Webinar, May 15, 2014
- Lecturer: "Insurance Coverage for Data Breaches and Privacy Violations: Are Your Corporate Clients Truly Protected?," Strafford CLE Webinar, February 26, 2014
- Lecturer: "Insurance Coverage For Cyber Security Beaches: Insurance Strategies For Managing Cyber Risk," Law Seminars International TeleBriefing, October 25, 2013
- Speaker: "What Your Company Needs to Know about Cybersecurity," K&L Gates Webinar, June 6, 2013 (Pittsburgh, PA)

## INTERVIEWS/MEDIA QUOTES

- "Conn. High Court Case May Reshape Data Breach Coverage," *Law360*, February 19, 2015
- "Obama's executive order urges voluntary cyber info sharing," *Advisen Cyber Risk Network*, February 18, 2015
- "D&O Developments To Watch In 2015," *Law360*, February 2, 2015
- "Data risks give rise to 'cyber insurance' policies," *The Desert Sun*, January 31, 2015
- "When Terrorists Attack Online, Is Cyber-Insurance Enough?," *The Hartford Courant*, January 26, 2015
- "Obama again proposes federal cybersecurity rules for consumers, businesses," *Pittsburgh Tribune-Review*, January 13, 2015
- "Sony Hack Shows Need For Cyber Coverage On Many Fronts," *Law360*, January 12, 2015
- "The Sony Breach Carries Broad Implications Surrounding National Security," *Forbes*, December 19, 2014
- "Should Your Company Get Cybersecurity Insurance?," *Inc.com*, December 17, 2014
- "Federal Prosecutors In Pittsburgh Want To Tackle Hacking With Companies," *Pittsburgh Tribune-Review*, December 9, 2014
- "The Hidden Strategic Advantage in Cyber Insurance," Jim McFarland for *SecurityWeek*, December 4, 2014
- "Cybersecurity Experts Warn Pittsburgh Conference About Dangers Of Hacking," *Pittsburgh Tribune-Review*, Nov. 17, 2014
- "Cyber-Insurance Becomes Popular Among Smaller, Mid-Size Businesses , " *The Washington Post*, August 12, 2014
- "Financial Institutions Warned On Cyber-Insurance , " *COOConnect*, October 8, 2014
- "Insurers Flocking To Data Breach Exclusions In CGL Policies," *Law360*, August 27, 2014
- "Cybersecurity easing its way into M&A due diligence," *Advisen Cyber Risk Network*, August 22, 2014
- "Disruptors," *Fox Business News*, August 20, 2014
- "Specialized Cyber Insurance Becoming A Must For Many Cos.," *Law360*, August 12, 2014
- "Cyber Security Insurance Difficult for Business to Navigate," *The Huffington Post*, August 4, 2014
- "Third-party Vendor Contracts Must Reflect Data Risk," *Advisen Cyber Risk Network*, May 30, 2014
- "FTC Shines Data Security Badge After Wyndham Ruling," *Advisen Cyber Risk Network*, April 14, 2014
- "Cyber Insurance vs. General Liability," *The Huffington Post*, April 10, 2014
- "Cyber Threat: Aviation, Unmanned Risk," *Risk & Insurance*, April 7, 2014
- "No Right Way Or Right Time, But Data Breach Notification A Must," *Advisen Cyber Risk Network*, April 4, 2014
- "NIST Cybersecurity Framework Remains Potential Standard of Care, Lawyers Say," Vol. 34, No. 46, *Communications Daily*, March 10, 2014
- "Policy Language Interpretation Favors Insurers in Sony Case," *Advisen Cyber Risk Network*, March 7, 2014
- "Sony Coverage Denial Could Be Boon For Cyber Insurers," *Law360*, February 25, 2014
- "Insurers prepare for implementation of new cyber liability exclusions," *Business Insurance*, January 19, 2014
- "Cyber policies a good deal, but choose carefully," *Healthcare Risk Management*, Vol. 36, No. 1,

January 2014

- "Insurer tried to say CGL offered no breach coverage," *Healthcare Risk Management*, Vol. 36, No. 1, January 2014
- "Court says insurer liable for data breach expenses," *Healthcare Risk Management*, Vol. 36, No. 1, January 2014
- "Target credit card thefts a cue to review cyber coverage terms," *Advisen*, December 23, 2013
- "TalkingPoint: Managing Risk In The Chemicals Industry," *Financer Worldwide*, December 2013
- "CGL exclusions will fuel cyber purchase trend," *Advisen*, November 18, 2013
- "PA Ruling Favors Nuclear Insurers," *Business Insurance*, December 6, 2002

## PUBLICATIONS

### "Cyber Insurance"

- "After the Breach: Effective Notification and Resilient Response," The Risk Report, *International Risk Management Institute, Inc.* (IRMI), Volume XXXVII, No. 5, January 2015
- "What to Consider When Buying Cyberinsurance," *Risk Management Magazine*, October 1, 2014
- "Retailers Face a Blizzard of Breaches: Are You Covered?," *Insurance Coverage Alert*, September 11, 2014, originally published in *Law360*, September 2, 2014
- "Why Buy Cyber and Privacy Liability Insurance," *Insurance Thought Leadership*, July 21, 2014
- "You Have a Perfectly Good CGL, So Why Buy Cyber and Privacy Liability Insurance?," *Advisen Cyber Risk Network*, July 15, 2014
- "Why Buy Cyber and Privacy Liability When You Have a Perfectly Good Commercial General Liability Program?," *Advisen Risk Network*, July 3, 2014
- "Does Your Cybersecurity Policy Cover Cyberterrorism?," *Advisen Cyber Risk Network*, June 5, 2014
- "Viruses, Trojans and Spyware, Oh My! The Yellow Brick Road to Coverage in the Land of Internet Oz," *Tort Trial & Insurance Practice Law Journal*, Vol. 49-2, May 2014
- "Coming To A CGL Policy Near You: Data Breach Exclusions," *Law360*, April 23, 2014
- "Does Your Insurance Cover a Data Breach? Don't Be So Sure," *The Security Advocate*, April 21, 2014
- "Another Reason to Consider Cyber Insurance," *Insurance Thought Leadership*, April 3, 2014
- "Viruses, Trojans and Spyware, Oh My! The Yellow Brick Road to Coverage in the Land of Internet Oz," FC&S Legal, *The Insurance Coverage Law Report*, Part I (December 2013/January 2014), Part II (February 2014), Part III (March 2014), and Part IV (April 2014)
- "Coming Soon to a CGL Policy Near You: ISO's New Data Breach Exclusions," *Advisen Cyber Risk Network*, March 21, 2014
- "How to Purchase Cyber Insurance," *Insurance Thought Leadership*, March 14, 2014
- "Five Reasons Why The Sony Data Breach Coverage Decision Is Wrong," *Insurance Coverage Alert*, March 10, 2014, originally published in *Law360*, February 28, 2014
- "Recall Decision Points Toward CGL Coverage For Data Breach," *Advisen Cyber Risk Network*, January 24, 2014
- "Before Becoming The Next Target: Recent Case Highlights The Need To Consider Insurance For Data Breaches," *Insurance Coverage Alert*, January 16, 2014, originally published in *Law360*, January 14, 2014
- "How to Purchase Cyber Insurance, FC&S Legal," *The National Underwriter Company*, January 2014

- "Top 10 Tips For Insuring Cyber Risks," The Risk Report, *International Risk Management Institute, Inc. (IRMI)*, Volume XXXVI, No. 4, December 2013
- "Recent California Decision Upholds Data Breach Coverage", *Commercial Disputes Alert*, November 26, 2013
- "How to Secure Data Breach Coverage, FC&S Legal," *The Insurance Coverage Law Information Center*, November 26, 2013
- "Some Traditional Insurance Policies May Cover Data Breach," *Law360*, November 19, 2013
- "When Companies Need Cyber Insurance," *Today's General Counsel*, October 25, 2013
- "Cyber Insurance - Selecting the Right Policy to Identify and Mitigate Risk," *TMT Law Watch Blog*, October 23, 2013, *Legal Cloud Central Blog*, October 25, 2013
- "How to Purchase 'Cyber' Insurance," *Insurance Coverage Alert*, October 21, 2013 originally published in *FC&S Legal*, *The Insurance Coverage Law Information Center*, October 17, 2013
- "Recent California Decision Holds That Privacy / Data Breach Liability Covered Under 'Traditional' Insurance Policy," *Insurance Coverage Alert*, October 18, 2013
- "ISO's Newly-Filed Data Breach Exclusions Provide Yet Another Reason To Consider 'Cyber' Insurance," *Law360*, September 26, 2013
- "Yet Another Reason To Consider Cyber Insurance," *Law360*, September 23, 2013
- "Extend Cyber Insurance Coverage To The Cloud", *Today's General Counsel*, July 10, 2013
- "Shine a Spotlight on Cyber 'Cloud' Coverage," *IRMI Update*, Issue 297, July 10, 2013
- "Spotlight On Cyber 'Cloud' Insurance Coverage," *Legal Cloud Central Blog*, July 1, 2013
- "Insurance Coverage for Cyber Attacks," *The Insurance Coverage Law Bulletin*, Part 1, Volume 12, Number 4, May 2013, and Part 2, Volume 12, Number 5, June 2013
- "The Role of Insurance in the Land of Viruses, Trojans, and Spyware," *Coverage*, Volume 23, Number 1, January-February 2013
- "Cyber-Attacks": Important Insurance Coverage Considerations, *Insurance Coverage Alert*, June 30, 2011
- "Insurance Coverage for "Cyber-Losses," 35 Tort & Ins. L. J. 891, *Tort & Insurance Law Journal*, Summer 2000
- "Companies May Be Covered For Business Interruption or Related Losses Resulting from 'Hacker Attacks' and Other E-Commerce Risks," *Insurance Coverage Bulletin*, March 2000

## Cybersecurity and Data Privacy

- "Cybersecurity: Five Tips to Consider When Any Public Company Might be the Next Target," *Global Boardroom Risk Solutions Newsletter*, July 2014
- "3 Tips for Navigating Data Breaches," *Insurance Thought Leadership*, July 14, 2014
- "Tips For Navigating US And International Data Breaches," *Law360*, June 20, 2014
- "Cyber Challenges Under NIST's Framework," *Insurance Thought Leadership*, April 21, 2014
- "FTC Has Power to Regulate Data Security Practices, Court Rules," *TMT Law Watch Blog*, April 17, 2014
- "Target Security Breach Could Be a Wake-up Call," *Pittsburgh Post-Gazette*, April 12, 2014
- "Cybersecurity: Five Tips on Disclosure Requirements," *Insurance Thought Leadership*, March 24, 2014
- "After Data Breach, The Best First Responder Is A Law Firm," *Law360*, March 13, 2014
- "NIST Unveils Cybersecurity Framework," *Cybersecurity and Insurance Coverage Alert*, February 17, 2014

- "Five Tips to Consider When Any Public Company Might be The Next Target," *Cybersecurity Risk Factors Alert*, February 11, 2014
- "5 Cybersecurity Considerations For Public Companies," *Law360*, February 10, 2014
- "Suffer a Data Breach? Your 1st Call Should Be to... a Lawyer," *The Security Advocate*, Interview, January 27, 2014
- "NIST Unveils Preliminary Cybersecurity Framework," *Cybersecurity Alert*, November 25, 2013
- "Shine a Spotlight on Cyber "Cloud" Coverage," *IRMI Update*, Issue 297, July 10, 2013
- "Policy Matters: Insurance Facts of Life Every IT Leader Should Know," *Best Practices In IT Leadership*, October 2000

#### Directors and Officers Liability Insurance

- "U.S. Bank v. Indian Harbor: Insurers Face Another Restitution/Disgorgement Setback," *Insurance Coverage Alert*, September 11, 2014
- "Your D&O Insurance Policy Post-Halliburton," *Insurance Coverage Alert*, July 28, 2014
- "Your D&O Insurance Policy Post-Halliburton," *Law360*, July 25, 2014
- "Halliburton II: Supreme Court Upholds Fraud on the Market Presumption, but Gives Securities Defendants a Fighting Chance at Defeating Class Certification," *Securities and Transactional Litigation Alert*, July 7, 2014
- "Basic fraud-on-the-market presumption survives Halliburton," *Advisen Risk Network*, July 1, 2014
- "Untimely Notice Under a Claims-Made Policy," *The Insurance Coverage Law Bulletin*, Vol. 8, No. 5, June 2009
- "A Timely Lesson From The WorldCom And Enron Settlements: Make Sure Your D&O Program Is Adequate," *Insurance Coverage Alert*, January 2005
- "Insurance Coverage for Investigations and Demands of State Attorneys General," *Insurance Coverage Alert*, September 2005
- Insurance Coverage For Inside Corporate Counsel: A Topic Of Increasing Interest, *Insurance Coverage Alert*, April 2004
- "Expanding Risk: Directors' and Officers' Coverage is Shrinking Just When People Need It Most", *Legal Times*, Vol. XXVI, No. 7, February 17, 2003

#### Business Interruption Insurance

- "The Calm Before the Storm Is the Time to Consider Insurance Coverage," *The Insurance Coverage Law Bulletin* Part I, Volume 12, Number 12, January 2014, and Part 2, Volume 12, Number 13, February 2014
- "Recent Developments in a Post-Sandy World, Recent Developments in Insurance Coverage Litigation," 49 *Tort Trial & Ins. Prac. L.J.* 271, Fall 2013
- "Key Insurance Coverage Considerations in the Wake of Superstorm Sandy," *The Insurance Coverage Law Bulletin*, Volume 11, Number 12, January 2013
- "The Calm Before a Storm of Claims: Identifying and Preserving Insurance Coverage for Hurricane Irene-Related Losses," *The Insurance Coverage Law Bulletin*, Volume 10, Number 9, October 2011
- "Recent Developments in Insurance Coverage Litigation," 47 *Tort Trial & Ins. Prac. L.J.* 297, *Tort Trial & Insurance Practice Law Journal*, Fall 2011
- "Losses from Hurricane Irene: Are You Covered?," *Insurance Coverage Alert*, August 30, 2011
- "Disaster in Japan: Worldwide Insurance Coverage Considerations," *Insurance Coverage Alert*, March 16, 2011

- "Potential Business Interruption Coverage: July 18, 2007 Manhattan Steam Pipe Explosion," *Insurance Coverage Alert*, August 31, 2007
- "Companies May Be Covered For Business Interruption or Related Losses Resulting from 'Hacker Attacks' and Other E-Commerce Risks," *Insurance Coverage Bulletin*, March 2000

#### Commerical General Liability Insurance

- "Texas Supreme Court Holds 'Contractual Liability Exclusion Inapplicable,'" *Insurance Coverage Alert*, January 21, 2014
- "Texas High Court Fortunately Says 'No' In Ewing," *Law360*, January 17, 2014
- "Leading Coverage Lawyers: The Most Significant Insurance Coverage Decisions Of 2013," *Coverage Opinions*, Vol. 3, Issue 1, January 8, 2014
- "Late Notice Decision Favors Policyholders," *The Insurance Coverage Law Bulletin*, Vol. 7, No. 1, February 2008
- "Decision Favors Policyholders Asserting Construction Defect Claims," *The Insurance Coverage Law Bulletin*, Vol. 6, No. 10, November 2007
- "Recent Pennsylvania Legislative And Judicial Developments Favor Policyholders Asserting Statutory And Common Law Bad Faith Claims," *Mealey's Litigation Report: Insurance Bad Faith*, November 2007
- "The Emergence of Prejudice As a Necessary Element of an Insurer's Late Notice Defense: An Analysis of NY Law," *The Insurance Coverage Law Bulletin*, Vol. 6, No. 7, August 2007
- "NY Decision Favors Policyholders Seeking Coverage for Unresolved Asbestos-Related Liabilities," *The Insurance Coverage Law Bulletin*, Vol. 6, No. 5, June 2007
- "Pennsylvania Supreme Court Rules On Assignments," *The Insurance Coverage Law Bulletin*, Vol. 6, No. 1, February 2007
- "Insurance Coverage For Silica Claims," *Silica Legal News Report*, Vol. 1, No. 1, July 2005
- "Insurance Coverage For Silica Claims," *The Insurance Coverage Law Bulletin*, Vol. 3, No. 7, August 2004
- "Insurance Coverage For Mandolidis-Type Claims," *Insurance Coverage Update*, February 2003
- Insurance Coverage for Natural Resource Damages, *Insurance Coverage Alert*, January 2003
- "Terrorism Risk Insurance Act of 2002," *Insurance Coverage Alert*, December 2002
- "Lititz Mutual Insurance Co. v. Steely. Pennsylvania Supreme Court Takes a Second Look at the Absolute Pollution Exclusion," *Journal of Insurance Coverage*, Summer 2002
- "The Absolute Pollution Exclusion in Pennsylvania Post-Madison: Intermediate Appellate Courts Resume the Debate," *Journal of Insurance Coverage*, Autumn 2001
- "Pennsylvania High Court Hands Down Long-Awaited Sunbeam Decision," *Insurance Coverage Alert*, October 2001
- "California High Court Hands Down Two Pro-Insurer Split Decisions on Environmental Coverage Issues: *Foster-Gardner, Inc. v. National Union Fire Insurance Co.* and *Aydin Corp. v. First State Insurance Co.*," *Journal of Insurance Coverage*, Winter 1999

#### Additional Insured Issues

- "Wrap Your Head Around ISO's Additional Insured Revisions," *Insurance Coverage Alert*, July 16, 2013, originally published in *Law360*, June 14, 2013
- "Determining the Scope of 'Additional Insured' Coverage: Recent ISO CGL Insurance Form Revisions Merit Close Attention By Contracting Parties," *Insurance Coverage Alert*, 9 May 2013
- "SO's 2013 'Additional Insured' Endorsement Changes Merit Close Attention," *Coverage*, Vol. 23, No. 3, May-June 2013

## International Arbitration

- "The International Comparative Legal Guide to: International Arbitration: USA," Chapter 62 (2014), Chapter 64 (2013), Chapter 58 (2012), Chapter 51 (2012)
- "ICC To Unveil New Rules of Arbitration," *Arbitration World*, August 2011
- "The UAE's Proposed Federal Arbitration Law," *Arbitration World*, October 2010
- "Recent Developments Concerning Dubai Ruler's Decree 57 of 2009," *Arbitration World*, May 2010
- "International Arbitration in the UAE and the Middle East Region: Recent Developments," *Arbitration World*, February 2010
- "Protocol of Enforcement Affords Reassurance on Enforcement of DIFC-LCIA Arbitral Awards and DIFC Judgments Beyond DIFC Boundaries," *Arbitration World*, October 2009

## The London Market

- "Proposed Part VII Transfer of Liability on Lloyd's Policies: Considerations for Lloyd's Policyholders," *Insurance Coverage Alert*, May 22, 2009
- "Proposed Equitas Transaction with Berkshire Hathaway: What Does It Mean for Lloyd's Policyholders?," *Insurance Coverage Alert*, January 2007
- "Threatened Equitas Insolvency: Is The Lloyd's "Chain of Security" Really Secure?..," *Journal of Insurance Coverage*, Summer 2002
- "Is it Still Possible to Litigate Against Lloyd's in Federal Court?," 34 *Tort & Ins. L. J.* 1065, *Tort & Insurance Law Journal*, Summer 1999

## Class Action Litigation

- "Utilizing Recent Case Law to Develop Effective Products Liability Class Action Strategies," *Copyright 2011 Thomson Reuters/Aspatore*, July 18, 2013
- "Utilizing Recent Case Law to Develop Effective Products Liability Class Action Strategies," *Litigating Products Liability Class Actions*, Chapter 1, Aspatore Books (Inside the Minds Series), November 2011

## Other Publications

- "Federal Insurance Office Unveils Long-Awaited Modernization Report," *Insurance Coverage Alert*, December 17, 2013
- "TalkingPoint: Managing Risk In The Chemicals Industry," *Financer Worldwide*, December 2013
- "New York Appellate Court Clarifies Fidelity Bond "Direct Loss" Requirement," *Insurance Coverage Alert*, August 7, 2013
- "Recent Developments in Insurance Coverage," 48 *Tort Trial & Ins. Prac. L.J.* 285, *Tort Trial & Insurance Practice Law Journal*, Fall 2012.
- "Recent Developments in Insurance Coverage Litigation," 47 *Tort Trial & Ins. Prac. L.J.* 297, *Tort Trial & Insurance Practice Law Journal*, Fall 2011
- "Recent Developments In Excess Insurance, Surplus Lines Insurance, And Reinsurance Law," 45 *Tort Trial & Ins. Prac. L.J.* 329, *Tort & Insurance Practice Law Journal*, Winter 2010
- "Recent Developments In Excess Insurance, Surplus Lines Insurance, and Reinsurance Law," 41 *Tort Trial & Ins. Prac. L.J.* 393, *Tort & Insurance Practice Law Journal*, Winter 2006
- "Upheaval in the Insurance Industry: Potential Implications for Policyholders," *Practical Law Company Cross-Border*, Vol. 1, No. 1, April-June 2005
- "Marsh Settles Spitzer Charges For \$850 Million," *Insurance Coverage Alert*, February 2005

- "Insurance Industry Bid-Rigging/Steering Scheme Allegations Demand Policyholder Attention," *Insurance Coverage Alert*, October 2004
- "Proposed Life Insurance Employee Notification Act," *Corporate Alert*, February 2003
- "Terrorism Risk Insurance Act of 2002," *Insurance Coverage Alert*, December 2002
- "Bankruptcy Court Rules The Babcock & Wilcox Company Solvent At Time Of Asset Transfer," *K&L Update*, Spring 2002
- "Insurance Facts Businesses Should Know In The Wake of September 11," *Journal of Investment Compliance*, Vol. 2, No. 3, Winter 2002

## PUBLICATIONS

- Cybersecurity: Minimizing Risk and Managing Consequences, Materials from K&L Gates Seminar, 9 December 2014
- Cyber-insurance becomes popular among smaller, mid-size businesses, Quoted in The Washington Post, 12 October 2014
- Financial institutions Warned on Cyber- Insurance, COOConnect, 8 October 2014
- Cyber Risk and Global Security Issues: Is Your Business Fully Prepared, 2 October 2014
- What to Consider When Buying Cyberinsurance, Risk Management Magazine, 1 October 2014
- Retailers Face A Blizzard of Breaches: Are You Covered?, Insurance Coverage Alert, 15 September 2014
- *U.S. Bank v. Indian Harbor*: Insurers Face Another Restitution/Disgorgement Setback, Insurance Coverage Alert, 9 September 2014
- Retailers Face A Blizzard Of Breaches: Are You Covered?, Law360, 2 September 2014
- Your D&O Insurance Policy Post-Halliburton, Insurance Coverage Alert, 28 July 2014
- The International Comparative Legal Guide to: International Arbitration 2014, 11 edition, Global Legal Group Ltd., 25 July 2014
- Global Boardroom Risk Solutions Newsletter, K&L Gates Publication, July 2014
- Why Buy Cyber and Privacy Liability, Insurance Thought Leadership, 21 July 2014
- You have a perfectly good CGL, so why buy cyber and privacy liability?, Advisen Cyber Risk Network, 15 July 2014
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## PROFESSIONAL/CIVIC ACTIVITIES

- United Way of Allegheny County
  - Tocqueville Committee (2012 to present)
  - Emerging Leaders Tocqueville Sub-Committee Tocqueville Committee (2013 to present)
  - Young Leaders Group (Member, 2000 to present; Committee Member, 2001; Co-Chair, 2002; Philanthropy Sub-Committee, 2006)
  - Women's Leadership Counsel (Member, 2001 to present)
  - Campaign Cabinet (2002)
- Allegheny Conference on Community Development (Athena Award Program Host Committee, 2004 to 2010)
- Downtown Pittsburgh YMCA (Board of Management, 2004 to 2010; Advisory Committee, 2010 to present)
- University of Pittsburgh School Of Law
  - Chancellor's Circle
  - Law Fellows
  - Murray S. Love Mock Trial Competition Judge (2011 and 2012)
  - Alumni Reunion Class Representative (2008 and 2013)
- American Bar Association
  - Section of Litigation
  - Tort and Insurance Practice Section
- Allegheny County Bar Association (Civil Litigation Section)
- Pennsylvania Bar Association (Civil Litigation Section)

## ADMISSIONS

- Bar of Pennsylvania
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Tenth Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Western District of Pennsylvania

## EDUCATION

- J.D., University of Pittsburgh School of Law, 1998, (*magna cum laude*; *Order of the Coif*, Managing Editor, *University of Pittsburgh Law Review*, Faculty Award For Excellence In Legal

Scholarship; CALI Excellence for the Future Award®)

- B.A., Carnegie Mellon University, 1994, (*cum laude*)

## LANGUAGES

- French

## REPRESENTATIVE EXPERIENCE

### INSURANCE COVERAGE LITIGATION AND ARBITRATION

Ms. Anderson has significant experience in complex commercial litigation with a substantial focus on the litigation, trial, appeal, arbitration and mediation of insurance coverage disputes.

Representative matters include:

- Briefed, argued and secured a precedent-setting victory on behalf of the policyholder in a landmark decision concerning insurance coverage for losses caused by a mechanical equipment failure. The suit successfully challenged the applicability of the standard-form “your work,” “your product,” product recall, and “impaired property” business risk exclusions typically contained in CGL policies. Reported in *Risk & Insurance*.
- Briefed a precedent-setting victory on behalf of the policyholder in a landmark decision concerning insurance coverage for claims alleging injuries resulting from exposure to radioactive emissions from nuclear fuel processing facilities. Reported in *Business Insurance*.
- Successfully represented a worldwide oil and gas exploration and production company regarding recovery under its Bermuda Form excess liability insurance policies in connection with underlying class action litigation alleging property damage relating to a Hurricane Katrina related crude oil spill at a refinery.
- Successfully represented one of the four largest U.S. bank holding companies regarding recovery under its financial institution bonds/fidelity policies in connection with a substantial employee theft loss.
- Successfully represented one of the largest U.S. diversified financial institutions regarding recovery under its vehicle residual value insurance policy. The case settled favorably on the eve of trial for a mid-nine figure recovery.
- Successfully represented one of the world's three largest producers of aluminum regarding recovery under its general liability insurance policies in connection with underlying claims alleging property damage to boats and other seafaring vessels arising out of the distribution of an aluminum alloy.
- Successfully represented a provider of health benefit plans regarding recovery under its excess loss mitigation insurance policies in connection with the settlement of underlying securities class action lawsuits. Following the initiation of litigation and mediation, the case settled favorably.
- Successfully represented an energy-sector policyholder regarding recovery under its pollution insurance policy in connection with the remediation of a former nuclear fuel processing facility. Following the initiation of litigation and discovery, the case settled favorably.
- Successfully represented a private equity investment firm regarding recovery under its professional liability insurance policy in connection with underlying litigation alleging breach of a merger agreement. Following the initiation of New York-seated arbitration proceedings, discovery and successful briefing on disputed coverage issues, the case settled favorably.
- Successfully represented a group self-insurance fund policyholder regarding recovery under its crime/fiduciary policy in connection with a substantial employee theft loss. Following the initiation of litigation, discovery and successful briefing on disputed issues, the case settled favorably.

## **INSURANCE COVERAGE COUNSELING**

Ms. Anderson has counseled policyholders in connection with a wide range of insurance issues and disputes arising under almost every kind of business insurance policy, including under “cyber”/privacy policies in connection with the largest data breaches to date. A list of representative matters is available on request.

## **INSURANCE COVERAGE DUE DILIGENCE**

Ms. Anderson has performed insurance due diligence for clients contemplating mergers and acquisitions concerning the adequacy of the target companies’ insurance programs. Representative matters include:

- Counseled an energy-sector client in assessing key coverage terms and conditions, including sufficiency of limits, of a target company’s nuclear, pollution legal liability, commercial general liability and property insurance policies prior to acquisition.
- Counseled a nonprofit client in assessing key coverage terms and conditions, including change-in-control, anti-assignment, cancellation provisions, and extended reporting and tail coverage options, of a target’s commercial general liability, D&O, E&O, professional liability and workers’ compensation/employers’ liability policies prior to merger.

## **INSURANCE COVERAGE NEGOTIATION AND PLACEMENT**

Ms. Anderson has counseled clients on complex underwriting and risk management issues, including the drafting and negotiation of D&O, E&O, data privacy and “cyber”-liability, and other insurance policy and blended program placements. Representative matters include:

- Represented the world’s largest global and telecommunications company in structuring and negotiating the terms of its technology E&O, cybersecurity, data privacy and D&O insurance programs, with unprecedented market capacity
- Represented one of the world’s four largest media conglomerates in structuring and negotiating the terms of its E&O, cybersecurity, data privacy and D&O insurance programs
- Represented a Fortune 100 multinational financial services corporation in assessing and negotiating the terms of its cybersecurity and data privacy insurance program
- Represented one of the five largest U.S. banks in structuring and negotiating the terms of its cybersecurity and data privacy insurance program
- Represented the world’s largest private operator of health care facilities in assessing and negotiating the terms of its technology E&O, cybersecurity and data privacy insurance program
- Represented a Fortune 500 retailer in assessing and negotiating the terms of its technology E&O, cybersecurity and data privacy and D&O insurance programs