



## Lee M. Epstein

Shareholder

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A civil litigator and trial lawyer, **Lee M. Epstein** serves as Chair of the firm's Insurance Counseling and Recovery Practice Group. He represents corporate and individual policyholders in maximizing insurance recoveries in response to an array of hazards (including, asbestos, cyber, environmental, hearing loss, intellectual property, privacy and product liabilities) and catastrophic property and business interruption losses. In that capacity, Lee advises market leaders in the airline, chemical, construction, financial services, food, HVAC&R, packaging, retail and satellite television industries. He is currently litigating insurance coverage disputes throughout the state and federal courts of the United States.

Recognized for his "broad scope of knowledge and a particularly good understanding of business interruption insurance," Lee was named a 'Leader in the Field' of Insurance by *Chambers & Partners*. He is a Fellow of the American College of Coverage Counsel and has been named to the Pennsylvania "Super Lawyer" list by Thomson Reuters. A frequent author and lecturer, Lee contributes to the Insurance Authority Expert Analysis section of *Law360* and offers presentations on a variety of insurance and litigation topics.

### REPRESENTATIVE MATTERS

- Secured an eight figure settlement in response to a product recall
- Secured appellate affirmance of a trial court's ruling that an insurer is obligated to defend underlying asbestos cases entirely rather paying only for a pro rata portion of defense costs
- Successfully represented a construction company in an insurance coverage dispute that arose in the aftermath of a construction crane accident
- Successfully argued the appeal on behalf of a satellite television provider in a patent infringement insurance coverage case
- Resolved a cyber-insurance dispute involving a computer fraud perpetrated on a multi-national telecommunications company
- Successfully tried and then secured appellate victory in a hearing loss insurance coverage case on behalf of a multi-national sugar refiner

### Practice Areas

Insurance Counseling and Recovery Law  
Litigation

### Admissions

New York  
Pennsylvania  
U.S. Supreme Court  
U.S. Court of Appeals for the Second Circuit  
U.S. Court of Appeals for the Third Circuit  
U.S. Court of Appeals for the Ninth Circuit  
U.S. Court of Appeals for the Tenth Circuit  
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 Western District of Pennsylvania  
U.S. District Court for the Eastern District of New York  
U.S. District Court for the Southern District of New York  
U.S. District Court for the Middle District of Illinois  
U.S. District Court for the District of Colorado

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- Secured a jury verdict on behalf of condominium association in response to insurer's denial of coverage for a multimillion dollar personal injury claim
- Successfully tried an environmental insurance coverage case on behalf of a major financial institution
- Secured an insurer-provided defense for a satellite television provider in connection with an underlying lawsuit commenced by the United States 2 and four state governments under the Telephone Consumer Protection Act and other statutes governing unsolicited communications

#### Education

- George Washington University School of Law, J.D., 1986
- The Pennsylvania State University, B.A., with honors, 1981

#### HONORS & AWARDS

- Selected as a 'Leader in the Field' of Insurance, Pennsylvania, *Chambers & Partners USA*, 2022-2023
  - 2023: "Lee is a wonderful and effective outside counsel." "Lee is a go-to for complicated coverage matters."
  - 2022: Lee was noted for his "broad scope of knowledge and a particularly good understanding of business interruption insurance."
- Selected to *Best Lawyers in America*® in the area of Insurance Law, 2024
- Named a Pennsylvania "Super Lawyer", 2023 by Thomson Reuters, publishers of *Pennsylvania Super Lawyers*

*A description of the standard or methodology on which the accolades are based can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

#### PROFESSIONAL AFFILIATIONS

- American Bar Association, Member
- New York State Bar Association, Member
- Pennsylvania Bar Association, Member
- American College of Coverage Counsel, Fellow

#### ARTICLES & ALERTS

9th Circ. COVID Coverage Ruling Misapplies Burden Of Proof  
*Law360* (October 21, 2021)

After Ida, A Look At Sandy's Flood Insurance Lessons  
*Law360* (October 1, 2021)

Looking for Coverage in all the Right Places  
*Capaldi Reynolds & Pelosi* (September 15, 2021)

Policyholder Best Practices As Cyberattacks Escalate  
*Law360* (September 4, 2021)

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Déjà Vu All Over Again: Hurricanes Katrina and Ida and the Long and Winding Road to Insurance Recovery  
*FG Law Blog* (August 30, 2021)

Policyholders Nab Wins In COVID Suits, In 'Sea Change'  
*Law360* (August 27, 2021)

COVID Insurance Rulings Are Misinterpreting 'Physical Loss'  
*Law360* (July 26, 2021)

NJ Policyholders Could Still See Recovery For COVID Losses  
*Law360* (June 18, 2021)

Flaster Greenberg Adds 2 More Attys To Insurance Practice  
*Law360* (June 3, 2021)

Flaster Greenberg Launches Insurance Recovery Group With Laterals From Offit Kurman, Weisbrod Matteis & Copley  
*The Legal Intelligencer* (June 2, 2021)

Flaster Greenberg adds insurance litigation duo  
*The Philadelphia Business Journal* (June 1, 2021)

Three-lawyer insurance litigation team leaves D.C. firm, returns to Flaster Greenberg  
*The Philadelphia Business Journal* (July 31, 2020)