



## Jay M. Levin

*Shareholder*

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**Jay M. Levin** is a member of Flaster Greenberg's Insurance Counseling and Recovery and Litigation Practice Groups, focusing his practice on representing policyholders in disputes with insurance companies involving all types of insurance coverage.

Mr. Levin has extensive litigation experience in multi-million dollar property insurance coverage cases, including suits involving policy construction and application, cause and origin, valuation, and business interruption issues. He has assisted clients in successfully resolving eight and nine figure Hurricane Katrina and Superstorm Sandy cases without litigation, and successfully representing other policyholders in litigating Katrina and Sandy cases. Mr. Levin represents policyholders in pursuing claims for loss resulting from various forms of cyber crime, including hacking and social engineering. He represented financial institutions and other commercial policyholders in claims arising under fidelity and crime policies, including claims arising out of defaulted mortgages and employee embezzlement. He has also litigated significant EPL, professional liability, construction defect, and general liability coverage cases.

In the Directors and Officers liability area, Mr. Levin actively works with clients to resolve all types of disputes, including application of exclusions and allocation issues. He has also arbitrated cases before the American Arbitration Association and in private binding arbitration. Most of his litigated cases involve allegations of bad faith and he is well-versed in that area, as well.

An experienced appellate lawyer with over 40 years of experience in briefing and arguing appeals in state and federal court, Mr. Levin has a great deal of experience arguing cases involving insurance coverage, indemnity agreements, case dispositive procedural issues, and tort liability.

Mr. Levin also counsels policyholders in non-litigation contexts. He analyzes coverage after a loss has occurred or claim has been made to assist policyholders in presenting the claim to the insurance carrier. He assists policyholders in responding to inquiries and in pointing out errors in the carrier's coverage position in order to avoid litigating insurance claims, including, *inter alia*,

### Practice Areas

Insurance Counseling and  
Recovery Law  
Litigation

### Admissions

Pennsylvania  
New Jersey  
New York  
District of Columbia  
U.S. Supreme Court  
U.S. Court of Appeals for  
the D.C. Circuit  
U.S. Court of Appeals for  
the Second Circuit  
U.S. Court of Appeals for  
the Third 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  
District of New Jersey  
U.S. District Court for the  
Southern District of New  
York  
U.S. District Court for the  
Eastern District of New  
York  
U.S. District Court for the  
District of Columbia

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first-party, professional liability, EPL, D&O, fidelity, crime, cyber, and general liability claims. In addition, he also counsels clients and evaluates coverage in connection with policy renewals, primarily in property, D&O, and professional liability insurance.

A frequent lecturer and author, Mr. Levin speaks and writes on insurance coverage related topics and has spoken at dozens of industry-specific programs, including: *Inter Alia*, the American Bar Association, American Conference Institute, the Practising Law Institute, Mealey's Litigation Report, the Pennsylvania Bar Institute, and the Urban Land Institute, among other organizations. He currently serves as an editor and contributing author of the *Property Insurance Litigator's Handbook* and is the former chair of the American Bar Association's Tort Trial & Insurance Property Insurance Law Committee.

#### **HONORS & AWARDS**

- Selected to Best Lawyers in America® in the area of Insurance Law, 2006-2021, 2023-2024
- Selected as a 'Leader in the Field' of Insurance Law (Ranked as a Band 1 Lawyer), Pennsylvania, Chambers & Partners USA, 2015 – 2023
  - 2022: According to one source, Levin "is a smart, thoughtful, excellent lawyer" who "absolutely knows his stuff and is very detailed and creative in his approach."
- Named a Pennsylvania "Super Lawyer" in Insurance Coverage Law by Thomson Reuters, publishers of *Pennsylvania Super Lawyers Magazine*, 2004 – 2006, 2008 – 2021 & 2023

*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
  - Litigation Insurance Coverage Committee, 2004 - Present
  - Tort Trial & Insurance Property Insurance Law Committee, Former Chair
- American Conference Institute
- *CGL Reporter*, published by the International Risk Management Institute, Editorial Board Member, 2016
- Insurance Editorial Advisory Board, Member, 2015 & 2016
- Pennsylvania Bar Association
- Philadelphia Bar Association

U.S. District Court for the Eastern District of Michigan

#### **Education**

- University of Pennsylvania Law School, J.D., 1981
- University of Pennsylvania, A.B., History, 1977

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## **ARTICLES & ALERTS**

Property Insurance Litigator's Handbook, Third Edition  
*American Bar Association* (February 2, 2022)

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)

Recent Developments In Property Insurance Coverage Litigation  
*Tort Trial & Insurance Practice Law Journal* (Winter 2019)

Recent Developments In Property Insurance Coverage Litigation  
*Tort Trial & Insurance Practice Law Journal* (Winter 2018)

Recent Developments In Property Insurance Coverage Litigation  
*Tort Trial & Insurance Practice Law Journal* (Winter 2017)

The Clock is Ticking  
*Continuity Magazine* (May 2016)

3rd Circ. Says Insurers Can't Evade Defense Obligations  
*Law360* (March 7, 2016)

Recent Developments In Property Insurance Coverage Litigation  
*Tort Trial & Insurance Practice Law Journal* (Winter 2016)

"Decay" Includes Gradual Deterioration  
*IRMI* (July 2015)

Send Your Reservation Of Rights To The Right Person  
*Law360* (June 25, 2015)

Builders Risk Policies: Are You Really Covered?  
*IRMI* (August 2014)

Insurable Interest and Having Enough Skin in the Game  
*IRMI* (March 2014)

Coverage Endorsements: Is Your Company Carefully Reviewing Policy Changes and Correspondence with Insurance Companies and Brokers?  
*IRMI* (Winter 2014)

Recent Developments in Property Insurance Coverage Litigation  
*Tort Trial & Insurance Practice Law Journal* (Fall 2013)

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Property Insurance Litigator's Handbook, Second Edition  
*American Bar Association* (2013)

Consequential Damages Resulting from an Insurer's Breach of Contract  
*ABA TIPS Brief, Vol. 41 No. 4 Edition* (Spring 2012)

Law Firm & Client Mergers: How to Comply with Ethical Requirements During a Transition  
*American Bar Association Tort Trial & Insurance Practice Session* (Spring 2011)

Recent Developments In Property Insurance Law  
*Tort Trial & Insurance Practice Law Journal* (Spring 2011)

Replacement Cost Policies and the Dangers When an Insurance Company Refuses to Pay Actual Cash Value  
*Lexis Nexi* (2010)

Balancing the Model Roles and Zealous Advocacy: Don't Step Over That Line  
*American Bar Association Tort Trial & Insurance Practice Session* (Spring 2010)

Does a Patch Need to Match? Understanding 'Like Kind and Construction' in the Wake of *Greene v. USAA*  
*The Insurance Coverage Law Bulletin, Vol. 7, No. 8* (September 2008)

Recent Developments in Property Insurance Law  
*Tort Trial & Insurance Practice Law Journal* (Spring 2008)

Property Insurance Litigator's Handbook, First Edition  
*American Bar Association* (2007)

Recent Developments in Property Insurance Law  
*42 TTIPS Law Journal 673* (2007)

Is Defective Workmanship an Occurrence?  
*5 Insurance Coverage Law Bulletin* (November 2006)

Recent Developments in Property Insurance Law  
*41 TTIPS Law Journal 685* (2006)

Recent Developments in Property Insurance Law  
*39 TTIPS Law Journal 719* (2004)

The Scope of Discovery in Bad Faith Actions: How Far Can You Go?  
*The Legal Intelligencer Litigation Quarterly* (August 28, 2000)

The Importance of an Opening in an Appellate Argument: A Case Study  
*Certworthy - DRI Appellate Advocacy Committee Newsletter* (Winter 2000)