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**NICOLAIDES GROUP LEAVES BATES CAREY  
TO FORM NEW INSURANCE COVERAGE-FOCUSED LAW FIRM**

***California Group Led by Gordon & Rees Partner Joins Attorneys in Chicago  
To Form New Nationwide Practice with More than 30 Lawyers;  
Firm Focused Exclusively on Representing the Interests of Global Insurers***

***WOMEN COMPRISE THE MAJORITY OF FIRM'S PARTNERS***

**CHICAGO – Jan. 7, 2014** – Twenty-nine attorneys from Chicago-based Bates Carey Nicolaides LLP announced today they have left the firm and have been joined by four attorneys led by Gordon & Rees LLP partner Sara Thorpe to form a new insurance coverage law firm: **Nicolaides Fink Thorpe Michaelides Sullivan LLP**. The new practice is among the largest U.S. firms focused solely on representing the interests of global insurers, and one of the very few with a majority of female founding partners.

The firm's founding partners in Chicago are **Richard Nicolaides, Jr., Matthew Fink, Barbara Michaelides** and **Monica Sullivan**. In addition, California founding partner **Sara Thorpe** will manage offices in both San Francisco and Los Angeles. The group enjoys a broad geographic footprint and reputation, and many of the attorneys have more than 20 years of experience representing both domestic and international insurance companies on a wide range of legal issues. The firm expects to double in size within its first five years. Former Sedgwick Detert staffer Jena Neisler serves as Chief Administrative Officer.

The firm serves clients' needs in claims advice, litigation and appeals, risk management and counseling. Its attorneys take on complex insurance disputes in the courtroom and before arbitration panels in the United States and abroad. The firm's lawyers are experienced in successfully resolving complex disputes in state and federal trial and appellate courts throughout the country arising under primary and excess property, commercial, and professional liability policies involving a wide range of exposures. For example:

- The firm's attorneys have been litigating **intellectual property infringement and unfair business practice disputes** across the country for more than a decade. They have secured determinations that their clients did not have a duty to defend or indemnify such policyholders as Discover Financial Services, the Walgreen Company, and Dish Network in patent infringement litigation under their respective "advertising injury" coverage provisions.

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Likewise, the firm's attorneys have secured rulings that commercial disparagement allegations cannot trigger "personal and advertising injury" coverage where the alleged disparagement is not directed at the underlying claimant, and determinations that false-advertising, antitrust and price-fixing claims do not trigger a duty to defend under "personal and advertising injury" coverage.

- The firm's attorneys have been at the forefront of addressing coverage issues in the context of **terrorism financing lawsuits**. They recently prosecuted an appeal before the Ohio Court of Appeals from a declaratory judgment that a liability insurer had a duty to defend Chiquita against tort claims arising from Chiquita's Colombian operations, which had allegedly bankrolled various terrorist groups in the country for decades. The appellate court reversed and entered judgment for the insurer, finding no coverage because Chiquita's conduct was intentional and the injuries had occurred outside the policies' coverage territory.
- **Construction defect claims**: The firm's attorneys represent insurers in coverage litigation throughout the country, including Vermont, Colorado and California. At stake are multi-million-dollar claims under complex owner-controlled insurance programs arising from myriad construction defects at large residential and commercial developments. The cases involve many unique issues including the constitutionality of retroactive statutes, the applicability of bad faith statutes to owner claims, and policy reformation.
- **Asbestos claims** continue to present an enormous liability for the insurance industry. The firm's attorneys have served as lead trial counsel in the complex departments of California State courts representing excess insurers in the uncharted waters of exhaustion of primary insurance, products versus operations, and stacking of limits.
- **Cyber-crimes, hacking and data security** represent a new wave of global exposures faced by institutions and corporations in the digital world. Insurance companies increasingly are dealing with claims arising from violations of privacy, property and theft of information stemming from cyber intrusions. The firm's attorneys are litigating cases of first impression, such as the one in New York State Court where they represent an insurance company against Sony Corporation. The case involves the issue of whether a commercial general liability policy provides coverage for claims arising out of computer hacking and, in this case, the alleged exposure of the personal information of millions of Sony's PlayStation® network customers. The firm also works with insurers to assess related risks, including counseling regarding the underwriting and evaluation of recently developed cyber-liability insurance.

The firm's attorneys are considered thought leaders in their field, winning litigators, and highly successful counselors on a wide variety of insurance-related practice areas, including: Appellate; bad faith; Bermuda market; commercial transportation; construction defects; environmental/toxic tort; first-party property; intellectual property; life; managed care and health care; policy drafting and claims management; primary and excess general liability; and professional/ management liability.

#### ***Shared Philosophies and Seamless Communications Benefit Clients***

"Ours is an entirely new breed of law firm that's unlike others in our niche," said Managing Partner Richard Nicolaides. "In addition to the specific nature and scope of our experience, our aim is to attract the nation's best insurance lawyers, regardless of geographic location – especially those who share our philosophical approach – and empower and enable their continued success by providing the very best technology platform."

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The approach to the firm's technology platform is aimed at making communications, administration and related costs more attractive to clients than that of others firms. Initially, its scope will include an advanced networked computer system; high-tech document management, accounting and time-entry systems; and a state-of-the-art client relations management (CRM) system. Additional technologies will be added as necessary, but only if they provide real benefits to clients.

"In joining my colleagues from Chicago, I am truly impressed with the experience and successes they have been able to deliver to clients," offered California Founding Partner Sara Thorpe.

Founding Partner Matthew Fink added, "We are grateful for the strong partnerships we have with our clients, who have expressed enthusiasm for our new venture. The new firm will continue to advance aggressive advocacy and strategic problem-solving in collaboration with our clients."

The Nicolaides LLP team represents a number of insurance companies including: AIG, Allied World, Beazely, Endurance, Global Indemnity, Ironshore, Markel, Mitsui Sumitomo Insurance Group, Resolute Management (OneBeacon, London Market, Stonewall, CNA) and RiverStone Claims Management (U.S. Fire, Industrial Indemnity, TIG).

"The demand for experienced insurance coverage counsel is expected to grow, due to the ever-changing landscape of risks and exposures faced by global insurers," Nicolaides stated. "Our clients rely on us to anticipate and provide services in all areas of coverage, to handle their disputes, to control costs, and to ensure that their legal and business objectives are met."

### ***Women in Leadership***

More than half of the new firm's attorneys are women, including 11 of its 19 partners. Among them is Founding Partner Sara Thorpe, who played a central role in the Women's Initiative at Gordon & Rees. The Initiative was designed to provide leadership, inspiration and opportunities for women attorneys and help them advance within the firm and in the legal professional overall.

"It's very inspiring to see more and more women seizing opportunities and rising to leadership positions in our field, both in law firms and in the insurance industry," Thorpe said. "We are particularly thrilled to be part of a new firm that is focused on insurance industry clients, and to become colleagues with such well-regarded, accomplished litigators and appellate lawyers," she added. "This is such a great opportunity to be able to serve our clients from a broad national platform, in an environment where there should be fewer conflicts, yet the same resources, compared to a larger firm."

### ***Collaborative, Nimble and Responsive Model***

The firm's collaborative approach is based on a shared common belief in excellence, professionalism, creativity, collegiality and responsiveness in the practice of law.

"We are very excited to continue to effectively and successfully represent our insurance industry clients with a team of the most talented insurance attorneys from across the country," said Nicolaides. He characterized the firm's strengths by saying: "Our firm will offer a deep bench of skilled and experienced attorneys supported by the most advanced technology platform available, promoting collaboration and efficiency, to allow us to operate from a position of strength and be responsive to our clients' needs."

The firm's three offices will be located in Chicago at 71 S. Wacker Drive, 44<sup>th</sup> floor, 312-585-1400; in San Francisco at 601 California Street, 3<sup>rd</sup> floor; and in Los Angeles at 633 W. Fifth Street, 26<sup>th</sup> floor.