



Joanna Gau Swartout is special counsel who concentrates her practice in the areas of general commercial litigation, coverage litigation, public entity coverage, and reinsurance. Her practice includes advising clients on various insurance coverage issues and representing insurance companies in coverage disputes.

In law school, Joanna served on the editorial board of the Journal of Law and Social Policy and was Co-President of the Asian Pacific American Law Students Association. Prior to law school, Joanna worked as a senior manager in the Washington, D.C. and New Delhi offices of a multinational business research firm.

REPRESENTATIVE MATTERS

Wild Eggs Holdings, Inc., et al. v. State Auto Prop. & Cas. Ins. Co., 48 F.4th 645 (U.S. Court of Appeals for the 6th Circuit). Obtained ruling for insurer client under Kentucky law that governmental COVID-19 business restrictions in Kentucky, Indiana and Ohio did not cause “direct physical loss” of property, and were not issued in response to infectious disease at any insured premises, as would be required to trigger commercial property insurance coverage.

Haisous, LLC v. State Auto Prop. & Cas. Ins. Co., 2022 WL 999987 (U.S. District Court for the Northern District of Illinois) Obtained judgment that insurer owed no coverage for business income loss given that COVID-19 restrictions on restaurant operations did not constitute “direct physical loss” of property under Illinois law.

Rockhill Ins. Companies v. CSAA Ins. Exchange, Case No. 3:17-cv-00496-HDM-WGC (D. Nevada) In granting summary judgment, court concluded claim was excluded under \$1 million GL limit; no bad faith under pollution coverage because CSAA never made a demand within those eroded remaining limits, and because Rockhill’s settlement offers followed the advice of defense counsel.

PRESENTATIONS

Points and Considerations Related To Specific Public Entity Claims (2014)

PUBLICATIONS

"Illinois Supreme Court Ruling on BIPA Leaves Open Future Coverage Questions"
BatesCarey (May 25, 2021)

Contact Information

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Practice Areas

- Commercial General Liability
- General Commercial Litigation
- Professional Liability

Education

- Northwestern University School of Law, J.D. 2011
- University of Michigan, B.A. 2004, distinction and high honors

Memberships

- American Bar Association
- Chicago Bar Association

Admissions

- Illinois
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the Southern Districts of Illinois
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Ninth Circuit