BATESCAREY LLP

OMMID C. FARASHAHI

Partner

Ommid C. Farashahi is a member of the Firm's Management Committee and the Chair of the Firm's Professional Liability Coverage Group. He serves as coverage and litigation counsel to domestic and international insurers in various professional liability coverage matters, including D&O, E&O, Healthcare, and EPL coverage matters. He serves as counsel with respect to complex insurance claims such as securities class action lawsuits, derivative actions, regulatory investigations and proceedings, and employment-related litigation. Ommid also handles a wide range of managed care and healthcare matters involving GL, D&O, E&O, EPL, Fiduciary and Cyber exposures arising from healthcare providers and facilities.

Ommid has represented primary and excess insurers in the most significant D&O and E&O industry exposures, including the credit crisis, subprime meltdown, stock options backdating, mutual fund scandal, contingent commissions, analyst conflicts, and IPO laddering. He has also represented primary and excess EPL insurers in a number of race and gender discrimination class actions and FLSA class actions. Ommid also represents insurers in domestic and international litigation and arbitrations.

Ommid regularly speaks and provides in-house seminars on claims, underwriting, policy drafting, new product development, and topical issues concerning the insurance community. He is also Vice-Chair of the ABA TIPS Professionals' Officers' and Directors Liability Committee.

He is regularly ranked by Chambers USA, which lauds him for “his strength in handling professional liability claims” as insurance coverage counsel, noting "he is extremely responsive and his analysis is always thoughtful." Chambers also said “he thinks outside the box, and he is concise and thorough." In 2019, Ommid was named a GenX Notable Leader in the Law by Crain’s Chicago Business.

REPRESENTATIVE MATTERS

***XL Specialty Insurance Company v. WMI Liquidating Trust*,** Case No. 499, 2013 (Del. Supr. Ct.) Defended U.S. insurer in declaratory judgment action seeking coverage under excess Side A D&O Policy.

***Kruise v. Bloom Companies, LLC*,** Case No. 10-18726 (Wisc. Cir. Ct., Milwaukee) Defended U.S. architects and engineers insurer in direct action lawsuit.

***Martin Resource Management Corporation v. Zurich American Insurance Company*,** Case No. 12-758 (E.D. Tex.) Defended U.S. insurer in breach of contract and bad faith action seeking coverage under excess private D&O policy.

***Great American Insurance Company v. Sea Shepherd Conservation Society*,** Case No. 13-1017 (W.D. Wash.) Filed declaratory judgment action on behalf of U.S. insurer seeking a finding of no coverage under primary nonprofit D&O policy.

***Carlyle Investment Management, Inc. v. ACE American Insurance Company*,** Case No. 13-CA-3190 (D.C. Super. Ct.) Defended two U.S. insurers in declaratory judgment and breach of contract action seeking coverage under excess E&O policies.

Contact Information

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Practice Areas

- Bad Faith
- Bermuda Forms
- Counseling and Risk Management
- Healthcare Insurance and Reinsurance
- Professional Liability

Education

- Indiana University School of Law, J.D. 1996
- Indiana University, B.A. Political Science and History 1993

Memberships

- American Bar Association (Tort, Trial and Insurance Practice Section)
- Professionals' Officers' and Directors' Liability Committee
- Professional Liability Underwriting Society

Admissions

- Illinois
- Washington
- U.S. District Courts for the Northern and Central Districts of Illinois and the Eastern District of Michigan

***Troy Lillie v. Stanford Trust Company*,** Case No. 13-3127 (N.D. Tex.) Defended Bermudian excess E&O insurer in direct action lawsuit.

***XL Specialty Insurance Company v. Michael W. Perry*,** Case No. 11-2078 (C.D. Cal) Filed declaratory judgment action on behalf of U.S. insurer seeking a finding of no coverage under Side A D&O policy.

***YRC Worldwide, Inc. v. XL Insurance (Bermuda) Ltd.*,** Case No. 11-cv-2534 (D. Kan.) Defended Bermudian insurer in a declaratory judgment and breach of contract action seeking coverage under an EPL policy.

***Gastar Exploration Ltd. v. U.S. Specialty Insurance Company*,** Cause No. 2010-11236 (Tex. Dist. Ct.) Defended U.S. insurer in a declaratory judgment and breach of contract action seeking coverage under a D&O policy and obtained summary judgment based on interrelationship of claims provision.

***Princeton Eagle West Insurance Company Limited v. HSBC Finance Corp.*,** Case No. 10 CH 17094 (Ill. Ch. Ct.) Filed declaratory judgment action on behalf of Bermudian insurer seeking a finding of no coverage under D&O policy based on prior made claim exclusion.

***AXIS Reinsurance Company v. GeoStar Corp.*,** Case No. 09-cv-12608 (E.D. Mich.) Filed declaratory judgment action on behalf of U.S. insurer seeking to rescind D&O policy.

***Allied World National Assurance Company v. James A. Knight*,** Case No. 09 CH 27403 (Ill. Ch. Ct.) Filed declaratory judgment action on behalf of U.S. insurer seeking a finding of no coverage under primary D&O policy.

***J.P. Morgan Securities Inc. v. Vigilant Ins. Co.*,** Index No. 600979/09 (N.Y. Sup. Ct.) Defended U.S. insurer in declaratory judgment action seeking coverage under Financial Institution E&O policy.

***TOUSA, Inc. v. Federal Ins. Co.*,** 09-02281 (S.D. Fla.) Defended Bermudian insurer in declaratory judgment action seeking coverage under Side A D&O policy.

***Aon Corp. v. Certain Underwriters at Lloyd's of London*,** Case No. 06 CH 16852 (Ill. Ch. Ct.) Defended London insurer in declaratory judgment action seeking coverage under Insurance Broker E&O policy.

***Frank Andrew Dunn v. Chubb Insurance Company of Canada*,** Case No. 5043/06 (Ontario Super. Ct.) Defended Bermudian and U.S. insurers in declaratory judgment action seeking coverage under D&O policies.

***Prudential Equity Group LLC v. Chubb Custom Ins. Co.*,** Civil Action No. 06C092-016 JRS (Del. Ch. Ct.) Defended U.S. insurer in declaratory judgment action seeking coverage under Financial Institution E&O policy.

***Great Lakes Reinsurance (UK) PLC v. HealthSouth Corp.*,** CV-03-BE-1139-S (N.D. Ala.) Filed declaratory judgment action on behalf of London insurer seeking to rescind D&O policy.