

Track Record Insurance and liability

Kennedy Van der Laan

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The Insurance and Liability group particularly focuses on the national and international insurance practice and has a leading position within the Dutch market. Our clients are active throughout the market and they consist of, *inter alia*, national and international insurance companies active in the Netherlands, intermediaries, insurance brokers, insurance pools, surveyors and valuers and agents. In addition, we regularly assist multinationals and lower level authorities and other government bodies (including hospitals).

The area of expertise of our group is wide and diverse. We specialize in the handling of large and complex technical damage claims (including product recalls and fire) and the handling of cases in the field of professional liability, government liability, health law, employer liability (including asbestos claims) and (international) road traffic damage claims. Furthermore, in collaboration with other KVDL groups, we offer high-quality, practice-based and integrated solutions for and assistance in the setting up of insurance products and portfolios, joint ventures in the market and supervisory legislation.

We like to have close, direct and personal contact with our clients. We think an open and dynamical collaboration to be valuable and useful. The same goes for our strong contacts with the academic world. The attorneys in our insurance and liability practice are also part of our dispute resolution and litigation practice. This combination of factors offers a guarantee for the best possible result in any (conflict) situation.

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The litigation and insurance practice is broad and diverse. For an impression of our working field we can inform you that - without being exhaustive - we have an extensive experience in:

- The field of (international) product liability cases, including support and contractual aftermath of product recalls in market sectors such as the food and pharmaceutical, the automotive industry and medical industry. For example: we are representing a pharmaceutical company in the most high profile recent pharmaceutical liability case in the Netherlands
- The field of (international) professional indemnity cases (including medical malpractice and claims against intermediaries and agents, lawyers and IT-professionals)

- Municipal liability cases; our firm is often defending municipalities, schools and other governmental organizations against a wide variety of claims (including liability for defects in the public domain (such as highways))
- The field of technical damages; we advise and litigate regularly (both on liability as coverage issues) in complicated technical cases (like fire and mechanical defects)
- Insurance coverage issues; we advise on and litigate in a wide variety of coverage issues (including the drafting of policies). For example: we are representing the London insurance market in a high profile coverage issue regarding class action equity lease claims in the Netherlands
- Handling personal injury claims (inter alia in medical errors cases and car collisions cases)
- Handling employer's liability claims (including asbestos claims)
- Advice regarding the development of terms and conditions of insurance

In addition to the Insurance and Liability Practice, specific liability issues are handled in close cooperation with or by material specialists in other practice groups within the firm, including:

- Liability of members of Management and Supervisory Boards of Dutch companies
- Liability of architects and builders in construction projects
- Liability of print media for illegal publications
- Litigation regarding the duty of care of banks with respect to their customers
- Litigation on behalf of a major Dutch bank before the Commission for Resolution of Disputes in Bank and Mortgage Matters
- Liability arising out of distribution, agency and franchise contracts
- Liability arising out of transfers of business ownership (corporate, partnership)
- Branch organizations of members of the professions about insurance issues in connection with professional liability
- Professional liability of attorneys, civil law notaries, accountants, IT companies and tax consultants

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