



William A. Webster

Partner

Robins Kaplan LLP
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"I understand insurance and the business of insurance. I am a strategist and trial lawyer with a thorough understanding of underwriting and claims, extensive experience with U.S. and European markets and quota share risks, and an appreciation and recognition of the importance of the business relationship of the insurer and the policyholder."

FOCUS OF PRACTICE

Business Litigation

Construction

Domestic and International Arbitration

Insurance and Catastrophic Loss

Subrogation

Catastrophic loss litigation and years of trial experience in matters involving complex insurance coverage issues and large loss subrogation.

Product liability litigation for subrogated insurers, corporations and individuals and prosecution and defense of product and casualty claims and actions.

EXPERIENCE

Bill Webster joined Robins Kaplan LLP right out of law school in 1988 and is a partner and a leader in the Insurance and Catastrophic Loss Litigation Group. Mr. Webster's practice focuses on commercial property and energy and engineered risks, including coverage analysis and subrogation, dispute resolution, strategic advice, and trial and arbitration work arising from all types of perils and involving a multitude of risks under all risks, named perils, and builders' risk policies. He has litigated in state and federal court throughout the United States as lead counsel on multi-million dollar, complex disputes.

EXPERIENCE (Cont.)

Recently a federal judge commented “you are what trial lawyers should be.”

His clients recognize Mr. Webster’s experience in energy and infrastructure industry claims involving power generation facilities, wind and solar facilities, oil and gas refining, processing, and transport, including pipelines, supply chain interruption and time element issues, underground mines, and construction defects. He also has extensive experience with catastrophic events in production facilities, chemical plants, warehouses, office buildings, and restaurants. His years in the insurance industry handling complex claims and leading quota share cases for U.S., Lloyd’s, and London Market Insurers is reflected in his strategic savvy, his focused and practical approach to case management, and his strong skills as the leader of trial teams.

He is a frequent presenter and writer on litigation and insurance issues and is one of the firm’s two members of the Loss Executives Association. Clients also look to him to draft policies and specific policy provisions.

Mr. Webster is dedicated to providing exceptional service and common sense advice to clients and to instilling the same professionalism, responsibility and enthusiasm in younger lawyers in all practice groups. Mr. Webster is one of the original core faculty instructors of our Exceptional Advocate Training Program, a nationally recognized training curriculum designed to develop the next generation of world class trial attorneys by providing vigorous advocacy training conducted by our most experienced partners. He is also an instructor in the firm-wide legal writing program for new associates, and is a coach in our Business Development Program for Principals.

The first lawyer in his family and whose grandfathers were an immigrant farm worker and a coal miner, Mr. Webster is a tireless advocate and problem solver and has travelled to 47 states and several countries on behalf of his clients. He is married to his college girlfriend Gail, and they have been together for 30 years.

SELECTED CASES*
(Cont.)

United Refining v. National Union, et al, obtained summary judgment in arbitration for U.S., Lloyds and London Market Insurers in refinery's contingent business interruption claim arising from rupture and shutdown of crude oil pipeline. The federal district court agreed the arbitration provision required arbitration and enforced the clause in the policies, *United Refining v. National Union, et al*, 2013 U.S. Dist. LEXIS 175814 (E.D. Pa. 2013)

Markwest Hydrocarbon, Inc. v. Liberty Mutual Insurance Company, Birmingham Fire Ins. Co., ACE American Ins. Co., ARCH Ins. Co. Liberty Mut. Ins. Co., 558 F.3d 1184 (10th Cir. Colo. 2009) obtained summary judgment for quota share market dismissing pipeline operator's claim and holding time element loss resulting from hydrostatic testing of pipeline was not covered. Court recognized all-risk insurance is not a maintenance contract.

TIC-The Industrial Company v. Liberty Mutual Ins. Co., CV-09-114, District Court Routt County (March 10, 2010), obtained summary judgment for insurer on consequential loss issue arising from damage to ethanol plant under builders' risk policy. The Court disagreed with the often-cited *Keating* case and held an exclusion for consequential loss precluded coverage for "extended general conditions."

Obtained summary judgement for insurer dismissing claims arising from restaurant fire under ISO policy provisions.

Represented foreign businesses and foreign and domestic insurers in an international arbitration under ICC Rules involving the collapse of a large OSB press and a resulting fire. The loss occurred in Canada and was arbitrated in Paris and Zurich.

Trial counsel in inverse condemnation case in Los Angeles involving fire caused by defective transformer and resulting in multi-million dollar recovery.

Obtained \$5,800,000 settlement for subrogated insurer after winning liability phase of an inverse condemnation trial.

**SELECTED CASES
(Cont.)**

Co-trial counsel in the representation of several foreign and domestic insurance companies in litigation arising from the Olympic pipeline rupture and explosion in Bellingham, Washington. As a result of the unavailability of the pipeline, Atlantic Richfield sustained business interruption and extra expense losses. The litigation involved the resolution of coverage issues with Atlantic Richfield and a subrogation action against the owner and operator of the pipeline. The subrogation case settled for a confidential amount a month before trial was scheduled to begin in federal court in Seattle.

Represented insurers and individuals in recovery of property damage and personal injuries arising from St. Cloud, Minnesota Pipeline Explosion Litigation.

Multi-million dollar recovery for property insurer in large fire at rolled paper warehouse in Michigan, including cause and fire spread issues.

Multi-million dollar recovery for insurer in fire spread case arising from fire in warehouse facility in Southern Minnesota involving violations of building code requirements for separation walls.

Represented property insurer in recovery of damages caused by fire at historic University building.

Defended crane company in action arising from incident at oil refinery.

Represented insurance company in defense of \$12 million arson claim dismissed on summary judgment. *See RSBI Aerospace v. Affiliated FM Insurance Company*, 49 F.3d 399 (8th Cir. 1995).

Represented trucking company in defense of action alleging invasion of privacy. Case was dismissed by motion and affirmed by Minnesota Supreme Court. *See Bodah v. Lakeville Motor Express, Inc.*, 663 N.W.2d 550 (Minn. 2003).

WILLIAM A. WEBSTER, *continued*

**SELECTED CASES
(Cont.)**

Subrogation recovery for property insurer against multiple parties for damages caused by defective stainless steel pipe at chemical fertilizer factory in Missouri.

Subrogation recovery for insurer for losses caused by defective refrigeration system in large cold storage facility in Iowa.

Assisted insurer in evaluating subrogation potential of hundreds of claims arising from Northridge, California earthquake.

Subrogation recovery for damages caused by hydrochloric acid leak in computer chip manufacturing facility.

* Past results are reported to provide the reader with an indication of the type of litigation in which we practice and does not and should not be construed to create an expectation of result in any other case as all cases are dependent upon their own unique fact situation and applicable law.

BAR ADMISSIONS

Minnesota
California
U.S. Court of Appeals, Eighth Circuit
U.S. Court of Appeals, Tenth Circuit
U.S. District Court, Minnesota
U.S. District Court, Northern District of California
Pro Hac Vice Admissions in several states

**PROFESSIONAL
ASSOCIATIONS**

California Bar Association
Los Angeles County Bar Association
Minnesota State Bar Association

PUBLICATIONS

"Rain - Fire - Landslide and Proximate Cause: A California Tale," *Robins Kaplan LLP* (January 22, 2018)

WILLIAM A. WEBSTER, *continued*

**PUBLICATIONS
(Cont.)**

“Hurricane/Tropical Storm Harvey Update,” *Robins Kaplan LLP* (August 28, 2017)

“When is a Flood a ‘Flood:’ Texas Edition,” *Robins Kaplan LLP* (August 28, 2017)

“When is a Flood a ‘Flood:’ East Coast Edition,” *Robins Kaplan LLP* (May 2, 2017)

“When it Rains, it Floods: California Rainstorms and Flood Insurance,” *Robins Kaplan LLP* (February 21, 2017)

“‘Anti-Concurrent Cause’ Won’t Work in Ariz. Fire Policies,” *Law360* (September 1, 2015)

“Calif. Odor Case Stinks For Businesses With CGL Policies,” *Law360* (April 11, 2014)

“Split On Calif. Code Upgrade Coverage Remains Unresolved,” *Law360* (March 18, 2013)

“What Triggers First-Party Coverage: Facts, Not Fear,” *Law360* (May 4, 2012)

“No Wonder: Denying A D&O Claim As Excluded Loss,” *Law360* (February 6, 2012)

“Hurricane Irene Special Endorsement,” *DecPage*, Vol. 2, Issue 3 (September 21, 2011)

“Consequences Of A Separate Subrogated Carrier Suit,” *Law360* (July 6, 2011)

“Pending Pipeline Safety Regs...,” *Law360* (June 15, 2011)

“Impact Of Century-National Insurance v. Jesus Garcia,” *Law360* (March 8, 2011)

**SPEAKING
ENGAGEMENTS/
LECTURES**

“Time Element Claim Adjustment and Coverage Issues: Idle Periods Exclusion and Time Element Coverage Triggers,” *Price Forbes Mining Forum*, London, United Kingdom (September 20, 2019)

WILLIAM A. WEBSTER, *continued*

**SPEAKING
ENGAGEMENTS/
LECTURES
(Cont.)**

“Policy Coverage and Claim Issues Arising from Catastrophic Mine Losses,” *Price Forbes Mining Forum*, London, United Kingdom (September 5, 2017)

“Understanding the London Engineering Group (LEG) Defects Exclusions,” *Loss Executives Association Spring 2017 Meeting*, Newport, Rhode Island (June 9, 2017)

“Claims from Spontaneous Combustion in Underground Mines,” *Price Forbes and Hawcroft Mining Forum*, London, England (September 20, 2016)

“Business Interruption and CBI Insurance,” *American Bar Association*, La Jolla, California (April 26-28, 2012)

“Contingent Business Interruption Insurance,” *Property Loss Research Bureau*, Orlando, Florida (April 16-18, 2012)

“Business Interruption Insurance Workshop,” *Property Loss Research Bureau*, San Antonio, Texas (March 23-24, 2010)

Frequent presenter on legal issues related to insurance litigation, fire science, construction contracts and waivers, fire investigation, and large loss investigations, including presentation at Property Loss Research Bureau and Loss Executives Association.

MEDIA MENTIONS

“Refinery’s Pipe-Burst Coverage Suit Tossed After Arbitration,” *Law360* (January 21, 2016)

Quoted in the *Los Angeles Daily Journal*, “The Legal Costs of Going Green” (January 11, 2010)

EDUCATION

William Mitchell College of Law, J.D., *cum laude* (1988), Member of the *Law Review*

University of Minnesota, B.A.