



# Janet R. Davis

## Senior Counsel

### Chicago

[jrdavis@cozen.com](mailto:jrdavis@cozen.com) | (312) 474-7947

Janet Davis concentrates her practice in the areas of insurance coverage, professional liability, and construction litigation. She represents and counsels insurers on a wide range of issues and policies including errors and omissions, directors and officers coverage, employment practices liability, life sciences, and general liability. She represents architects, engineers, surveyors, lawyers, and accountants in litigated and arbitrated matters and also provides design professionals with general corporate counseling on issues including contract drafting, risk management, insurance, fee disputes, and employment. Janet successfully defended an architect in the second sick building syndrome case tried in the United States and has litigated claims involving Chicago landmarks such as the Amoco Building, 900 North Michigan Avenue, Chicago Skyway, and McCormick Place in addition to many roads, bridges, and other commercial structures.

Janet is AV rated by her peers and has been recognized as a Leading Lawyer and Super Lawyer in Illinois in the areas of insurance coverage and professional liability defense. She is a member of several professional organizations and has served in numerous leadership positions in the Tort, Trial & Insurance Practice Section of the American Bar Association where she was honored in 2013 with the Kirsten Christophe Award for Excellence in Trial & Insurance Practice. Janet was elected as a fellow of the American College of Coverage Counsel, an organization committed to the creative, ethical and efficient adjudication of coverage and extracontractual.

Janet is a frequent lecturer and author on a variety of topics including insurance coverage, risk management, design professional liability, and the role of counsel retained by insurers. She also served on the Editorial Board of the International Risk Management Institute's CGL Reporter from 1996 to 2008.

Janet earned her Bachelor of Science in administration (1977) and law degree (1980) from the University of Michigan and remains "True Blue."

### Practice Areas

- Professional Liability Insurance Coverage
- Casualty & Specialty Lines Coverage
- Professional Liability
- Insurance Coverage

### Education

- University of Michigan Law School, J.D., 1980
- University of Michigan, B.S.A., *with high distinction*, 1977

### Bar Admissions

- Illinois

### Court Admissions

- U.S. District Court -- Central District of Illinois
- U.S. District Court -- Northern District of Illinois
- U.S. District Court -- Southern District of Illinois
- U.S. District Court -- Northern District of Indiana
- U.S. District Court -- Southern District of Indiana
- U.S. District Court -- Eastern District of Michigan
- U.S. District Court -- Eastern District of Wisconsin
- U.S. Court of Appeals for the Seventh Circuit

### Affiliations

- American Bar Association: Tort, Trial and Insurance Practice Section: Chair, TIPS Fellows, 2013-2015; Secretary/Chief Diversity Officer, 2008-2011; Section Council, 2005-2008; Task Force on Corporate Governance, Co-Chair, 2007-2010; Insurance Coverage Litigation Committee, Chair, 1997-1998; Committee on Women and Minorities, Chair, 1995-1996.
- American College of Coverage Counsel
- Defense Research Institute
- American Institute of Architects
- Professional Liability Underwriting Society

### Awards & Honors

- Martindale-Hubbell AV Preeminent Peer Review Rated
- Illinois Super Lawyers 2008-2024,

### Experience

Won summary judgment, which was affirmed by the U.S. Court of Appeals for the Seventh Circuit, in a declaratory judgment action filed on behalf of an insurer, and defeated the insured's cross-motion on claims of estoppel, waiver, and bad faith failure to settle. The dispute arose when a previously vacated \$1.35 million default judgment against the insured was reinstated after our client defended the insured for several years post-vacatur. In granting our motion for summary judgment, the district court accepted all of our arguments that the insurer had no duty to indemnify the judgment on the basis that it was not a claim first made during the policy period. The court also rejected the insured's estoppel, waiver, and bad faith claims, finding no evidence that the insured would have handled the case differently if our client had not been involved, and that the insured had not completely surrendered control of the defense to our client and therefore suffered no prejudice.

Represent insurers in coverage dispute and mediation under integrated financial institution policies

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#### Insurance

- Leading Lawyers Network, Top Illinois Practitioner
- ABA TIPS Kirsten Christophe Award for Excellence in Trial & Insurance Practice, 2013
- Best Lawyers in America 2018-2025
- Expert Guides: Insurance & Reinsurance

providing D&O, Fiduciary and E&O coverage, arising from multiple underlying actions including shareholder litigation against a major financial institution for claims arising out of the financial collapse and mortgage default crisis.

Successfully represented insurer in coverage dispute arising from an underlying derivative/shareholder class action lawsuit that settled for \$275 million under a Side-A D&O policy which is part of a \$200 million tower of D&O coverage.

Represent insurers with respect to coverage for underlying wrongful death action against property management company under EPL and E&O policies worth in excess of \$30 million.

Successfully defeated motion for turnover of policy proceeds on behalf of insurers with respect to coverage for judgments against insureds arising from employment and shareholder disputes under D&O and EPL policies.

Obtained summary judgment for insurer in coverage dispute under a D&O and EPL policy for a case arising from investments in and the development of a medical center alleging breaches of fiduciary duties and derivative claims valued in excess of \$20 million.

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