



Deborah M. Minkoff

Senior Counsel

Philadelphia

dminkoff@cozen.com | (215) 665-2170

Deborah M. Minkoff enjoys a nationwide coverage litigation practice. Deborah also devotes a significant portion of her practice to counseling clients on evaluating and reducing risk on complex liability coverage issues.

Deborah's representative cases include disputes under claims-made liability policies, medical professional liability coverage, commercial general liability coverage, retention and allocation issues, and sexual misconduct claims under both professional liability coverage and commercial general liability coverages. Deborah obtained important holdings for the insurance industry in cases of first impression, and is a frequent lecturer on claims made coverage, self-insured retentions and large deductible policies, negotiation skills, and risk tolerance. She regularly conducts training for her clients' claims handlers on topics such as the proper processing of errors and omissions claims.

Deborah has been recognized by Business Insurance as one of its 25 "Women to Watch" and by The Legal Intelligencer as a 2019 Professional Excellence Award Winner. She has been elected a Fellow of the American College of Coverage Counsel. In 2015, Governor Tom Wolf appointed Deborah to Pennsylvania's Commission for Women. Deborah is also recognized as a Women Leader in The Law by ALM Media.

Deborah graduated from Franklin and Marshall College. She is a graduate of Villanova Law School, where she was a member of the law review and received the Pulling Award for outstanding student authorship. Deborah also serves as an adjunct professor at the Drexel University School of Law.

Experience

Regularly drafts policy forms and endorsement language for medical professional liability insurers, consistent with regulatory guidelines and the insurers' risk tolerance, and provides advice and counsel regarding the same.

Serves as national coverage counsel for a major insurer under Life Sciences policies in connection with thousands of opioid-related cases.

Represents major insurers in global mediations to enforce policy terms in connection with claims reported under Life Sciences policies and under professional E&O policies.

Represented a major insurer in global mediations to enforce policy terms in connection with class action claims reported under MCE&O (Managed Care Errors & Omissions) policies.

Secured a nominal contribution settlement for a medical professional liability insurer facing initial exposure of \$6 million a coverage dispute stemming from 27 underlying lawsuits alleging sexual misconduct by a physician. The Cozen O'Connor team successfully divided the matter into a single-plaintiff case and a class action, and first won summary judgment in the single-plaintiff matter. We then leveraged that win to negotiate the favorable settlement for our clients.

Represented a major insurer in a related claims matter centering on a managed care policy, leveraging successful motion practice into a favorable settlement for the client.

Practice Areas

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

Industry Sectors

- Insurance

Education

- Villanova University School of Law, J.D., 1984
- Franklin and Marshall College, A.B., 1981

Bar Admissions

- New Jersey
- Pennsylvania

Affiliations

- American Bar Association
- Defense Research Institute
- American College of Coverage Counsel

Awards & Honors

- Chambers and Partners USA: Pennsylvania: Insurance 2024
- Women Leader in The Law, *ALM Media*, 2021
- Pennsylvania Commission for Women 2015-2022
- Business Insurance "Woman to Watch" 2012
- The Legal Intelligencer, 2019 Professional Excellence Award winner
- Selected to Pennsylvania Super Lawyers 2012-2022. This award is conferred by Super Lawyers. A description of the selection methodology can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

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P: (215) 665-2170 | F: (215) 665-2013

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Secured voluntary dismissal (with prejudice) of claims that insureds brought against our insurance company clients by filing a declaratory judgment action against the insureds. Our complaint sought a declaration that the insureds were not entitled to coverage under three “claims made and reported” policies for a series of underlying lawsuits alleging that the insureds engaged in a fraudulent scheme to direct-market illusory disability policies.

Negotiated a nominal contribution settlement on behalf of a major insurance company client during the course of a multi-day, global mediation of a coverage dispute involving multiple claims stemming from sexual misconduct by a therapist.

Won summary judgment on behalf of an insurance company client in a case in which an aluminum products manufacturer sought coverage for defense of an underlying lawsuit and subsequent settlement over its sale of tens of millions of faulty extrusions. In granting summary judgment, the court found that the lawsuit did not constitute an "occurrence" under the definition in our client's policies. This finding was affirmed by the U.S. Court of Appeals for the Third Circuit. The Third Circuit rejected the manufacturer's argument that Pennsylvania law required the district court to look beyond the four corners of the underlying complaint because the underlying action settled after discovery. The Third Circuit also confirmed that “facts matter more than labels” and rejected the manufacturer's reasonable expectations arguments. These aspects of the opinion support insurers' positions across all product lines.

Won summary judgment on behalf of a hospital's retention in a case in which a neurologist sought defense and indemnity coverage for a \$2.8 million verdict in an underlying suit. The predicate suit was brought by a former patient who alleged that the insured stalked her after their romantic involvement ended, causing her to suffer emotional distress. This result was affirmed by the U.S. Court of Appeals for the Third Circuit.