



# Tracey A. Jordan

## Counsel

## Miami

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Tracey concentrates her practice on matters involving first-party property insurance coverage and litigation. She is an experienced attorney in complex litigation matters in state and federal courts throughout the United States and has experience in all facets of litigation, including discovery, motion practice, trial, and alternative dispute resolution.

Tracey has represented both primary and excess layers of coverage under all risk, builder's risk, and manuscript policy forms. She has successfully defended insurers on matters relating to major property damage and business interruption losses, as well as bad faith and extracontractual claims. She also has experience with reinsurance markets and the relationship of those markets to the underlying claim presentation.

Prior to joining the firm, Tracey was a partner at an international law firm. She advised insurers on developments in statutory and common law bad faith laws related to commercial policies. She has advised domestic and United Kingdom insurers on the application of Delay in Opening Endorsement to Builder's Risk policy in connection with an explosion during the construction of a power plant. She has also advised domestic and U.K. insurers on the meaning of "direct physical loss of damage," including an external cause requirement, as it related to decreased performance of a combustion turbine after a generator failure at a major power facility, the failure of a nitrogen rejection unit at a landfill gas conversion facility.

Tracey also advised insurers on the meaning of "sudden and accidental" related to the failure of a nitrogen rejection unit at a landfill gas conversion facility, and advised insurers on various exclusions, including design defect, wear and tear, and deterioration, as well as ensuing loss clauses.

Tracey earned her bachelor's degree in diplomacy and foreign affairs/political science from Miami University and her law degree from Case Western Reserve University School of Law. Tracey mentors students and helps fundraise for FrankTown Open Hearts in Franklin, Tennessee, a nonprofit organization committed to the success of inner-city youth.

### Practice Areas

- Bad Faith
- Commercial Litigation
- Insurance Coverage
- Property Insurance

### Education

- Case Western Reserve University School of Law, J.D., 1992
- Miami University, B.A., 1989

### Bar Admissions

- Florida
- Illinois
- Tennessee

### Court Admissions

- U.S. District Court -- Eastern District of Tennessee
- U.S. District Court -- Middle District of Tennessee
- U.S. District Court -- Western District of Tennessee
- U.S. Bankruptcy Court -- Northern District of Illinois
- U.S. Bankruptcy Court -- Eastern District of Michigan
- U.S. District Court -- Western District of Pennsylvania
- U.S. Bankruptcy Court -- Northern District of West Virginia

### Affiliations

FrankTown Open Hearts, Board of Directors,  
2021-Present

### Tracey A. Jordan

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