

Robert F. Pawlowski

Counsel

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OVERVIEW

Bob Pawlowski focuses his litigation and counseling practices on a range of complex commercial and insurance coverage disputes including insurance recovery, healthcare reimbursement, and complex commercial litigation. He has represented corporate and individual policyholders seeking insurance coverage under various types of insurance policies in disputes with insurance companies that have disclaimed or delayed providing such insurance coverage. Bob's experience includes representing policyholders recovering all types of insurance including general and professional liability, directors' and officers,' property and business interruption, errors and omissions, employment practices, workers' compensation and employers' liability, and subguard. He also has represented clients in various other types of commercial actions involving breach of contract, tortious interference, construction defect, insurance broker malpractice, business torts, and antitrust. Bob also has substantial experience counseling and representing healthcare providers in disputes with payor insurance companies, health benefits plans, and third party administrators.

Bob provides insurance counseling to corporate policyholders by evaluating corporate insurance programs prior to renewals and analyzing insurance coverage for pre-litigation negotiations with carriers. He also counsels healthcare providers by evaluating contracts with payors (network contracts and participation agreements), patients (assignments of benefits and ERISA rights), and internal procedures to ensure compliance with regulations and carrier guidelines.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, from 2000 to 2004, Bob was an associate for a national law firm specializing in the area of insurance coverage litigation. He served as Judicial Law Clerk to the Honorable Lawrence Weiss, J.S.C., Superior Court of New Jersey during the 1999-2000 term.

PROFESSIONAL / CIVIC ACTIVITIES

- New Jersey State Bar Association (Insurance Section)
- New York State Bar Association

- Summit Bar Association, Former President and Officer

SPEAKING ENGAGEMENTS

- "Avoid Kaos and Get Smart: Litigation Tips for Businesses, Brokers and Agents Tips on How to Avoid, Pursue or Defend Producer Malpractice Claims," *New Jersey State Bar Association,* November 21, 2017
- "Basic Insurance Concepts, Business Interruption Insurance Policies," *K&L Gates CLE Program*, July 11, 2013.

EDUCATION

- J.D., Seton Hall University School of Law, 1999
- B.A., Bucknell University, 1996

ADMISSIONS

- Bar of New Jersey
- Bar of New York
- United States Court of Appeals for the First Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the District of New Jersey
- United States District Court for the Eastern District of New York
- United States District Court for the Northern District of New York
- United States District Court for the Southern District of New York

THOUGHT LEADERSHIP *POWERED BY HUB*

- 21 March 2022 , New York Unwinds Some Burdensome Insurance Disclosure Obligations Imposed on Defendants by Amending the Comprehensive Insurance Disclosure Act
- 14 February 2022, The New Jersey Insurance Fair Conduct Act: One Step Closer to Accountability
- 8 February 2022, Litigating In New York Is a Whole New Ballgame: Onerous Insurance Disclosure Obligations Have Businesses And Individuals Subject To New York Jurisdiction On High
- 13 September 2021, Federal Court Reinforces Broad Duty to Defend Additional Insured in New York Under Blanket Endorsement

- 17 August 2017, Recent 11th Circuit Decision Is a Victory for Health Care Providers Challenging Insurer Reimbursement Decisions and a Reminder of the Importance of Carefully-Drafted Assignment of Benefits Clauses
- 20 June 2017, Policyholders Beware: New York Court of Appeals Restricts Additional Insured Coverage Under Common Policy Endorsement to Injuries Proximately Caused by Named Insured
- 5 August 2016, New Jersey Supreme Court Gives Supreme Win to Policyholders
- 13 July 2015, New Jersey Developer Wins on “Occurrence” and “Property Damage”; Appellate Division finds Subcontractors’ Faulty Construction within Insuring Agreement; *Parkshore* Abrogated
- 27 May 2015, The Supreme Court of New Jersey Defines a “Successful Claimant” Under New Jersey Court Rule 4:42-9(a)(6) for Fee-Shifting in Certain Coverage Actions

OTHER PUBLICATIONS

- "New 'Bad Faith' Claim Law Holds NJ Insurers Accountable," *Law360*, 1 March 2022
- “NJ Finally Joins Trend: Consequential Damage Is Covered,” *Law360*, 4 August 2015
- "IMO Industries Tackles New Jersey Law on Host of Insurance Coverage Issue," *FC&S Legal: Insurance Coverage Law Report*, January/February 2012

AREAS OF FOCUS

- Insurance Recovery and Counseling
- Commercial Disputes
- Healthcare Payor-Provider Disputes (US)