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Adrienne Publicover, Esq

Throughout her 25 year career, **Adrienne Publicover, Esq**. counseled domestic insurers and brokers, as well as the London market, in litigation matters in state and federal courts throughout the country. The robust docket spanned life, health, and disability claims, ERISA matters, property damage, coverage issues, employment, and personal injury claims. Along the way, she tried numerous cases to verdict and successfully negotiated thousands of disputes to resolution.

As a strategic advocate, Adrienne always spent equal time assessing the strengths and weaknesses in her cases. This allowed her to honestly and accurately value those matters, earning the trust of her insurance industry clients. At the same time, her integrity garnered the respect of her adversaries. As a trusted adversary and advocate, she adds value to the ADR process by credibly evaluating disputes on behalf of all parties and building the bridges necessary to achieve resolution.

Adrienne has always approached everything she does with passion, creativity, and commitment. Now she brings that same level of energy and enthusiasm to her ADR practice, helping parties resolve their disputes.

ADR Experience and Qualifications

- During her 25 year career, successfully negotiated thousands of disputes to resolution
- Trusted by both sides in complex insurance matters
- Vast experience includes life, health and disability claims, ERISA matters, property damage, coverage issues, employment and personal injury claims
- Having been involved with the management of her firm, she has gained valuable experience navigating delicate employment concerns

Representative Matters

- **Business/Commercial**
  - Resolved numerous commission disputes between insurers and their general agents
  - Resolved contractual disputes between professionals, including physicians and veterinarians
  - Resolved a variety of contractual and tort claims involving commercial business owners, including trade secrets, libel and slander, interference with contractual relations, and unfair competition claims under Business & Professions Code Section 17200
  - Resolved modal premium class action involving claims for breach of contract, failure to disclose material facts and breach of the implied covenant of good faith and fair dealing
  - Resolved claims of contractual indemnity between insurer and bank, involving managing general agency relationship
- **Employment**
  - Resolved various wrongful termination and discrimination claims, including allegations of retaliation
  - Resolved various wage claims, including the alleged misclassification of employees and failure to provide rest periods
- **Health Care**
  - Resolved a multitude of disputes between providers and payors, including claims of fraud, determination of applicable plan provisions, and application of stop-loss

coverage
    - Resolved numerous first party bad faith claims arising over benefit entitlement disputes, including issues of experimental treatment and medical necessity
- **Insurance**
    - **Agents and Brokers**
        - Arbitrated and mediated numerous disputes involving claims of "selling away"
        - Handled several FINRA matters
        - Resolved a variety of cases involving claims of agent and broker negligence and fraud
        - Resolved dispute between insurers and managing general agency of improperly recruiting agents, including claims of misrepresentation and use of confidential information
    - **First Party**
        - Resolved a multitude of bad faith life and disability insurance lawsuits, several of which included high-low settlement agreements
        - Resolved various matters involving long term care insurance, including claims of fraud and misrepresentation
        - Resolved all manner of disputes concerning personal accident insurance, including repatriation claims, travel accident, and high end disability
        - Resolved hundreds of ERISA matters involving claims for benefits under group life, disability, and accidental death insurance policies.
        - Handled various first party property claims arising out of storm damage in Hidalgo County, Texas
    - **Third Party**
        - Resolved numerous sports and recreational activity personal injury cases concerning equestrian events, hang gliding, ATVs, and zip lines
        - Resolved various other third party insurance matters involving a variety of personal injuries ranging from orthopedic to complex neurological claims
    - **Coverage**
        - Resolved numerous coverage disputes involving issues arising under CGL, Property, D&O, and EPL insurance policies

Honors, Memberships, and Professional Activities

- **Memberships**
    - Licensed to practice law in California and Texas, as well as various federal courts
    - California Society of Healthcare Attorneys (CSHA)
    - American Health Lawyers Association (AHLA)
- **Selected Lectures and Speaking Engagements**
    - "California Fair Claims Settlement Practices Regulations", Lloyds London Market Association, 2011-2016
    - "The Affordable Care Act: Employer's Top Questions," Wilson Elser Annual Employment Law Summit, 2015
    - "ERISA: Identification & Implications", presented to various London syndicates, 2015
    - "Pick Your Poison: Venue, Removal & Judicial Hellholes," presented to various London syndicates, 2015
    - "Litigating Disability Claims," ACI Conference, 2012, 2013, 2014, 2015
    - "Life Insurance Case Law Update," DRI Life, Health, Disability & ERISA Conference, 2012
    - "Beyond All Limits: ECO/XPL and How it Impacts Primary, Excess and Reinsurance Contracts," PLUS, November 2007
    - "Life Insurance Case Law Update," Eastern Claims Conference, 2006-2016
    - "Life Insurance Case Law Update," Western Claims Conference, 2005-2010
    - "A Box of Rain," DRI Life, Health, Disability and ERISA Conference, 2004
- **Selected Publications**
    - "Open Enrollment," *Business Insurance*, October 2014
    - "ERISA Insights," *Lawyer Monthly*, January 2014
    - "Female Powerbrokers," *Law 360*, January 2014

Background and Education

- Attorney, Wilson Elser, 2005-2016
    - Equity Partner, 2005-2016
    - Managing Partner, Houston office, 2015

- Chair, Life, Health, Disability & ERISA practice team, 2006-2016
- Chair, Benefits Committee, 2013-2016
- Member, Executive Committee, 2012-2016
- Member, Partner Compensation Committee, 2013-2016
- Member, Lateral Hiring Committee, 2010-2016

- Pepperdine, Straus Institute of Dispute Resolution, Mediating the Litigated Case, January 2016
- J.D., University of California, Davis, King Hall School of Law, 1992
- B.S., with honors, University of California, Berkeley, 1989