



## Paul C. Fuener

### Counsel

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## OVERVIEW

Paul Fuener is counsel focused on complex commercial litigation. A member of the firm's global Insurance Recovery and Counseling practice group, he concentrates his practice on representation of policyholders in complex insurance disputes and litigation and risk management issues. Prior to joining the firm, Paul was a partner at a global law firm. Through this role, he represented corporate policyholders pursuing insurance coverage for the defense of legacy liabilities, including asbestos and other toxic torts, and environmental damage. In addition, he advised policyholders regarding insurance policy negotiation, claims, and disputes. Paul also previously served as a partner in the Complex Commercial Disputes practice group of K&L Gates.

## PROFESSIONAL BACKGROUND

Paul served as a partner at K&L Gates from 2014-2023 and an associate from 2004-2014. In addition, while in law school, he served as a law clerk to the Honorable Sarah L. Wilson of the United States Court of Federal Claims in Washington, D.C., and an intern at the United States Attorney's Office for the District of Columbia, Appellate Division.

## PROFESSIONAL / CIVIC ACTIVITIES

- Church of the Ascension, Pittsburgh, PA (Chancellor, 2008-2020, 2023-present)
- Pittsburgh North Youth Mountain Bike Team (Assistant Coach, 2023-present)
- Woodland Pool Swimming Club, Sewickley, PA (Past Board President)
- Friends of the Sewickley Public Library (Past Board Member)
- Shade Tree Commission, Borough of Sewickley (Past Board Member)

## SPEAKING ENGAGEMENTS

- Key Issues in Business Interruption Insurance, 8 February 2012

- Selected Issues About D&O Insurance, 1 May 2013
- Superstorm Sandy: Are You Covered?, K&L Gates Webinar, 13 November 2012
- Issues Relating to the Settlement of Insurance Coverage Matters, 3 October 2008

## EDUCATION

- J.D., Georgetown University Law Center, 2004 (*cum laude*; Associate Editor, *The Georgetown Law Journal*)
- B.A., Wheaton College, 1999 (*summa cum laude*)

## ADMISSIONS

- Bar of Pennsylvania
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Western District of Pennsylvania

## THOUGHT LEADERSHIP POWERED BY HUB

- 28 October 2019, Connecticut Supreme Court Affirms Continuous Trigger and Unavailability Exception, Makes First-In-The-Nation Law Regarding Occupational Disease Exclusion
- 5 March 2018, OnRisk: Business Interruption Insurance for Hurricane Losses
- 13 December 2017, New York Court Rejects Insurer's Defenses to Coverage for Asbestos Claims Arising Out of the Construction of the Original World Trade Center
- 20 October 2017, Northern California Wildfires — Important Insurance Coverage Considerations
- 4 January 2017, Crisis Management in the Gas Patch (Part 3): Additional Insured Coverage
- 14 September 2016, Crisis Management in the Gas Patch (Part 2): Handling Well Control Claims

## OTHER PUBLICATIONS

- "R. T. Vanderbilt Clarifies Key Long-Tail Liability Issues of Connecticut First Impression," American Bar Association, 24 April 2017

## MEDIA MENTIONS

- Mentioned, W.Va. Judge Says 3 Exclusions Do Not Bar Coverage For Chlorine Gas Damages, Mealey's Insurance, 30 November 2021

## AREAS OF FOCUS

- Insurance Recovery and Counseling
- Commercial Disputes
- Renewables

## INDUSTRIES

- Aerospace
- Automotive
- Consumer Products
- Energy
- Energy Disputes
- Financial Services
- Health Care Sector
- Industrial and Commercial Coatings
- Lab, Pharmacy, and Durable Medical Equipment
- Manufacturing
- Metals Manufacturing and Fabrications
- Resort, Hospitality, and Leisure
- Specialty Chemicals

## REPRESENTATIVE EXPERIENCE

- Represented aerospace manufacturer in connection with large property damage, business interruption, and extra expense losses arising out of tornado damage at a manufacturing facility.
- Representing oil, gas, and energy company in connection with well-control insurance, liability insurance, contractual indemnity, and additional insured issues arising out of a loss of well control and other work site incidents.
- Represented international clinical laboratory services in coverage litigation of property damage, business interruption, and contingent business interruption claims arising out of damage to multiple laboratory facilities and customer locations of the client caused by Hurricane Katrina.

- Represented geoengineering company in connection with builder's risk insurance coverage issues arising out of a Dubai construction project.
- Represented owner of solar energy projects in connection with insurance coverage for hurricane-related property damage, service interruption, and related business interruption losses.
- Represented municipality in connection with builder's risk insurance issues arising out of delayed infrastructure projects.
- Coverage counsel for international liquid propane gas distributor for review of various coverage lines such as general liability, property, directors and officers liability, fiduciary liability, employment practices liability, cyber insurance, and commercial crime insurance.
- Represented band in connection with tour cancellation insurance claim.
- Represented power generation company in insurance litigation and appeals securing coverage for client's US\$80+ million settlement of lawsuits arising out of alleged radiation exposure.
- Represented global financial services firms in connection with compliance with flood insurance requirements related to mortgage lending business.
- Represented metals manufacturing corporation in connection with coverage disputes and cost-sharing agreements with respect to asbestos long-tail liability claims.
- Represented industrial chemical manufacturer in connection with insurance coverage for property damage, business interruption, and related claims arising out of fire at manufacturing facility.
- Represented New Orleans hotel in litigation of property damage, business interruption, and contingent business interruption claims arising out of Hurricane Katrina.
- Represented heating and cooling manufacturing company in connection with insurance coverage for asbestos long-tail liability claims.
- Represented oil and gas company in litigation arising out of disputed coverage under professional liability policy for losses arising out of subsurface collision of wells.
- Represented industrial manufacturing client in litigation involving rights to historical general liability insurance policies among client and numerous corporate successors to client.
- Representing Fortune 500 metals manufacturing company in coverage dispute under general liability policy regarding long-tail asbestos liabilities arising out of alleged use of asbestos in historic construction project.