



CHARLES A. YUEN

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BIOGRAPHY

Charles Allen Yuen is a Partner and member of the firm's Litigation Practice Group. He serves as Chair of the firm's policyholder-oriented Insurance Recovery and Liability Group.

Mr. Yuen has extensive experience in contract law and related disputes. He has worked on complex multijurisdictional insurance and reinsurance coverage lawsuits and major cases involving alleged breaches of joint venture, executive employment, and franchise agreements. In addition, his work has involved corporate, RICO, qui tam, hospital, privacy, ERISA, trademark, patent, environmental, professional, securities, commercial, regulatory, insolvency, and bankruptcy law and issues of damages and equitable relief, including temporary restraints and preliminary and permanent injunctions. He has also defended corporations against product liability suits, including asbestos-related "mass tort" and property damage allegations.

Mr. Yuen's service on behalf of policyholders and their captive insurers has directly assisted their recovery of more than \$1 billion in insurance assets. A significant proportion of these recoveries have been made prior to the commencement of any formal dispute resolution action. Mr. Yuen regularly counsels clients in regard to matters such as preparation and proof of claims, responses to reservations of rights and denials of coverage letters, information demands, negotiations, discovery, and related dispute resolution actions including mediation, arbitration, and litigation. His litigation experience includes many depositions and dispositive motions, as well as trials in New York, Pennsylvania, and New Jersey. He has worked with expert witnesses on various occasions.

He has regularly appeared in New York and New Jersey courts. As a long-time member of the New York bar (admitted in 1988), Mr. Yuen is familiar with New York law and procedures. He assists clients in regard to insurance policies which may involve the application of New York law or a New York forum for dispute resolution.

He is familiar with and has analyzed all major types of insurance policies, including for example general and automobile liability; product liability; environmental liability; property; errors and omissions; directors and officers; maritime; fiduciary;

employment; hospital; Bermuda form; title; fidelity; surety; umbrella; and excess.

Mr. Yuen has performed work for a wide variety of national and international clients. They have included, for example: manufacturers based in England, Turkey, Ireland, New York, and Connecticut; chemical companies based in Pennsylvania and Mississippi; energy companies based in Texas, Utah, and France; pharmaceutical companies based in New York, New Jersey, and Pennsylvania; hotel franchising and hospital chains based in New Jersey; and a German bank. He has also performed work for individuals, including an investment manager and homeowners.

Mr. Yuen's affiliations have helped him maintain and develop relevant experience in the field. He is co-chair of an American Bar Association (ABA) insurance subcommittee and, since 2008, he has served on the Board of Editors of the ABA's Tort Trial and Insurance Practice Law Journal (the "light blue journal") for which he was named Co-Executive Editor for the 2016-17 publishing year.

Mr. Yuen regularly publishes articles and speaks on insurance-related topics. A 1990 Columbia University Business Law Review article Mr. Yuen co-authored advocated a policyholder interpretation of key wording in general liability policies. The article has been discussed by four U.S. state supreme courts (California, Wisconsin, Maryland, and Iowa). Three of those courts unanimously adopted the position Mr. Yuen advocated. The article has been, and continues to be, regularly cited and submitted by litigants to appellate courts across the U.S.

Mr. Yuen has also developed considerable expertise in regard to the drafting of insurance policies. He has reviewed and analyzed many thousands of English and U.S. insurance industry drafting documents, and has questioned several prominent insurance industry executives and insurance policy drafters in depositions.

Mr. Yuen strongly believes in and supports the ethical duties which lawyers are bound generally to follow, including their duties to consult with clients. People rely upon lawyers to practice with honor and integrity.

EDUCATION

- J.D., University of Michigan Law School, 1985
- B.S.E., Princeton University, cum laude, 1982

BAR ADMISSIONS

- New Jersey
- New York
- Connecticut

MEMBERSHIPS AND AFFILIATIONS

- American Bar Association
- The Association of the Bar of the City of New York
- New Jersey State Bar Association
- Co-Executive Editor of the American Bar Association's Tort Trial and Insurance Law Journal (ABA TIPS Journal), 2016-17 publishing year

REPRESENTATIVE PUBLICATIONS

- A Tale of Two Towers: When Professional Liability and D&O Coverage Are Both Implicated (American Bar Association, March 2012) (co-author) (continuing legal education article and handout).
- In *Fasso v. Doerr*, Did The New York Court of Appeals Clarify – Or Confuse – Equitable Subrogation Principles And Procedures? (LexisNexis, 2010) (co-author).
- Errors & Omissions Insurance Coverage: Common Claim Scenarios (Practicing Law Institute, June 2010) (continuing legal education article and handout).
- Emerging Issues of Coverage For Disclosure-Oriented Claims Under Fiduciary Liability Insurance Forms (Coverage, January/February 2007) (lead article).
- Coverage Issues Commonly Posed By Claims Under Employee Benefits Liability Insurance Forms (Coverage, July/August 2006).
- Suit Limitation Issues In Insurance Coverage Litigation Are Not Always Simple (The Metropolitan Corporate Counsel, June 2006).
- The “Inequitable Conduct” Defense In Patent Law (Metropolitan Corporate Counsel, June 2004).
- Appellate Courts Relax Restrictions On Insurance Of Liabilities From Infringement Claims (Metropolitan Corporate Counsel, August 2003).
- Class Action Lawsuits Present Coverage Defenses Under “Prior and Pending” Exclusions In Liability Insurance Policies (The Metropolitan Corporate Counsel, January 2003).
- Personal Injury Provisions in Liability Insurance Policies (Environmental Claims Journal 1993).
- Coverage For Environmental Cleanup Costs: History Of The Word “Damages” In The Standard Form Comprehensive General Liability Policy (Columbia Bus. Law Review 1990) (co-author).