



FENCHURCHLAW

Financial & Commercial Risks



"Very good commercial acumen and a very good understanding of insurers' attitudes to claims."

"Streamlined boutique acting only for policyholders and brokers. Handles sophisticated coverage disputes on behalf of clients from a wide range of sectors."

Chambers

Commercial insurance is a vital component of every business's risk management strategy. In the event of a covered loss, the ability to make a successful claim under an insurance policy can be critical to business continuity. However, the process of making a claim can be protracted and recovery far from certain. At Fenchurch Law we believe that honest policyholders with genuine claims should have their claims paid promptly and in full. Our Financial and Commercial Practice has the necessary depth of expertise and specialist knowledge to maximise a company's prospects of achieving an insurance recovery in the event of a loss. Drawing on many years of experience acting on commercial coverage disputes for financial institutions, global corporates and companies in the energy, mining and manufacturing sectors, our team always aims to bring about a quick and cost-effective resolution where one is possible but, where necessary, we will pursue the matter through formal legal proceedings.

Our unique approach

Based in the heart of the London insurance market we are a boutique law firm dedicated to insurance litigation and dispute resolution.

We act exclusively for policyholders, specialising in dealing with complex coverage disputes.

We work closely with insurance brokers, combining our legal skills with their commercial leverage, to achieve the best outcome for our clients.

We complement our experience acting for policyholders with valuable insight gained in prior roles as brokers, claims adjusters and insurer-side lawyers.

Our specialist expertise

We have proven expertise in relation to all aspects of commercial and financial insurance dispute resolution across a range of industry sectors including claims on the following insurances:

- Directors' and Officers'
- Trade Credit and Political Risk
- Financial Institutions
- Transactional Risks: Warranty and Indemnity, POSI, Tax Indemnity and Contingent Liability
- Crime and Fidelity
- Technology/Cyber
- Political Violence and Terrorism
- Employer's Liability
- Kidnap & Ransom
- Reinsurance

Putting policyholders first

Common Insurance Law issues arising:

- Late notification
- Breach of conditions precedent
- Scope of cover disputes
- Misrepresentation and non-disclosure
- Gaps in cover between policy years
- Application of recent legislation:
 - Insurance Act 2015
 - Enterprise Act 2016
 - Third Parties (Rights against Insurers) Act 2010

Examples of our experience:

- Advising directors on recovery of defence costs for regulatory & criminal investigations and civil claims under D&O policies
- Advising a number of organisations in relation to the wording of a new cyber policy
- Representing a global manufacturer in a claim for currency inconvertibility under a political risk insurance policy
- Acting for a provider of receivables management and collection services in respect of a claim under a trade credit policy
- Acting for private equity investors in claiming on warranty and indemnity cover following an M&A transaction
- Acting for a large manufacturing business in relation to its claim under a buyer-side W&I policy following the acquisition of a competitor.
- Representing a FTSE 100 company in relation to a dispute with its captive's reinsurers
- Representing a hedge fund in a dispute with an expelled partner

*Outstanding individuals,
unique experience*

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Fenchurch Law: **The Financial & Commercial team****Joanna Grant, Partner**

Joanna co-leads Fenchurch Law's Financial & Commercial Risks practice. A key area of her insurance practice is advising on transactional risk policies, as well as trade credit and political risk policies.

Joanna joined Fenchurch Law after 18 years as a commercial litigator at magic circle firm Allen & Overy where advising on disputes arising under SPAs was very much the bread and butter of her daily practice, acting for financial institutions and global corporates in complex high-value transactional risk-related matters.

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Aaron Le Marquer, Partner

Aaron has over 17 years' specialist experience in insurance law. Prior to joining Fenchurch Law in 2020, Aaron spent seven years in the Asia-Pacific region, having originally trained and practised with City and US firms in London. In Asia, he served as Assistant General Counsel to the regional headquarters of AIG in Singapore, where he was responsible for the development and drafting of new financial lines wordings including public and private company D&O, Cyber, Trustee Liability, and Kidnap & Ransom.

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James Breese, Senior Associate

James is a Senior Associate Solicitor, working across our Financial & Commercial Risks and Product & Environmental Risks practice areas. Alongside the management of his caseload, James leads Fenchurch Law's 'The Associate Series'.

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