



EMILY S. HART

PARTNER

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Washington, DC



Emily Hart represents insurers in litigation involving professional liability, director and officer liability, and transactional liability insurance issues before state and federal courts and arbitration tribunals nationwide. She advises insurers on coverage in civil litigation matters, including securities and derivative actions, merger actions, and lawsuits by government agencies.

Emily has also developed extensive experience at the intersection of bankruptcy and insurance, regularly advising insurers in connection with corporate bankruptcies and receiverships of all sizes, from small private companies to some of the nation's largest companies and financial institutions.

EDUCATION

- The George Washington University Law School, J.D., with honors
 - The George Washington Law Review, managing editor
- Georgetown University, B.S.F.S., *cum laude*

HONORS

- Best Lawyers | Ones to Watch for Insurance Law (2024-2027)

BAR + COURT ADMISSIONS

- California Bar
- District of Columbia Bar
- Virginia Bar
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Second Circuit
- U.S. District Court, District of Columbia
- U.S. District Court, Northern District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Southern District of Indiana

EXPERIENCE

- Successfully argued before the Appellate Division of the Supreme Court of the State of New York, leading the court to affirm the trial court's grant of summary judgment to the insurer that no coverage was available for a legal malpractice lawsuit against the insured because the relevant "claim" was first made before the policy's inception. *Allied World Assurance Co. (U.S.) Inc. v. Golenbock Eiseman Assor Bell & Peskoe, LLP*, Index No. 653762/2022 (N.Y. Sup. Ct. Oct. 27, 2023), No. 2024-01377 (N.Y. App. Div. 1st Dep't Mar. 13, 2025).
- Obtained judgment on the pleadings, later affirmed by the Eleventh Circuit, that no coverage was available for a lawsuit filed against an insured law firm because the lawsuit was served on the law firm's registered agent prior to the effective date of the policy and therefore did not constitute a claim first made during the policy period. *DC Capital Law Firm, LLP v. The Hanover Ins. Co.*, No. 9:22-cv-80512 (S.D. Fla. Nov. 15, 2022), No. 23-10169 (11th Cir. Nov. 20, 2023).
- Represented insurer in a coverage dispute involving a representations and warranties insurance policy in Florida state court, arguing multiple discovery motions, before a successful settlement in 2023.
- Obtained an arbitration award following a five-day evidentiary hearing in November 2019 as a key member of the litigation team in which the arbitration panel determined that a major corporation was not entitled to coverage under a directors and officers liability policy for a shareholder dispute.
- Successfully represented a cyber insurer before a state insurance regulatory agency concerning a prior knowledge exclusion, obtaining rulings in the insurer's favor on claims for breach of contract and bad faith in 2019.
- Represented insurers in connection with multiple large bank failures.
- Filed several *amicus curiae* briefs on behalf of a pro bono client before the Supreme Court of the United States concerning Tenth Amendment, federalism, and Commerce Clause issues.

PROFESSIONAL & CIVIC AFFILIATIONS

- Tort Trial & Insurance Practice Section, American Bar Association (ABA)
- Professional Liability Underwriting Society (PLUS)