



MATTHEW W. BEATO

PARTNER

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Matt Beato is a member of Tyka’s Management Committee. He represents insurers in their most complex, high-stakes coverage disputes. As lead counsel in numerous coverage cases in trial and appellate courts, he has repeatedly delivered the early, case-ending wins insurers prize most—dismissals and summary judgments defeating coverage—and defended them on appeal. Law360 has recognized him as a “Rising Star” in insurance.

As often as he is in court, Matt also serves as day-to-day coverage and monitoring counsel, advising insurers on claims as they are reported. Matt’s practice spans the full range of liability insurance coverage. He is a go-to advocate in directors and officers and management liability disputes; in financial-institution professional liability, including policies issued to banks, investment advisers, and investment companies; and in the market’s fastest-evolving exposures—transactional liability, cyber, privacy and data breach, and technology claims—along with errors and omissions and general liability coverage.

BAR + COURT ADMISSIONS

- District of Columbia Bar
- South Dakota Bar
- Virginia Bar
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fourth Circuit

EDUCATION

- Georgetown University Law Center, J.D., *magna cum laude*
 - Georgetown Law Journal, executive notes editor
- College of William & Mary, B.A.

HONORS

- Best Lawyers | Ones to Watch in Insurance Law (2023-2027)
- Law360 | Rising Star in Insurance (2023)
- Legal 500 US | “Recommended Lawyer” Insurance: Advice to Insurers (2022-2023)
- Business Insurance | Break Out Award (2022)

- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, District of Colorado
- U.S. District Court, District of Columbia
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia
- U.S. District Court, Northern District of Florida
- U.S. District Court, Western District of Tennessee

EXPERIENCE

- Argued and won summary judgment for a D&O insurer on all counts—including breach of contract and bad faith—in Wyoming federal court, holding that an insured v. insured exclusion relieved the insurer of any duty to defend a shareholder class action brought by a former director. *Tri County Tel. Ass’n, Inc. v. Twin City Fire Ins. Co.*, No. 24-cv-274 (D. Wyo. Jan. 12, 2026).
- Argued and won summary judgment for an excess D&O insurer in the Delaware Superior Court’s Complex Commercial Litigation Division, exiting the client from coverage litigation over securities and consumer class actions involving more than \$40 million in underlying settlements. *Benefytt Techs., Inc. v. Capitol Specialty Ins. Corp.*, 2025 WL 84701 (Del. Super. Ct. Jan. 6, 2025).
- Secured dismissal with prejudice for a general liability insurer in Florida federal court, holding that professional-services exclusion barred a forensic firm’s attempt to collect on a judgment arising from faulty DNA analysis. *Speckin Forensics, LLC v. Twin City Fire Ins. Co.*, 2025 WL 2598396 (S.D. Fla. Aug. 8, 2025).
- Obtained dismissal with prejudice of a competing insurer’s contribution suit in New York federal court, in a decision that served to reinforce clean and clear rules for priority of coverage amongst insurance carriers. *Zurich Ins. Co. Ltd. (UK Branch) v. XL Specialty Ins. Co.*, No. 24-cv-8342 (S.D.N.Y. Feb. 11, 2026).
- Secured summary judgment for insurer in Tennessee federal court on the grounds that a specific entity exclusion applied to a lawsuit against the insured alleging a conflict of interest based on its affiliation with the excluded entity, and argued the successful appeal before the Sixth Circuit. *CapWealth Advisors, LLC v. Twin City Fire Ins. Co.*, 665 F. Supp. 3d 862 (M.D. Tenn. 2023), *aff’d*, 2024 WL 1134647 (6th Cir. 2024).
- Defeated a policyholder’s motion to remand in intellectual property infringement coverage litigation, securing a published decision that the insurer’s removal was timely and preserving the federal forum. *Broadhead, LLC v. AXIS Ins. Co.*, 711 F. Supp. 3d 1083 (D. Minn. 2024).

- Argued and secured favorable rulings for cyber insurers in cutting-edge coverage litigation arising from website “session-replay” and wiretap-based privacy suits against a software company, establishing that the insurer had no duty to defend or indemnify the majority of the underlying actions and defeating the policyholder’s bid to remand. *FullStory, Inc. v. North American Capacity Ins. Co.*, 2023 WL 8125775 (C.D. Cal. 2023).
- Represented an excess D&O insurer and contributed to the insurer group’s appellate briefing in the Fourth Circuit’s landmark decision holding that the “bump-up” provision barred coverage for the Towers Watson/Willis merger settlements. *Towers Watson & Co. v. National Union Fire Ins. Co. of Pittsburgh, Pa.*, 67 F.4th 648 (4th Cir. 2023).
- Obtained dismissal of coverage litigation in Delaware federal court that insured’s failure to provide timely notice under claims-made-and-reported policy precluded coverage and that “notice-prejudice” rule did not apply. *Georgian Am. Alloys, Inc. v. AXIS Ins. Co.*, 1-20-cv-01634-LPS (D. Del. Apr. 12, 2021), *aff’d*, 2022 WL 3971584 (3d Cir. 2022).
- Obtained dismissal of coverage litigation in Delaware state court asserting that an appraisal action under Del. Gen. Corp. Law § 262 was brought “for” a Wrongful Act as required by a D&O liability policy. *Jarden, LLC v. ACE Am. Ins. Co.*, No. CVN20C0311, 2021 WL 3280495 (Del. Super. Ct. July 30, 2021), *aff’d*, 273 A.3d 752 (Del. 2022).
- Argued and won summary judgment in California state court that the insured v. insured exclusion precluded coverage for a shareholder derivative action. *International Walls Inc. fka Art.com, Inc. v. Allied World Assurance Co. (U.S.) Inc.*, CGC-20-587590 (Cal. Super. Ct. Nov. 1, 2021).
- Won dismissal of coverage litigation for insurer in decision holding that policyholder’s “non-specific,” “boiler-plate” notice of potential claim was insufficient as a matter of law to provide notice of an unmentioned \$610 million settlement proposal from the U.S. Department of Justice concerning a False Claims Act investigation. *First Horizon Nat’l Corp. v. Houston Cas. Co.*, No. 15-cv-2235-SHL-dkv, 2017 WL 2954716 (W.D. Tenn. June 23, 2017), *aff’d*, 742 F. App’x 905 (6th Cir. 2018).
- Obtained multiple successful discovery-related rulings for insurer on issues relating to reserves, reinsurance, privilege, work product, compliance with procedural requirements, and discovery regarding claims against other policyholders. *First Horizon Nat’l Corp. v. Houston Cas. Co.*, No. 15-cv-2235-SHL-dkv, 2016 WL 5869580 (W.D. Tenn. Oct. 5, 2016) & 2016 WL 5867268 (W.D. Tenn. Oct. 5, 2016) & 2017 WL 3252238 (W.D. Tenn. Mar. 6, 2017).
- Obtained summary judgment in Florida federal district court that employment practices liability insurer had no duty to defend or indemnify a licensing action involving a dentist alleged to have engaged in sexual misconduct with sedated minor

patients. *Turbyfill v. Scottsdale Indem. Co.*, 3:14-cv-283, 2016 WL 741657 (N.D. Fla. Feb. 24, 2016).

- Obtained summary judgment in Florida federal district court in favor of general liability insurer that it had no duty to indemnify an underlying personal injury matter because of a pollution exclusion. *Shaw v. Liberty Mut. Fire Ins. Co.*, No. 6:15-CV-686-ORL-TBS, 2016 WL 561409 (M.D. Fla. Feb. 12, 2016).
- Successfully represented insurer in Florida state court in case involving late notice under claims-made-and-reported policies. *Close Construction LLC v. Greenwich Insurance Co.*, 2014CA344 (Fla. Cir. Ct.).
- Represented two insurance industry trade associations participating as *amici curiae* before the Appellate Division of the New York Supreme Court in one of the first data breach-related insurance coverage cases to reach an appellate court. *Zurich Am. Ins. Co. v. Sony Corp. of Am.*, 651982/11 (N.Y. Sup. Ct. App. Div.).

SPEAKING ENGAGEMENTS

- “Qui Tam Conference,” Federal Bar Association, February 21, 2025
- “Update on the Dela-War: The State of D&O Coverage Litigation in the First State,” 2023 PLUS D&O Symposium, February 14, 2023
- “A Claim, or Not a Claim, That is the Question: Determining What Constitutes a “Claim” Under D&O and E&O Policies,” ABA 2018 Insurance Coverage Litigation Committee CLE Seminar, March 2, 2018
- “Disclosure-Only Settlements: Are You Bumping Up Against D&O Claim Issues?,” ABA Insurance Coverage Litigation Committee Seminar, March 3, 2017

PUBLICATIONS

- Law360, [6th Circ. Encourages Insureds To Be Open With Insurers](#), October 1, 2018
- Business Insurance, Legal Developments in D&O, February 6, 2017

PROFESSIONAL & CIVIC AFFILIATIONS

- Summer law clerk, U.S. Attorney’s Office for the District of Columbia, Civil Division (2010)
- Professional Liability Underwriting Society (PLUS)