TYKA

THOMAS B. BOLEY

ASSOCIATE

tboley@tykalaw.com

+1 202.266.7926

Washington, DC

> "Having worked on both the sales & underwriting and the claims sides of the insurance industry, I approach coverage issues with an appreciation for how matters are resolved in practice, not just in litigation."
>
> Thomas B. Boley

EDUCATION

- The George Washington University Law School, J.D.
- The London School of Economics and Political Science, B.S.

Thomas Boley represents insurers in complex, high-stakes coverage matters, with a particular focus on emerging liabilities and novel risks. He advises carriers across directors and officers, professional liability, cyber, general liability, environmental, and financial institution coverages, including bankers bonds, and counsels on novel legal liabilities arising from artificial intelligence and coverage developments for environmental liabilities. His work frequently involves new and complex risks, including artificial intelligence liability, cybersecurity incidents, environmental contamination claims, antitrust litigation, and securities-related exposures.

Thomas has published industry commentary on environmental coverage issues, artificial intelligence and insurance issues, and corporate structures and related D&O exposures in *Law360*, *HAZMAT Management Magazine*, the *D&O Diary*, the ABA Insurance Coverage Litigation Section, and has been cited by others in the field. Thomas has also served as a panelist on AI and environmental insurance issues at several conferences and industry webinars.

BAR + COURT ADMISSIONS

- District of Columbia Bar
- Supreme Court of the United States

- U.S. District Court, District of Columbia

EXPERIENCE

- Drafts and advises on policy wordings for new exclusions and coverage grants addressing artificial intelligence risks.
- Advises an insurer on coverage for antitrust actions filed against affiliated insureds across numerous jurisdictions in connection with a national dental insurance antitrust litigation, analyzing related-claims and interrelated-wrongful-acts provisions, notice, and allocation across policy periods.
- Drafts reservation-of-rights letters, settlement-exposure analyses, and reserve recommendations for a cyber insurer monitoring the defense of multiple consolidated putative class actions arising from a ransomware incident, and resolved a defense-cost allocation and "other insurance" priority dispute with a co-insurer.
- Represented insurer in settlement negotiations involving large real estate investment advisor, addressing issues concerning portfolio companies, breach of contract exclusions, and fund management activities.
- Advises an insurer on coverage and monitoring for CERCLA/Superfund liability at a former industrial disposal site, addressing retroactive-date, successor-liability, and corporate-acquisition-history issues.
- Analyzed pollution exclusions and sublimited pollution coverage across successive policy periods to advise a reinsurer whether an environmental contamination claim could reach its retention.
- Assessed an insurer's litigation and reformation exposure arising from a systemic drafting error affecting thousands of issued cyber policies, analyzing contract-construction, reformation, and bad-faith risk.
- Analyzed management-liability coverage for a private-equity acquisition platform, addressing insured-entity status of newly acquired portfolio companies, subsidiary definitions, and scheduled-entity exclusions.
- Evaluated the insurability of privacy-related regulatory penalties under multiple states' laws.
- Drafts coverage analyses for securities class actions and shareholder derivative litigation across multiple jurisdictions.
- Assessed general liability and professional liability coverage for large-scale battery/energy-storage system failures, contributing to resolution through mediation.

SPEAKING ENGAGEMENTS

- “AI Risk: Liability Expanding Statutes,” PLUS Webinar, May 14, 2026
- “Climate Change Superfund Legislation Overview,” 2026 Environmental & Emerging

Claim Manager Association Annual Conference, May 8, 2026

PUBLICATIONS

- American Bar Association, AI Washing: The Next Wave of D&O Exposure, August 6, 2026
- The D&O Diary, D&O Risks in Up-C Dilution Claims, July 9, 2026
- Law360, 2026 State AI Bills That Could Expand Liability, Insurance Risk, January 13, 2026
- Law360, 2025 State AI Bills Expand Liability, Raise Insurance Risks, December 17, 2025
- HAZMAT Management Magazine, No Coverage for Failure to Warn of TCE Contamination Plume, November 14, 2025
- Law360, How CGL Policies May Respond to Novel AI Psychosis Claims, November 6, 2025
- Law360, Key Insurance Issues Likely to Arise from NY Superfund Law, March 28, 2025
- American Bar Association, Is the Exclusion Identified on the Declarations Pages?, May 19, 2023

PROFESSIONAL & CIVIC AFFILIATIONS

- Professional Liability Underwriting Society (PLUS)
- ABA Tort Trial and Insurance Practice Section (TIPS)

PRO BONO

- Secured win for a pro bono client in *Doe v. Montgomery Cnty., Md.*, No. C-15-CV-22-002523 (Cir. Ct. for Montgomery Cnty., Md.)