GOLDBERGSEGALLA



Adam R. Durst

PARTNER

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716.844.3437

Buffalo

Manhattan

PRACTICES

Global Insurance Services

Commercial Litigation and Arbitration

Cybersecurity and Data Privacy

INDUSTRIES

Insurance and Reinsurance

EXPERIENCE

Adam R. Durst is a seasoned insurance coverage and bad faith litigator whose practice centers on complex insurance coverage matters, high-exposure coverage disputes, and extracontractual liability claims. He represents insurers in state and federal courts throughout New York, Massachusetts, and jurisdictions nationwide, handling all aspects of coverage litigation, declaratory judgment actions, and bad faith claims.

Adam regularly advises insurers on a broad spectrum of coverage issues arising under commercial general liability, commercial automobile, professional liability, employment practices liability, first-party property, and specialty insurance policies. His practice encompasses both prospective coverage analysis and the resolution of disputed coverage matters, providing strategic guidance on claim investigations, coverage determinations, reservation of rights issues, and litigation involving contested coverage positions. He works closely with insurers to navigate complex claims and mitigate exposure while advancing practical, legally sound solutions consistent with their business objectives.

Adam currently serves as national counsel for several companies, guiding them through complex and evolving claims and coverage issues on a nationwide basis. He also represents insurers in bankruptcy proceedings involving allegations of sexual abuse and frequently advises clients on claims arising from emerging liabilities and large-scale exposure events.

In addition to his litigation and counseling practice, Adam is a frequent speaker and author on insurance coverage and bad faith issues, presenting and publishing for organizations and publications such as the Federation of Defense and Corporate Counsel, the New York State Bar Association, the *New York Law Journal*, *Law360*, and *Mealey's Litigation Report*.

EXPERIENCE HIGHLIGHTS

Appellate and Insurance Coverage Litigation

- Secured declaration that insurer did not owe a duty to defend or indemnify insured based on policy's Designated Ongoing Operations exclusion. *Phila. Indem. Ins. Co. v. Streb, Inc.*, 487 F. Supp. 3d 174 (S.D.N.Y. 2020).
- Secured declaration that insurer owed a duty to defend tenant at location where accident occurred based on policy's additional insured provision. *Citizens Inc. Co. of Am. V. Am. Ins. Co.*, 130 N.Y.S. 3d 289 (1st Dept. 2020).
- Secured declaration that insurer did not owe a duty to defend or indemnify insured based on application of policy exclusion. *Northfield Ins. Co., v. Golob*, 164 A.D. 3d 682 (2nd Dept. 2018).
- Secured declaration that insurer did not owe a duty to defend or indemnify insured based on application of classification limitation endorsement. *Northfield Ins. Co. v. Midtown Restorations LLC*, 149 A.D. 3d 417 (1st Dept. 2017).

HONORS & AWARDS

- *Chambers USA*, Insurance (New York: Upstate)
  - Up and Coming, 2026

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- Federation of Defense and Corporate Counsel
  - John Appleman Award, 2026
- *Best Lawyers in America*
  - Litigation – Insurance, 2025-27
- Upstate New York *Super Lawyers,* 2025-26
- Upstate New York *Super Lawyers,* Rising Stars, 2019-24
- Pro Bono Honor Roll?—U.S. District Court for the Western District of New York, 2022
- *Best Lawyers in America: Ones to Watch*
  - Insurance Law, 2021-22
- The Leukemia and Lymphoma Society "Man of the Year" Award, 2014 (Rochester, New York)

BACKGROUND

ADMISSIONS

- New York
- Massachusetts
- U.S. District Courts for the Northern, Eastern, Southern, and Western Districts of New York
- U.S. Court of Appeals for the Second Circuit

EDUCATION

- State University of New York at Buffalo School of Law, J.D., *magna cum laude*, 2013
  - *Buffalo Human Rights Law Review*, Law Clerk, Executive Publication Editor
- St. John Fisher College, B.A., *magna cum laude*, 2010

PROFESSIONAL AFFILIATIONS

- Federation of Defense and Corporate Counsel
  - Insurance Coverage Section, Chair, 2025 to present
  - Extra Contractual Liability Section, Vice Chair, 2025 to present
  - Membership Recruitment Committee, Vice Chair, 2025 to present
  - Admissions Committee, Member, 2024 to present
  - State and International Representatives, Northeast Region Chair, 2025 to present
  - Insurance Coverage Section, Vice Chair, 2023 to 2025

COMMUNITY INVOLVEMENT

- The Leukemia and Lymphoma Society
  - Student Visionaries of the Year Campaign, Co-Chair, 2021-23
  - Man and Woman of the Year Campaign, Leadership Team, 2019-20
  - Man of the Year and Woman of the Year Campaign for Western New York, 2014

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PUBLICATIONS & EVENTS

PUBLICATIONS

- "Construction Insurance: A Guide for Attorneys and Other Professionals, Second Edition – Chapter 11, The Claims Process," Co-Author, American Bar Association, May 2026
- "Construction Defect Claims: A 2022 Update—Part II," (Co-Author), *Mealey's Litigation Report: Construction Defects Insurance*, March 16, 2023
- "Construction Defect Claims: A 2022 Update—Part I," (Co-Author), *Mealey's Litigation Report: Construction Defects Insurance*, January 10, 2023
- "Construction Defect Claims: A 2021 Update—Part II," (Co-Author), *Mealey's Litigation Report: Construction Defects Insurance*, April 2022
- "Construction Defect Claims: A 2021 Update—Part I," (Co-Author), *Mealey's Litigation Report: Construction Defects Insurance*, March 2022
- "Construction Defect Claims: A 2020 Update—Part II" (Co-Author), *Mealey's Litigation Report: Construction Defects Insurance*, May 2021
- "Construction Defect Claims: A 2020 Update—Part I" (Co-Author), *Mealey's Litigation Report: Construction Defects Insurance*, November 2020
- "Viewpoint: Anticipated Coronavirus Claims Scenarios Across Major Coverage Lines" (Co-Author), *Claims Journal*, April 7, 2020
- "Construction Defect Claims: A 2019 Update—Part II" (Co-Author) *Mealey's Litigation Report: Construction Defects Insurance*, April 2020
- "NYDFS Demand Precedes Future Coronavirus Insurance Suits," *Law360*, March 31, 2020
- "Construction Defect Claims: A 2019 Update—Part I" (Co-Author) *Mealey's Litigation Report: Construction Defects Insurance*, March 2020
- "What the NY Child Victims Act Means For Insurance In 2020," (Co-Author), *Law360*, January 1, 2020
- "Disclaiming Coverage Based on Late Notice in New York," *New York Law Journal*, July 12, 2019
- "The Mold Exclusion's Consumption Exception: What Constitutes a Good or Product Intended for Bodily Consumption?" (co-author), DRI *Raising the Bar*, Volume 15 Issue 3, April 1, 2019
- "Loading and Unloading: Causal Connection Is the Key for Insurance Coverage" (Co-Author), DRI *The Voice*, March 13, 2019
- "Lessons Learned: D&O Coverage for Appraisal Litigation Claims" (Co-Author), *Tort Trial and Insurance Practice*, Winter 2019 Newsletter
- "Chapter: Discovery in Insurance Coverage and Bad-Faith Litigation," *Insurance Law Practice, 2018 Revision*, New York State Bar Association, 2018

PRESENTATIONS

- "Loading and Unloading Under GL and Auto Policies," (Co-Presenter), Property & Liability Resource Bureau, January 15, 2026
- "Defending Civic and Religious Organizations in the Wake of *Purdue Pharma* and *Truck Insurance*," (Co-Presenter), Federation of Defense & Corporate Counsel, July 31, 2025
- "The Insured's Failure to Cooperate: Preserving the Defense to Coverage," (Co-Presenter), Federation of Defense & Corporate Counsel, April 10, 2025
- "Understanding How Extrinsic Evidence Can Impact The Duty," (Co-Presenter), Client

Presentation, April 8, 2025

- "Common Critical New York Insurance Coverage Issues," (Co-Presenter), Client Presentation, January 23, 2025
- "Insurance Coverage Counsel's Role in Mediations," Federation of Defense & Corporate Counsel, June 21, 2024
- "Privilege Between Counsel and Their Clients," Perrin Insurance Coverage and Allocation Issues Conference, May 11, 2022, Philadelphia, PA
- "Insured Coverage Issues and the Construction Accident," NYSBA Construction Site Accident Claims and Litigation 2019, November 6, 2019, Buffalo, NY
- "Expert Reports — What Are They, How Do You Analyze Them, and How to Prepare Them if Necessary," First Party Claims Conference, Warwick, RI, October 15-17, 2018

WEBINARS

- "Loading and Unloading Under GL and Auto Policies: 2026," (Co-Presenter), GS Webinar Series, September 23, 2026
- "Loading and Unloading Under GL and Auto Policies: 2025," (Co-Presenter), GS Webinar Series, September 25, 2025
- "Loading and Unloading Under GL and Auto Policies: 2024," (Co-Presenter), GS Webinar Series, September 21, 2024
- "Loading and Unloading Under GL and Auto Policies: 2023," (Co-Presenter), GS Webinar Series, September 12, 2023
- "Loading and Unloading Under GL and Auto Policies: 2022" (Co-Presenter), GS Webinar Series, October 11, 2022
- "Implications of *GEICO v. Whiteside* on Bad Faith Litigation: A Comprehensive Analysis," (Co-Presenter), The Knowledge Group, February 17, 2022
- "New York's Adult Survivors Act: What You Need to Know," (Co-Presenter), GS Webinar Series, June 22, 2022
- "Insurance Coverage for Wrongful Conviction Claims," (Co-Presenter), GS Webinar Series, April 21, 2022
- "Loading and Unloading Under GL and Auto Policies: A 2021 Update," (Co-Presenter), August 10, 2021
- "Wrongful Conviction Claims: When is Coverage Triggered?" (Co-Presenter), GS Webinar Series, October 13, 2020
- "What and When to Withhold: Discovery Issues in Complex Coverage Litigation," (Co-Presenter), GS Webinar Series, July 14, 2020
- "Emerging Issues: What Insurers Should Expect for the California Child Victims Act," (Co-Presenter), GS Webinar Series, January 14, 2020
- "Emerging Issues: The New York Child Victims Act and the Impact for the 'Window of Justice' on Insurers," (Co-Presenter), GS Webinar Series, December 10, 2019
- "Loading and Unloading Under GL and Auto Policies: A 2019 Update," (Co-Presenter), GS Webinar Series, August 22, 2019
- "Loading and Unloading: Where Does the Risk Fall?" (Co-Presenter), GS Webinar Series, October 23, 2018

PODCASTS

- "New Voices in the FDCC: A Conversation with Ian Brewer," Fed Speaks, The Federation of Defense & Corporate Counsel, March 20, 2026

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- Contributor, "What is an Occurrence? Ledesma Explains..." *Timely Notice*, July 19, 2018