GOLDBERGSEGALLA



mhamilton@goldbergsegalla.com

267.519.6833

Philadelphia

PRACTICES

Global Insurance Services

Management and Professional Liability

Cybersecurity and Data Privacy

Environmental Law

INDUSTRIES

Insurance and Reinsurance

Michael A. Hamilton

PARTNER

EXPERIENCE

Michael A. Hamilton serves as Vice Chair of the firm's Global Insurance Services group, handling sophisticated and high-exposure insurance coverage claims and commercial litigation. Mike manages complex matters ranging from environmental, professional liability and construction defect to transportation, business torts and advertising injury claims. He has been lead defense counsel in class action litigation, representing insurance companies, self-insurers, and transportation entities. Mike also has extensive appellate experience, arguing numerous appeals in state and federal courts across the country.

EXPERIENCE HIGHLIGHTS

Global Insurance Services

Mike has more than 25 years of experience handling insurance coverage claims and litigation on behalf of major insurers throughout the United States. He has an extensive background in environmental claims under commercial general liability policies and specialty environmental policies and has assisted clients with claims involving the application of the pollution exclusion, surface and groundwater contamination, ground pollution, and hydro-fracking.

Mike has also advised clients on a number of significant claims involving data privacy, intellectual property, false advertising, and business torts. His experience includes counseling carriers on policy form wording with respect to data breaches, cyber liability, and intellectual property infringement claims and was recently involved in a case that was closely watched by the insurance industry involving insurance coverage for a highly publicized data breach. Mike was also involved in two groundbreaking cases holding that claims for faulty workmanship in construction were not covered under CGL policies. He has represented insurance companies in bankruptcy court and has formulated strategies for carriers to best protect their rights when policyholders are in bankruptcy. He has also represented clients in commercial disputes and litigation, including matters relating to contractual indemnity, transportation accidents, and governmental immunity.

Mike currently leads the group of former chairs for the Insurance and Reinsurance Committee of the International Association of Defense Counsel, an invitation-only professional association for corporate and defense lawyers around the world, after having recently served a two-year term as the committee's chair. He is also a frequent speaker and author on insurance litigation and emerging issues and was recently named a fellow of the American College of Coverage Counsel, an exclusive group of the top insurance attorneys in North America.

- Prevailed before the U.S. Court of Appeals for the Third Circuit and the Illinois Court of Appeals, obtaining favorable rulings in related matters involving insurance coverage for a class action asserting violations of the federal Telephone Consumer Protection Act.
- Secured summary judgment for his client in federal court in a case concerning insurance coverage for environmental liabilities arising from the alleged discharge of pollutants by numerous property owners onto a neighboring property.
- Obtained a victory for a transportation authority before the Pennsylvania Supreme Court, in a far-reaching decision addressing the impact of workers' compensation liens on personal injury settlements involving state governmental entities.

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- Succeeded before the North Carolina Supreme Court in a multimillion-dollar case involving insurance coverage for false advertising and trademark infringement claims; the opinion was recognized by *Mealey's* as one of the most significant U.S. insurance decisions in 2010.
- Served as trial and appellate co-counsel for a domestic insurer in the Southern District of New York and the Second Circuit in the World Trade Center Property Insurance Litigation, prevailing in a nationally recognized case involving attempts by the World Trade Center's leaseholder to recover insurance proceeds after September 11.
- Represented his client before the Pennsylvania Commonwealth Court, resulting in a ruling of the first impression that self-insured commercial entities are not liable under Pennsylvania's bad faith statute.

HONORS & AWARDS

- *Chambers USA*, Insurance (Pennsylvania)
  - Band 2, 2025-26
  - Band 3, 2020-24
  - Notable Practitioner, 2018-19
- Martindale-Hubbell Peer Review Rating: AV Preeminent
- *Best Lawyers in America*
  - Insurance Law, 2018–27
- *The Legal Intelligencer*
  Distinguished Leader Award, 2024
- Pennsylvania *Super Lawyers*, Insurance Coverage, 2010–26*
- Admitted as a Fellow into the American College of Coverage Counsel, 2016
- Harleysville Mut. Ins. Co. v. Buzz Off Insect Shield, L.L.C. — recognized by *Mealey's* as one of the United States' most significant insurance decisions in 2010

BACKGROUND

ADMISSIONS

- Pennsylvania
- New Jersey
- Ohio
- U.S. District Court for the District of New Jersey
- U.S. District Courts for the Northern and Southern Districts of Ohio
- U.S. District Courts for the Eastern, Middle, and Western Districts of Pennsylvania
- U.S. District Court for the Eastern District of Wisconsin
- U.S. Courts of Appeals for the Second and Third Circuits

EDUCATION

- Dickinson School of Law of the Pennsylvania State University, J.D., 1993
  - *Dickinson Law Review*
- Pennsylvania State University, B.A., 1986

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PROFESSIONAL AFFILIATIONS

- International Association of Defense Counsel:
  - Chair, Eastern Pennsylvania State Committee
  - Vice Chair of Former Chairs, Insurance and Reinsurance Committee, 2018 to present
  - Past Chair, Insurance and Reinsurance Committee, 2016–18
  - Civil Justice Response Committee
  - Amicus Committee
- American College of Coverage Counsel
  - Board of Regents, 2021-27
  - Executive Committee
  - Outreach & Regional Meetings Committee, Co-chair
  - Insurance Law Symposium Committee, Co-chair, 2023
  - Fellow, 2016 to present
- American Bar Foundation: Fellow
- Defense Research Institute: Member, Insurance Law Committee
- Claims and Litigation Management Alliance (CLM)

PUBLICATIONS & EVENTS

PUBLICATIONS

- Quoted in "Google's Calif. Forum Win Sets Stage For MDL Coverage," *Law360,* October 1, 2026
- Quoted in "9/11 Property Insurance Fights Stay Relevant 25 Years Later," *Law360*, September 10, 2026
- Quoted in "World Cup Spotlights Human Trafficking Coverage Disputes," *Law360*, June 11, 2026
- Co-Author, "What is the Availability of Insurance Coverage for Claims of Sexual Misconduct and Abuse?" *Insurance Law Review*, Journal of the American College of Coverage Counsel, Volume 32, Number 2, Spring 2026
- Quoted in "Iran War Poses Coverage Challenges For Event Organizers," *Law360*, March 26, 2026
- Quoted in "Meta Faces Steep Coverage Test for Verdicts After Del. Ruling," *Law360*, March 26, 2026
- Quoted in "Opioid Orders Weigh Insurers' Role In Fighting Societal Harm," *Law360*, March 20, 2025
- Quoted in "Insurer Win In Lead Abatement Row A Blow To Policyholders," *Law360*, December 19, 2024
- Quoted in "Drinking water rule sparks litigation fears," *Business Insurance*, May 1, 2024
- Quoted in "Litigation likely to flow from EPA's latest 'forever chemicals' regulation," *Business Insurance*, April 16, 2024
- Quoted in "Justices' Pass On Fracking Coverage Unsurprising To Attys," *Law360*, January 29, 2024
- Quoted in "Opioid Ruling Could Loom Large in Lead Paint Coverage Fight," *Law360*, October 20, 2023
- Quoted in "Inter-Insurer Fights Sure to Emerge from Fatal Pa. Explosion," *Law360*, May 19, 2023
- Quoted in "Philadelphia Spill Scare Could Present Coverage Challenges," *Law360*, March 31, 2023

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- Quoted in "Property Insurance Cases to Watch in the 2nd Half Of 2022," *Law360,* July 29, 2022
- Quoted in "Human Trafficking Brings Suits, Insurance Woes for Hotels," *Law360*, August 31, 2021
- Michael A. Hamilton Named to American College of Coverage Counsel Board of Regents , June 2, 2021
- Quoted in "Shooting Case Ruling May Widen Insurers' Defense Duty," *Law360*, April 29, 2020
- Quoted in "3 Key Insurance Rulings Attorneys Should Know This Fall," *Law360*, November 8, 2019
- "Pennsylvania" (Co-Author), *Insurance Policy Rescission Compendium-DRI,* 2019
- Co-Author, "Emerging Insurance Coverage Issues Involving Opioid Litigation," *Westlaw Journal Insurance* Coverage, April 13, 2018
- Co-Author, "Avoiding Bad Faith, and Other Emerging Issues Involving Eroding Limits Policies," *IADC Committee Newsletter*, October 2017
- Co-Author, "Accessory Overload: Wearable Technology's Impact on the Insurance Industry," *IN Magazine*, Summer 2016
- Co-Author, "Accessory Overload: Wearable Technology's Impact on the Insurance Industry," ICMIF *Voice*, September 2015
- Author, "Insurance Bad Faith Law: A 2014 Retrospective and a Look Ahead to 2015," *Claims Management*, December 21, 2014
- Quoted in "California Undercuts Policyholders in Implied Disparagement Rows," *Law360*, June 24, 2014
- Co-Author, "Advertisement-Specific Exclusions," Defense Research Institute's *Coverage B: Personal and Advertising Injury Compendium*, May 20, 2014

PRESENTATIONS

- "Do Sexual Abuse and Misconduct Claims Trigger Both Management Liability and General Liability Policies?," (Co-presenter), American College of Coverage Counsel 2025 Annual Meeting, May 9, 2025
- "Insurance Intervention: Coverage Strategies & Risks Intervening in Underlying Actions," (Co-presenter), Client Presentation, September 25, 2024
- "PFAS Litigation: Before and After the AFFF-MDL, Recent Historical Settlements, and Critical Coverage Considerations," (Co-presenter), Client Presentation, June 18, 2024
- Presenter, "Insurance Coverage for PFAS Claims: Will 'Forever Chemicals' Mean 'Forever Litigation'?" 2023 Insurance Law Symposium, American College of Coverage Counsel, Philadelphia, PA, October 2023
- Presenter, "The Illusory Coverage Doctrine: Going Beyond the 'Plain Language' of the Policy," ACCC Annual Meeting, Chicago, IL, September 23, 2021
- Co-Presenter, "Looking for IP Coverage: What's In or Out for CGL, Excess & Specialty Policies?" ACCC Annual Meeting, September 25, 2020
- Presenter, "An Update on the Practical and Legal Insurance Coverage Issues Involving the Pollution Exclusion," CLE Course, December 11, 2019
- Presenter, "Allocation—Is That a Thing?"—Navigating Disputes Over Allocation Between Covered and Uncovered Claims," ACCC Annual Meeting, Chicago, IL, May 9, 2019
- Co-Presenter, "*Time-Limited Demands, "Hammer" Letters, and Consent Judgments as Bad Faith Setups*," Client Presentation, New York, NY, January 31, 2019
- Co-Presenter, "Use of Extrinsic Evidence in Analyzing the Duty to Defend," Client Presentation, Wayne, PA, December 7, 2018

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- Co-Presenter, "Covered vs. Non-Covered Claims: Allocating Defense & Indemnity Payments," Client Presentation, Wayne, PA, December 7, 2018
- Presenter, "Drilling Down on the Business Risk Exclusions," DRI Northeast Regional Claims Conference, Hartford, CT, September 27, 2018
- Presenter, "Evolving Insurance Coverage Issues: Challenges in Opioid Litigation," IADC Annual Meeting, Lisbon, Portugal, July 7, 2018
- Presenter, "The Insurance Coverage Update," Perrin Opioid Litigation Conference, Dallas, TX, June 28, 2018
- Co-Presenter, "Covered vs. Non-Covered Claims: Allocating Defense & Indemnity Payments," GS Presentation, New York City, NY, June 20, 2018
- Co-Presenter, "Coverage Strategies and Solutions for Widespread Environmental Harm," Containing Disasters Seminars, Chicago, New York City, and Philadelphia, January 22-25, 2018
- Co-Presenter, "Covered vs. Non-Covered Claims: Allocating Defense and Indemnity Payments," October 25, 2017
- Co-Presenter, "The Latest in Coverage: Significant Toxic Tort and Environmental Law Decisions that will Impact You," Goldberg Segalla Toxic Torts and Environmental Law Seminar, May 23, 2017
- Presenter, "Money for Nothing: Bad Faith Claims Involving Deductibles, Retentions, Eroding Limits, and Non-Traditional Policies," DRI Bad Faith and Extra-Contractual Liability, Boston, MA, May 31, 2017
- Co-Presenter, "What Has Eight Corners But Isn't a Cube? Issues Arising From the Duty to Defend," IADC Mid-Year Meeting, Scottsdale, AZ, February 21, 2017
- Presenter, "The Evolution of Bad Faith in Professional Liability Claims," International Association of Defense Counsel's Professional Liability Roundtable, Chicago, May 12, 2016
- Presenter, "Construction and Specialty Risk Policies," DRI Insurance Coverage and Claims Institute, Chicago, March 27, 2015

WEBINARS

- "Insurer Intervention: Coverage Strategies and Risks Intervening in Underlying Tort Lawsuits," (Co-Presenter), GS Webinar Series, August 20, 2025
- "An Ohio Primer: Critical Insurance Coverage Issues in the Buckeye State," (Co-Presenter), GS Webinar Series, April 9, 2024
- "A Pennsylvania Primer: Critical Insurance Coverage Issues in the Keystone State," (Co-Presenter), GS Webinar Series, November 14, 2023
- "Emerging Insurance Coverage Issues Arising from the Growth in Public Nuisance and Other Mass Tort Litigation," (Co-Presenter), GS Webinar Series, March 8, 2022
- "Emerging Issues in Personal and Advertising Injury Coverage," (Co-Presenter), GS Webinar Series, March 30, 2021
- "Evolving COVID-19 Property and Liability Claims as America Returns to Work," (Co-Presenter), GS Webinar Series, May 12, 2020
- "Navigating Business Interruption Claims from the COVID-19 Pandemic," (Co-Presenter), Client Webinar, April 15, 2020
- "Opioid-Related Coverage Issues" (Co-Presenter), GS Webinar Series, February 12, 2019

PODCASTS

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- Contributor, "Child Victims Act: Pennsylvania," *Timely Notice,* February 25, 2020
- Contributor, "Third Thursday Throwback: Opiate Liability Coverage," *Timely Notice,* March 21, 2019
- Contributor, "Opioid Litigation and Liability Coverage," *Timely Notice,* June 19, 2018