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PRACTICE AREAS

Global Insurance Services
Corporate Services and
Commercial Litigation



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Jonathan M. Kuller, co-leader of the Global Insurance Services New Jersey team and a partner in the firm's Corporate Services and Commercial Litigation Practice Group, is a highly experienced attorney who focuses his practice on litigating a wide variety of cases, including commercial and residential first party property, commercial general liability coverage, coverage issues arising under workers' compensation, premium fraud, medical provider fraud, and cases involving staged accidents. Jonathan is a trusted counselor to major regional, national, and global insurers, including leading life and health, commercial property and casualty, and general insurance providers. He co-managed the firm's multi-state Superstorm Sandy team, which has successfully resolved hundreds of cases for several major insurers. His experience also includes defending extra-contractual claims in a variety of contexts. Drawing on over 41 years of trial experience, Jonathan brings a keen awareness of the insurance business to issues that directly impact clients' bottom line.

A prolific speaker and writer on recent developments affecting the insurance industry, Jonathan has published and lectured widely on all topics regarding insurance fraud, defense of bad faith, extra-contractual claims, and coverage and premium disputes. He also frequently leads webinars through the firm's GIS Webinars series, and presents at conferences hosted by the Claims and Litigation Management Alliance (CLM) across the country.

Highly regarded among his colleagues, Jonathan is rated AV Preeminent — the highest possible rating — by Martindale-Hubbell.

Prior to pursuing his *juris doctor* from Rutgers School of Law, Jonathan received his bachelor's in psychology with a minor in political science from Rutgers University.

Representative Matters

- Secured appellate decision holding that confidential communications and reserves were not discoverable in commercial first party property case
- Obtained ruling from U.S. District Court for New Jersey establishing elements to an insurance fraud claim under the workers' compensation fraud statute
- Argued seminal New Jersey appellate decision establishing the insurer's standard of claim handling in retrospective premium cases
- In a case of first impression, obtained a ruling of the U.S. District Court for the Western District of Pennsylvania holding that insurers are not to be held to fiduciary claim handling duties in retrospective premium litigation
- Successfully argued before the Superior Court of New Jersey that accrual rule applies to all statute of limitations analyses for statutory and common law insurance fraud claims

Honors

- AV Preeminent Peer-Review Rating (Martindale-Hubbell)
- *View peer-review methodologies at martindale.com. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

Professional Affiliations

- Claims and Litigation Management Alliance (CLM): Insurance Fraud Committee, Insurance Bad Faith Committee
- New Jersey Bar Association

Admitted to Practice

- New Jersey
- U.S. District Courts for the Eastern and Southern Districts of New York
- U.S. District Court for the District of New Jersey

- U.S. Court of Appeals for the Third Circuit
- U.S. Supreme Court

JONATHAN M. KULLER | Goldberg Segalla

Education

- Rutgers University, Newark, School of Law, J.D., 1976
- Rutgers University, B.A., 1972

Publications

- "When Experts Are Effective In Insurance Coverage Litigation ," *Law360*, June 7, 2019
- "Colo. High Court Poised to Shape Appraiser Bias Battles " (Quoted), *Law360*, February 21, 2018
- "The Old Shell Game Gets a New Look," *CLM Litigation Management Magazine*, August 18, 2016
- "5 Tips for Insurers to Win Coverage Disputes " (Quoted), *Law360*, April 13, 2015
- "NJ Bad Faith Bill Would Hurt Insurance Market, Critics Say " (Quoted), *Law360*, February 28, 2013
- "Ruling Enlightens Insurers On How To Count Drywall Events " (Quoted), *Law 360*, February 22, 2013

Presentations

- "Understanding the Implications of the New Jersey Insurance Fair Conduct Act," GS Webinar, August 16, 2018
- "Analyzing Coverage Issues While Anticipating Coverage Litigation," GS Webinar, July 25, 2018
- "Insurance Fraud: Some Practical (and Painless) Solutions," GS Webinar, July 17, 2018
- "Isn't Anything Sacred Anymore? How to Protect Insurers' Work Product and Attorney-Client Claims in Extra-Contractual Litigation," Orlando, FL, CLM Annual Conference, April 2016
- "The ABCs of Premium Fraud Litigation: Identifying Suspected Fraud, Pre-Suit Considerations and Frequent Procedural Challenges," Boston, MA, 2015 CLM Insurance Fraud Conference, May 7, 2015
- "Defending and Defeating Punitive Damages in Extra-Contractual Litigation," Insurance Bad Faith and Coverage Conference, CLM, New York City, December 5, 2014
- "When Insurance Bad Faith, Coverage, and Fraud Collide: A Detailed Case Study" (Moderator), CLM Insurance Bad Faith/Coverage/Fraud Conference, Atlanta, February 28, 2014
- "Staged Accident Rings: Early Recognition, Preemptive Action, and Prosecution," CLM Annual Conference, San Antonio, TX, April 2013

For an extended list, please visit www.GoldbergSegalla.com