

Christopher C. French
Penn State Law
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EDUCATION

HARVARD LAW SCHOOL (1991)

J.D. (cum laude)

Ames Moot Court Semi-Finalist (oralist)

Intern at Massachusetts Attorney General's Office (Criminal Bureau)

COLUMBIA UNIVERSITY (1988)

B.A., Philosophy-Economics

Varsity Track & Field and Cross Country

ACADEMIC APPOINTMENTS

PENN STATE LAW

Director of Trial Advocacy Program and Professor of Practice (2017-present)

Visiting Assistant Professor (2014-2017)

Courses Taught: Contracts, Evidence, Insurance Law, Property,
Remedies, Torts, Trial Advocacy

UNIVERSITY OF PITTSBURGH SCHOOL OF LAW

Visiting Professor (2013-14)

Courses Taught: Civil Procedure, Contracts

VILLANOVA LAW SCHOOL

Visiting Assistant Professor (2012-13)

Courses Taught: Contracts, Insurance Law

DUQUESNE LAW SCHOOL

Adjunct Professor (2010, 2013)

Course Taught: Insurance Law

BOOKS/BOOK CHAPTERS

- *Insuring Natural Catastrophes in America*, The Cambridge Handbook of Disaster Law: Risk, Recovery, and Redevelopment (Cambridge University Press) (forthcoming chapter)
- *Insurance Law and Practice: Cases, Materials & Exercises* (West 1st & 2nd eds.)
- *Insurance Law in a Nutshell* (West 5th and 6th eds.) (co-author w/ John H. Dobbyn)

- *LexisNexis Practice Guide: New Appleman Pennsylvania Insurance Law* (LexisNexis 2019-21) (General Editor)

- Eight chapters of *Policyholder's Guide to the Law of Insurance Coverage* (Wolters Kluwer), §3.03 (Limits of Liability (Including Number of Occurrences)), §5.01 (Standard Policy Language), §5.02 (Legally Obligated to Pay), §5.03 (As Damages), §5.04 (Punitive Damages), §6.03 (Issues Pertaining to Intentional Injury Exclusions), §6.04 (The Known Loss and Loss in Progress Doctrines), and §24.06 (Bad Faith Issues)

ARTICLES

- *Insuring Intentional Torts*, 83 Ohio St. L. J. __ (forthcoming)

- *Federal Courts' Recalcitrance in Refusing to Certify State Law Covid-19 Business Interruption Insurance Issues*, 100 Tex. L. Rev. Online 152 (2022)

- *Five Approaches to Insuring Cyber Risks*, 81 Md. L. Rev. 103 (2021)

- *America On Fire: Wildfires, Climate Change, And Insuring Natural Catastrophes*, 54 U.C. Davis L. Rev. 817 (2020)

- *Forum Shopping COVID-19 Business Interruption Insurance Claims*, 2020 U. Ill. L. Rev. Online 187 (2020)

- *COVID-19 Business Interruption Insurance Losses: The Cases For And Against Coverage*, 27 Conn. Ins. L. J. 1 (2020) (accepted through peer review process)

- *The Butterfly Effect in Interpreting Insurance Policies*, 82 Law & Contemp. Probs. 47 (2019) (Symposium)

- *The Big Data Revolution and Its Impact on the Law*, 123 Penn St. L. Rev. 585 (2019) (Symposium Introduction)

- *Dual Regulation of Insurance*, 64 Vill. L. Rev. 25 (2019)

- *English Justice for an American Company?*, 97 Tex. L. Rev. Online 1 (2018)

- *Insuring Against Cyber Risk: The Evolution of an Industry*, 122 Penn St. L. Rev. 607 (2018) (Symposium Introduction)

- *Insurance Policies: The Grandparents of Contractual Black Holes*, 67 Duke L. J. Online 40 (2017)

- *Understanding Insurance Policies as Non-Contracts: An Alternative Approach to Drafting and Construing These Unique Financial Instruments*, 89 Temp. L. Rev. 535 (2017)
- *Hurricanes, Fraud, And Insurance: The Supreme Court Weighs In But Does Not Wade Into The Concurrent Causation Conundrum In State Farm Fire And Casualty Company v. Rigsby*, 165 U. Pa. L. Rev. Online 99 (2017)
- *A Battlefield Map for NFL v. Insurance Industry Re: Concussion Liabilities*, 53 San Diego L. Rev. 901 (2016)
- *Revisiting Construction Defects as “Occurrences” under CGL Insurance Policies*, 19 U. Pa. J. Bus. L. 101 (2016)
- *Insuring Landslides: America’s Uninsured Natural Catastrophes*, 17 Nev. L. J. 63 (2016)
- *Sex, Videos, and Insurance: How Gawker Could Have Avoided Financial Responsibility for the \$140 Million Hulk Hogan Sex Tape Verdict*, 90 S. Cal. L. Rev. Postscript 101 (2016)
- *The Insurability of Claims for Restitution*, 18 U. Pa. J. Bus. L. 599 (2016)
- *Insuring Floods: The Most Common and Devastating Natural Catastrophes in America*, 60 Vill. L. Rev. 53 (2015)
- *The Role of the Profit Imperative in Risk Management*, 17 U. Pa. J. Bus. L. 1081 (2015)
- *The Aftermath of Catastrophes: Valuing Business Interruption Insurance Losses*, 30 Ga. St. U. L. Rev. 461 (2014)
- *Segmented Settlements Are Not the Answer: A Response to Professor Squire’s Article, How Collective Settlements Camouflage the Costs of Shareholder Lawsuits*, 7 Va. L. & Bus. Rev. 589 (2013)
- *The “Ensuing Loss” Clause in Insurance Policies: The Forgotten and Misunderstood Antidote to Anti-Concurrent Causation Exclusions*, 13 Nev. L. J. 215 (2012)
- *The “Non-Cumulation Clause”: an “Other Insurance Clause” by Another Name*, 60 U. Kan. L. Rev. 375 (2012)
- *Debunking the Myth that Insurance Coverage is Not Available or Allowed for Intentional Torts or Damages*, 8 Hastings Bus. L. J. 65 (2012)
- *Construction Defects: Are They “Occurrences”?*, 47 Gonz. L. Rev. 1 (2012)

CITATIONS

- Court Citations:

- *Pennsylvania National Mutual Casualty Company v. Zonko Builders, Inc., et al.*, 2021 WL 4061564 (D. Del. Sept. 7, 2021)
- *RSUI Indemnity Co. v. David H. Murdock and Dole Food Company, Inc.*, 248 A.3d 887 (Del. 2021)
- *Schleicher & Stebbins Hotels, LLC, et al. v. Starr Surplus Lines Insurance Companies, et al.*, 2021 WL 4029204 (N.H. Super. Ct. June 15, 2021)
- *Skanska United States Bldg. v. M.A.P. Mech. Contrs.*, 952 N.W.2d 402 (Mich. 2020)
- *Bethany Boardwalk Grp. LLC v. Everest Sec. Ins. Co.*, ___ F. Supp. 3d ___, 2020 WL 1063060 (D. Md. Mar. 5, 2020)
- *Dinardo v. Pac. Indem. Co.*, 2019 WL 2487851 (Conn. Super. Ct. May 30, 2019)
- *In the Matter of the Liquidation of Midland Insurance Company*, 2018 N.Y. Misc. LEXIS 4668 (S. Ct. N.Y. Jan. 19, 2018), *aff'd*, 2019 N.Y. App. Div. LEXIS 2952 (N.Y. App. Div. 1st Dep't Apr. 18, 2019)
- *Black & Veatch Corp. v. Aspen Ins. (UK) Ltd; Lloyd's Syndicate 2003*, 882 F.3d 952 (10th Cir. 2018)
- *Ohio N. Univ. v. Charles Constr. Servs., Inc.*, 120 N.E.3d 762 (Ohio 2018)
- *Punta Arena Concrete, Inc. v. Triple-S Propiedad*, 2018 WL 7916833 (P.R. Cir. Ct. Dec. 19, 2018)
- *Depositors Ins. Co., v. NEU Construction Services, Inc.*, 305 F.Supp.3d 1011 (E.D. Mo. 2018)
- *Erie Ins. Prop. & Cas. Co., et al. v. Dimitri & Mary Chaber*, 801 S.E.2d 207 (W. Va. 2017)
- *Summit Ins. Co. v. Stricklett*, 2017 WL 371589 (R.I. Super. Ct. Jan. 19, 2017)
- *Russell v. NMG Ins. Co.*, 176 A.3d 196 (N.H. 2017)
- *In re Viking Pump, Inc.*, 52 N.E.3d 1144 (N.Y. 2016)

- *Navigators Specialty Insurance Co. v. Moorefield Construction, Inc.*, 212 Cal.Rptr.3d 231 (Cal. Ct. App. 2016)
- *Hudson Hardware Plumbing & Heating, Inc. v. AMCO Ins. Co.*, 888 N.W.2d 682 (Iowa Ct. App. 2016)
- *Cypress Point Condo. Ass'n, Inc. v. Adria Towers, L.L.C.*, 143 A.3d 273 (N.J. 2016)
- *New Jersey-Am. Water Co. v. Watchung Square Associates, LLC*, 2016 WL 3766248 (N.J. Super. Ct. App. Div. July 15, 2016)
- *McShane Constr. Co., LLC v. Gotham Ins. Co.*, 2016 WL 2731663 (D. Neb. May 9, 2016)
- *Cypress Point Condo. Ass'n, Inc. v. Adria Towers, L.L.C.*, 118 A.3d 1080 (N.J. Super. Ct. 2015), *aff'd*, 143 A.3d 273 (N.J. 2016)
- *Seven Hills Master Community Ass'n v. Granite Silver Development Partners*, 2014 WL 7685186 (Nev. Dist. Ct. Dec. 22, 2014)
- *Cherrington v. Erie Ins. Property and Cas. Co.*, 745 S.E.2d 508 (W.Va. 2013)
- *World Harvest Church v. Grange Mut. Cas. Co.*, 2013 WL 6843615 (Ohio Ct. App. Dec. 24, 2013)
- *Estate of Konell v. Allied Prop. & Cas. Ins. Co.*, 2013 WL 3791141 (D. Or. July 19, 2013)
- *Cogswell Farm Condominium Ass'n v. Lemery Bldg. Co., Inc.*, 2013 WL 11073286 (N.H. Super. Ct. June 17, 2013)
- *Olin Corp. v. Am. Home Assur. Co.*, 704 F.3d 89 (2d Cir. 2012)

• Statutory and Restatement Citations:

- Or. Rev. Stat. Ann. § 465.480(2)(d) (2013)
- *Restatement of the Law of Liability Insurance*, §§ 34, 45, 46 (2019)

PRESENTATIONS/CONFERENCES

- Moderator, *The Role of Law and Government in Cyber Insurance Markets: Litigating Insurance Coverage for Cyber Losses*, University of Minnesota School of Law & University of Connecticut School of Law (March 2021)
- Panelist, *How Climate Change Is Shaping Environmental Justice Law: California Burning*, U.C. Davis School of Law (March 2021)
- Expert Witness, Washington State Senate Committee Hearing, *Business Interruption Insurance for COVID-19 Government-Ordered Shutdowns* (February 2021)
- Panelist, *Climate Change and the Insurance Industry*, AALS Annual Conference, Insurance Law Section Co-Sponsored by Environmental Law Section and Business Associations Section (January 2021)
- *America on Fire: Wildfires, Climate Change, and Insuring Natural Catastrophes*, presented at AALS Annual Conference, Insurance Law Section (January 2020), Penn State Law (January 2020)
- Host and Moderator, Penn State Law Review Symposium, *The Big Data Revolution and Its Impact on the Law* (March 2019)
- Host and Moderator, Penn State Law Review Symposium, *Insuring Against Cyber Risk: The Evolution of an Industry* (April 2018)
- *Insurance Policies: The Grandparents of Contractual Black Holes*, presented at *Contractual Black Holes* conference, co-hosted by Duke Law School, Columbia Law School and NYU Law School (April 2017), Penn State Law (September 2017)
- Panelist, 11th Annual Symposium on Civil Justice Issues, *The Impact of Restatements: Summarizing the Law or a Thumb on the Scale?*, George Mason University's Antonin Scalia Law School (May 2017)
- Moderator, Arbitration Law Review Symposium (Penn State Law), *Controversies in Arbitration* (February 2017)
- *Understanding Insurance Policies as Non-Contracts: An Alternative Approach to Drafting and Construing These Unique Financial Instruments*, presented at Rutgers Law School (Camden) (October 2015), Penn State Law School (October 2015), 11th Annual International Conference on Contracts, St. Mary's School of Law (February 2016)
- *Insuring Cyber Risks*, presented at Indiana University School of Law (Bloomington) (February 2015)

- *The Insurability of Claims for Restitution*, presented at Rutgers School of Law (Camden) (September 2014), Central States Law School Association's Annual Conference, Louisiana State University Law School (October 2014), Indiana University School of Law (Bloomington) (August 2015)
- *The Role of the Profit Imperative in Risk Management*, presented at Rutgers School of Law (Camden) (September 2013), Duquesne Law School (October 2013), University of Pittsburgh School of Law (January 2014), Indiana University School of Law (Bloomington) (August 2014)
- *Insuring Floods: The Most Common and Devastating Natural Catastrophes in America*, presented at Penn State Law School (October 2014)
- *Insuring Landslides: America's Uninsured Natural Catastrophes*, presented at Penn State Law School (October 2014) and YCC Global Conference, Florida State Law School (April 2015)
- *The Aftermath of Catastrophes: Valuing Business Interruption Insurance Losses*, presented at Villanova Law School (October 2012) and national insurance law conference entitled, *Fragmented Risk*, held at Rutgers School of Law (Camden) (March 2013)

ADDITIONAL PUBLICATIONS/PRESENTATIONS

- *Managing Losses Caused by Climate Change-Fueled Natural Disasters*, Bloomberg Law (2021)
- *Occurrences in Construction Defects Claims: Navigating Divergent Views to Maximize Coverage or Limit Liability*, Strafford Legal Webinar (2020)
- *Non-Cumulation and Prior Insurance Clauses: Allocating Liability Among Multiple Policies Triggered by Multi-Year Loss*, Strafford Legal Webinar (2019)
- *Non-Cumulation and Prior Insurance Clauses: Allocating Liability Among Multiple Policies*, Strafford Legal Webinar (2018)
- *Occurrences in Construction Defects Claims: Triggering Coverage and Interpreting Exclusions under CGL Policies*, Strafford Legal Webinar (2017)
- *Non-Cumulation and Prior Insurance Clauses: Allocating Liability among Multiple Policies Triggered by Multi-Year Loss*, Strafford Legal Webinar (2017)
- *Construction Defects Claims: Occurrences, Coverage Triggers and Exclusions under CGL Policies*, Strafford Legal Webinar (2016)

- *Construction Defects Claims: Occurrences, Coverage Triggers and Exclusions under CGL Policies*, Strafford Legal Webinar (2015)
- *Occurrences in Construction Defects Claims: Navigating Divergent Views to Maximize Coverage or Limit Liability*, Strafford Legal Webinar (2014)
- *Non-Cumulation Clauses and Long-Tail Claims in CGL Policies: Latest Developments*, Strafford Legal Webinar (2013)
- *Occurrences in Construction Defect Claims: Navigating Divergent Views on Occurrence Issues to Maximize Coverage or Minimize Exposure Liability*, Strafford Legal Webinar (2013)
- *Non-Cumulation Clauses in CGL Policies: Anti-Stacking Provisions?: Allocating Liability Among Multiple Policies in Long-Tail Claims*, Strafford Legal Webinar (2012)
- *Occurrences in Construction Defect Claims*, Strafford Legal Webinar (2012)
- *Key Issues in Business Interruption Insurance*, CLE (2012)
- *Business Torts Insurance*, White Paper (2012)
- *Ninth Circuit Requires Insurers to Defend Patent Infringement Claim under “Advertising Injury” Coverage of Liability Insurance Policy*, Alert (2010)
- *Insurer Bad Faith*, CLE (2009)
- *Insurance Coverage for Skin Cancer Claims Allegedly Related to Tanning Devices*, White Paper (2009)
- *Insurance Coverage for Mold Contamination*, White Paper (2007)
- *Discovery in Pennsylvania Bad Faith Litigation*, National Business Institute (2004)
- *First Party Insurance Coverage for Mold Claims*, Lorman Education Services (2002)
- *Insurance Coverage for Mold-Related Losses and Liabilities*, Mealey's (2002)
- *Bad Faith: Insurers Spending Their Policyholders' Money Without Their Policyholders' Consent*, Journal of Insurance Coverage (2001)

ACADEMIC SERVICE

- Member of Student Employment Committee (2019-present)
- Member of Awards Committee (2019-present)

- Member of Faculty Rights and Responsibilities Committee (2017-18)
- Faculty Advisor for Penn State Law’s mock trial teams for National Trial Competition, American Association for Justice (AAJ) Student Trial Advocacy Competition, Academy of Trial Lawyers Mock Trial Competition, Buffalo-Niagara Mock Trial Competition, and NBLSA Constance Baker Mock Trial Competition
 - National Finalist in 2018, 2019, 2021, and 2022 NBLSA Constance Baker Motley Mock Trial Competitions (top 18 teams in the country) winning Best Advocate in Mid-Atlantic Region (2018 and 2019) and First Place team in the Mid-Atlantic Region (2021, 2022)
 - Best Opening Statement and Best Cross-Examination (Buffalo-Niagara Mock Trial Competition (2020))
 - Runner-Up Buffalo-Niagara Mock Trial Competition (2021)
 - Champion Midwest Region AAJ Competition (2022)
- Arbitrator in Pre-Moot for the Annual Willem C. Vis International Commercial Arbitration Moot
- Faculty Advisor for Penn State Law’s team in the Annual National Latina/o Law Student Association Moot Court Competition
- Judge for Penn State Law’s moot court teams
- Interviewer for On-Campus Interviews (OCI) Boot Camp

LEGAL EXPERIENCE

K&L GATES LLP (Pittsburgh, PA) (1991-2012)

Partner, Commercial Litigation

- General commercial litigator in complex litigation with a specialization in insurance coverage disputes
- Handled all aspects of litigation matters for numerous Fortune 500 companies and smaller businesses in state and federal courts throughout the United States
- Tried cases in state and federal courts in Arizona, Delaware, Iowa, Kentucky, Ohio, Pennsylvania, and Washington
- Argued appeals in the Third and Sixth Circuits
- Served as both a party-appointed and a neutral arbitrator

COURT ADMISSIONS

- All state courts of the Commonwealth of Pennsylvania

- United States District Court for the Western District of Pennsylvania
- United States Courts of Appeals for the Third and Sixth Circuits