

ES Restaurant Group Inc. et al v. Fireman's Fund Insurance Company et al

Year: 2022

Court: United States Court of Appeals for the Ninth Circuit

Case Number: 21-35498

In its amicus curiae brief, UP supports coverage for an insured's business interruption losses related to the SARS-CoV-2 virus and COVID-19. UP argues that decades of case law demonstrate what the insurance industry and policyholders have long known: that "all risks" insurance policies protect insureds against a broad range of perils including carbon monoxide, odors, and viruses such as the one that causes COVID-19. UP's brief also counters standard insurance industry talking points by showing that holding insurance companies to their promises to cover losses will not bankrupt the industry.

James Davis, John Rossiter, Bradley Dlatt of Perkins Coie