

1 Dustin Cho (*pro hac vice*)
2 COVINGTON & BURLING LLP
3 One CityCenter
4 850 Tenth Street, NW
5 Washington, DC 20001-4956
6 District of Columbia Bar No. 1017751
7 dcho@cov.com
8 (202) 662-6000

9 *Attorney for Movant-Intervenor United*
10 *Policyholders*

11 IN THE UNITED STATES DISTRICT COURT

12 FOR THE DISTRICT OF ARIZONA

13 Karen Cosgrove, a single person,

No. CV-14-02229-PHX-HRH

14 Plaintiff,

15 v.

**DECLARATION OF DUSTIN CHO
IN SUPPORT OF UNITED
POLICYHOLDERS' MOTION TO
UNSEAL AND REINSTATE COURT
RECORDS**

16 National Fire & Marine Insurance
17 Company, a foreign insurer,

18 Defendant.

19 1. I, Dustin Cho, am an attorney with the law firm of Covington & Burling
20 LLP. I am a member in good standing of the bars of the District of Columbia and New
21 York. I have personal knowledge of the facts set forth in this declaration.

22 2. Attached as Exhibit 1 is a true and correct copy of an article in *Law360* by
23 Randy Maniloff titled, "Why Cosgrove v. National Should Terrify Insurers," which was
24 first published on May 5, 2017, and which is available at
25 <https://www.law360.com/articles/920731/>.
26
27
28

1 3. Attached as Exhibit 2 is a true and correct copy of an excerpt from the
 2 “News and Updates” section of the July 2017 edition of *CLM Magazine*, an insurance
 3 industry publication, which includes an entry contributed by Alicia G. Curran titled,
 4 “Insurer Cannot Assert Exclusion Based on Information from Its Own Appointed
 5 Defense Counsel.”

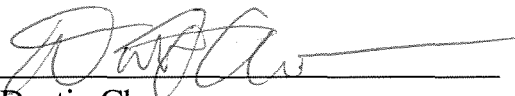
7 4. Attached as Exhibit 3 is a true and correct copy of a client alert by J.
 8 Gregory Cahill of the law firm of Dickinson Wright PLLC dated June 27, 2017, titled,
 9 “Be Careful What and Who You Tell: Limitations on Defense Counsel Reporting.”

11 5. Attached as Exhibit 4 is a true and correct copy of a “Stipulation and
 12 Request to Vacate and Seal Certain Orders” filed by Defendant and Plaintiff in this case
 13 on May 4, 2017.

15 6. Attached as Exhibit 5 is a true and correct copy of an Order by this Court
 16 filed on May 5, 2017, approving Defendant and Plaintiff’s “Stipulation and Request to
 17 Vacate and Seal Certain Orders,” ordering the vacatur of Docket Nos. 170 and 171, and
 18 sealing Docket Nos. 170 and 171.

20 I declare under penalty of perjury that the foregoing is true and correct.

21 DATED this 3rd day of November, 2017.

22
 23 By: 
 24 Dustin Cho

25
 26
 27
 28