



## RICK HAMMOND

### Partner

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### AREAS OF PRACTICE

- Insurance Law

### EDUCATION

- The John Marshall Law School, J.D., 1988
- The American College, Chartered Life Underwriter (CLU), 1980
- Southern Illinois University, B.A., 1975

### ADMISSIONS

- Illinois
- Indiana
- U.S. District Court for the
  - Northern and Southern Districts of Illinois
  - Northern and Southern Districts of Indiana
  - Southern District of Michigan
  - Eastern District of Wisconsin
  - Eastern District of Missouri

### PRACTICE DESCRIPTION

Rick Hammond focuses his practice in the area of insurance law. He serves as national counsel on matters relating to:

- Property insurance coverage
- Defense of municipalities, elected officials, and corporate executives in high profile business and municipal litigation cases
- Fire and explosion cases
- Bad faith defense

Mr. Hammond also serves as an Adjunct Professor on Insurance Law for the John Marshall Law School, and as an expert witness on insurer bad faith and insurance law and coverage issues.

Prior to joining HeplerBroom in 2016, he practiced with a regional full-service defense firm, where he represented both corporate and municipal clients in insurance coverage matters.

Before practicing law, Mr. Hammond was the Assistant Deputy Director of the Illinois Department of Insurance's Chicago office. He also served as Executive Director of the Insurance Committee for Arson Control (ICAC), a national insurance trade association.

### BAR/PROFESSIONAL ASSOCIATIONS

- Defense Research Institute
  - Illinois State Representative
- Federation of Defense and Corporate Counsel
  - Chair, Property Insurance Coverage Section
- Illinois Association of Defense Trial Counsel
  - President
- Insurance School of Chicago
  - Board of Directors
  - Faculty
- International Association of Special Investigation Units
  - Columnist, SIU Today magazine

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## AWARDS, HONORS & DISTINCTIONS

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- American College of Coverage and Extra-Contractual Counsel inductee
- DRI Exceptional Performance Citation (2009-2010)
- "Insurance Lawyer of the Year," by Lexis Nexis Insurance Law Center (2008)
- *Illinois Leading Lawyer* (2013-2018)
- Top Illinois Super Lawyer – Insurance Coverage (2008)

## PUBLISHED LEGAL WRITING

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Mr. Hammond has published nationwide for numerous legal, professional, corporate, and trade groups in the areas of insurance coverage, bad faith, and the defense of tort and municipal lawsuits.

- *SIU Today* (quarterly magazine of International Association of Special Investigation Units)

*For a complete listing of **SIU Today columns**, see attached.*

## LEGAL LECTURES & PRESENTATIONS

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Mr. Hammond has lectured nationwide for numerous legal, professional, corporate, and trade groups in the areas of insurance coverage, bad faith, and the defense of tort and municipal lawsuits.



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### **Columns Published in *SIU Today Magazine***

"A Procedural Overview of the Appraisal Process in First-Party Property Policies"

"Appraisal Provisions in Property Policies"

"California Appellate Court Refuses Insurer's Request to Consider the Application of Comparative Bad Faith"

"Claim Denied Following an Inadequate Fire Investigation and Insurer Accused of Defamation – The Perfect Storm"

"Comparative Bad Faith (Coming Soon to a Courthouse Near You)"

"Court Denies Insureds' Demand for a Confidentiality Agreement as a Condition Precedent to an EUO"

Court Finds that Insureds Lack Insurable Interest Following Foreclosure

Coverage Issues Relating to the Rights of Mortgagees – "Economic Crisis Spawns Need to Clarify the Mortgage Clause"

"Diminution in Market Value of Repaired Vehicles: An Analysis of Property Coverage under the Personal Auto Policy"

"Discoverability of Insurance Company Claim Files"

"Effect of Rescission on a Mortgagee – To Pay or Not to Pay"

"Estoppel of the Right to Demand Proof of Loss"

"Evidence of a Low Impact Collision Does Not Equate to Evidence of an Exaggerated Injury"

"Evidence of Concealment and Misrepresentation Leads to Suit Dismissal"

"Examination Under Oath: Not Just Another Deposition: An Analysis of an Insurer's Right to Examine Its Insured Under Oath"

"Failure to Disclose Pending Lawsuit in a Bankruptcy Filing Causes Personal Injury Lawsuit to be Dismissed – Debtors have a continuing duty to disclose a legal claim while the bankruptcy case remains open."

"False Swearing in a Proof of Loss: When does a Mistake Become a Misrepresentation?"

Fire Department Official Allowed Testifying on Issues Regarding Origin and Cause - "Does a Fire Chief Meet the Qualifications of an Expert?"

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### Columns Published in *SIU Today Magazine* (Continued)

- "Fraud and False Swearing: An Analysis of the Insurer's Right to Avoid Coverage"
- "Fraud in the Application for Insurance 'Appellate Court Upholds Insurer's Right to Rescind'"
- "Good Faith, Bad Faith: A Legal View"
- "Illinois Supreme Court Broadens the Scope for Extra-Contractual Suits Against Insurers"
- "Indiana Appellate Court Applies Innocent Insured Doctrine to Corporations"
- "Information Sharing With Law Enforcement - Good Faith is Required"
- "Innocent Insured Doctrine Creates Potential Loophole"
- "Innocent Insured Doctrine 'Still an Unsettled Area of Law'"
- "Innocent Corporate Insured Doctrine Reexamined"
- "Insurance Companies and Mortgage Companies: Friend or Foe?"
- "Insurance Company Claim Files: Are They Discoverable? An Analysis of the Attorney-Client, Work-Product Privileges in Property Insurance Litigation"
- "Insurance Fraud Reporting and Immunity Laws - Limitations on the Disclosure of Information"
- "Insurance Fraud Ring Investigations: Ripe Area for Defamation Suits"
- "Insured Admits Fraud in the Presentment of his Claim: Insurer Still Owes Duty to Third-Party"
- "Insured's Exaggeration of Damages in Proof of Loss Causes Policy to be Voided 'World's Best Dressed Man Loses Suit'"
- "Insured's Failure to Disclose his Ownership of Home in Bankruptcy Petition causes Estoppel of his Right to Obtain Coverage for Fire Loss"
- "Insured's Initial Lie Followed by a Confession of Truth is an Insufficient Basis for Denial by Insurer"
- Insurer Files Suit Against Public Adjuster – "Does an Insurer Have Standing to Sue a PA "Insurer Has the Right to Demand a Second EUO of Its Insured - Compliance is Not Optional"
- "Insurer Learns the Truth Before the Insured Misrepresents the Facts 'Does a Coverage Defense on the Basis of Fraud Still Exist'"
- "Insurer Not Required to Reimburse Health Care Provider"
- Insurer's Alleged Failure to "Meaningfully Communicate" with its Insured Supports a Bad Faith Claim

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### Columns Published in *SIU Today Magazine* (Continued)

- "Insurer's Conduct After a Claim is Denied Leads to Charges of Bad Faith"
- "Insurer's Post-Litigation Conduct Leads to Charge of Bad Faith 'The Remnants of Hurricane Katrina'"
- "Is There a Statute of Limitations on Bad Faith? Or, Does the Policy of Insurance Control?"
- "Judicial Estoppel – Examination of the Insurer's Right to Assert a Coverage Defense"
- "Kansas Court of Appeals Finds Waiver of Right to Assert Counterclaim of Fraud Against Insurer"
- "Long Investigations Do Not Equate (Necessarily) to Bad Faith Delay"
- "Louisiana Appellate Court Limits Insurer's Rights to Demand an Independent Medical Exam and Criticizes Insurer's Physician"
- "Misrepresentations and Concealments in the Application for Insurance: An Analysis of the Insurer's Right to Rescind"
- "Mortgage Company Fails to Disclose Foreclosure Proceedings to Insurer - Economic Conditions May Cause Increase in Rate Evasion"
- "No Blanket Rule Protecting the Discovery of Attorney's Investigative Reports"
- "Opinion of Fire Origin and Cause Expert Stricken "Fire Labeled as 'Suspicious' is Inconsistent with NFPA 921 Principles"
- "Payment of Claim Doesn't Equate to Waiver of a Fraud Defense: "Rights Were Properly Reserved"
- "Pennsylvania Court Orders Deposition of Insurer's Attorney - Claim of Attorney-Client and Work-Product Privileges Denied"
- "Public Adjusters: Loss Payees or Assignees" An Analysis of Their Right to Recover Bad Faith Damages Against an Insurer"
- "Rescission Based Upon Fraud in the Application of Insurance: Not Appropriate if Injured Third-Party Exists"
- "Rise in Foreclosures + an Increase in Mortgage Fraud = More Homeowner Fires 'Insurance Coverage Issues Arising Out of the Mortgage Crisis'"
- "Son with Insured's Power of Attorney Not Obligated To Submit to EUO"
- "State Courts Disagree on the Application of the Innocent Insured Doctrine"
- "State Reporting Law Does Not Make Insurance Investigators 'Agents' of the State"
- "State Supreme Court Rules that Insurer is Not Required to Prove "Motive" in an "Intentional Acts" (Arson) Coverage Defense"

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**Columns Published in *SIU Today Magazine* (Continued)**

"Supplemental Claims Disputes"

"Suspect Water Losses 'What Does it Take to Prove Fraud?'"

"The Florida Court of Appeals Analyzes Daubert

"The Right of Subrogation by an Insurer against its Insured and the Impact of Recent Legislation"

The Use and Abuse of Public Insurance Adjusters 'Examining the Scope of their Authority'"

"Waiving the Right to Demand Proof of Loss"

"When an Insured Becomes a Victim of Fraud, 'Should Theft Coverage Apply'"

"When an Insured's Claim Lacks Credibility"