



Wendy N. Enerson

Regional Manager, Global Insurance Department – Midwest/South

Chicago

wenerson@cozen.com | (312) 382-3162

Practice Areas

- Strategic Risk & Complex Litigation
- Casualty & Specialty Lines Coverage
- Insurance Coverage
- Professional Liability

Industry Sectors

- Insurance

Education

- Northwestern Pritzker School of Law, J.D., *cum laude*, 2000
- University of Illinois–Chicago, B.A., 1993

Bar Admissions

- Illinois

Court Admissions

- U.S. District Court -- Northern District of Illinois
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court -- Central District of Illinois
- U.S. District Court -- Southern District of Illinois
- U.S. District Court -- Colorado

Awards & Honors

- Leading Lawyers Network, Top Illinois Practitioner
- Expert Guides: Insurance & Reinsurance

Wendy Enerson's practice encompasses a broad range of complex litigation matters, including insurance and consumer class action defense, and in particular, cases arising under the Telephone Consumer Protection Act, shareholder disputes, securities violations and general business litigation. She is an experienced litigator who has handled cases in state and federal courts across the United States.

In the context of her insurance work, Wendy has represented numerous insurance companies in complex insurance coverage disputes involving long-tail environmental pollution and asbestos claims. Wendy has successfully represented multiple insurance companies in the defense of class actions alleging improper / unlawful claims handling and underwriting practices, as well as institutional bad faith. Wendy has also represented several insurance companies in major catastrophe litigation. Wendy served as national coordinating counsel for a leading insurance company in the defense of thousands of homeowners' claims and class actions, mass actions and attorney general suits arising out of Hurricanes Katrina and Rita.

Wendy earned her law degree, *cum laude*, from Northwestern University School of Law in 2000 and her Bachelor of Arts degree from the University of Illinois-Chicago in 1993.

Experience

Secured a ruling by the Florida Supreme Court that under personal injury protection coverage ("PIP") for reasonable medical expenses arising from an auto accident, when a provider bills less than the applicable statutory fee schedule payment limitation for a particular service, our insurance company client was not required to pay the provider's charges at the higher statutory fee schedule payment amount, because the state's statutory PIP fee schedule payment limitation sets a "ceiling", not a "floor", so that the policy's language that allows payment of bill amounts less than the statutory fee schedule limitation at the billed rate was valid.

Successfully moved to strike class action allegations by persuading the Court that issues concerning each New York policyholder's total loss vehicle claim would significantly outweigh any efficiencies to be gained through class treatment because there was no viable method for determining class wide liability and damages.

Defeated class certification on behalf of an insurance in a case in which the named plaintiff sought to certify a class of Oklahoma policyholders who were allegedly overcharged premium on their homeowners' policies. The Court accepted the client's argument that individualized issues regarding the valuation and underwriting of each putative class member's property predominated over common questions, rendering the case ill-suited for class treatment.

Won summary judgment on all claims and counterclaims on behalf of an insurance company client in a coverage dispute arising from an underlying trucking accident. While the Court could have granted the motion based on anti-stacking and setoff arguments, it based its decision on the policy language at issue, which was a particularly good result for the client. The defendants declined to appeal the Court's decisive opinion in our client's favor.

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