



Christopher S. Clemenson

Member

Denver

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Practice Areas

- Insurance Coverage
- Bad Faith
- Casualty & Specialty Lines Coverage
- Professional Liability Insurance Coverage

Industry Sectors

- Gaming
- Insurance

Education

- University of Washington, J.D., 1997
- University of Denver, B.S.B.A., 1993

Bar Admissions

- Colorado
- Washington

Court Admissions

- Colorado Supreme Court
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court -- Colorado
- U.S. District Court -- Eastern District of Washington
- U.S. District Court -- Western District of Washington
- Washington Supreme Court

Affiliations

- Colorado Bar Association
- Defense Research Institute
- Denver Bar Association
- Washington State Bar Association

Awards & Honors

- Chambers and Partners USA: Colorado: Insurance 2024

Christopher S. Clemenson advises his insurance company clients on first-party and third-party coverage matters, including claims of insurance bad faith. He has a wide range of experience with claims under general liability policies, professional liability policies, commercial property policies, builders' risk policies and excess and surplus lines insurance. He advises clients on a variety of coverage issues, including those involving: construction defects; professional liability; "Coverage B" claims, including claims for patent, trademark and trade name infringement; clergy misconduct; business interruption claims; and environmental contamination. Chris also counsels excess insurers regarding their unique rights and obligations in situations involving numerous insureds and claimants.

Chris also has significant experience in complex litigation, including general commercial litigation, construction defect litigation, personal injury defense (including product and premises liability), and defense of governmental and religious institutions. Working closely with his clients, he emphasizes early factual investigation and assessment of claims in order to assess risks and develop innovative strategies to minimize those risks and achieve positive case results. While experienced in mediation and other forms of alternative dispute resolution, Chris vigorously defends his clients and has achieved positive jury verdicts and summary judgments dismissals in both state and federal courts.

Chris has been named to *The Best Lawyers in America* in the category of Insurance Law and has been awarded the AV Preeminent® Peer Review rating by Martindale-Hubbell.

Chris received his undergraduate degree from the University of Denver in 1993, and his law degree from the University of Washington in 1997.

Away from work, he enjoys golfing and coaching sports for his two sons.

Experience

Won summary judgment on behalf of the insurer in a dispute over whether the insured was entitled to defense costs incurred in resolving lawsuits with the four major broadcast networks. The central question in the coverage dispute was whether the policy's "Media Exclusion" applied. This result was affirmed by the U.S. Court of Appeals for the Second Circuit.

Won summary judgment in a coverage and bad faith action filed against our client by its insured, an IT consulting company that was hired to implement a new financial management system for the Hawaii Department of Transportation (HDOT). When the system failed to work, HDOT sued the insured for more than \$20 million, for which the insured sought coverage under a series of commercial general liability and umbrella liability policies. In granting our motion for summary judgment, the court agreed that our client owed no duty of coverage because the claims in the underlying lawsuit, for damage to computer software, did not allege "property damage" as that term was defined under the policies at issue.

Secured voluntary dismissal, with prejudice, of a multimillion dollar bad-faith claim brought under Colorado law for an insurer's alleged unreasonable delay in the payment of a hail damage claim. The insured voluntarily dismissed the lawsuit after we presented evidence to its counsel showing that the insured's appraiser was not a disinterested party, that the umpire should have been disqualified, that there was possible post-appraisal misconduct by the insured or its representatives, and that there were

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good-faith reasons for any alleged delay by the insurer.

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