



Pamela Morgan Hodge

PARTNER

Keating Muething & Klekamp PLL

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PRACTICE AREAS

Insurance Coverage & Litigation

Arbitration & Mediation

Commercial & Securities Litigation

Construction Litigation

BAR & COURT ADMISSIONS

Ohio

Kentucky

U.S. District Court, Southern District of Ohio

U.S. District Court, Eastern District of Kentucky

U.S. Supreme Court

EDUCATION

J.D., Georgetown University Law Center, 1989; *cum laude*

B.S., University of Cincinnati, 1986; *cum laude*

Ms. Hodge primarily focuses her practice in the area of insurance coverage. Within this practice area, she performs various services for insureds.

- Policy Analysis: Ms. Hodge reviews and analyzes insurance policies or entire insurance programs for insureds with the goal of ensuring that to the maximum extent possible, the insurance policies accurately state the coverage that the insured desires, and that the insured obtains the benefit of enhanced policy provisions that are often available, but only if they are specifically requested from the insurer.
- Claims Assistance: Ms. Hodge frequently assists clients through the insurance claims process with the goal of maximizing the likelihood that the insured will obtain coverage for the claim. This can include assisting the insured and its broker in presenting claims; monitoring and responding to insurer correspondence, including reservation of rights letters and requests for information; and aggressively contesting any inappropriate denial letters.
- Coverage and Bad Faith Litigation: Ms. Hodge also represents numerous insureds in insurance related litigation, either defending insureds in declaratory judgment actions filed by their insurers attempting to avoid providing coverage for a claim, or filing coverage lawsuits on behalf of insureds in situations where the insurers have declined to meet their coverage obligations.

Ms. Hodge has litigated and/or advised regarding many types of insurance policies, including Comprehensive General Liability (GL or CGL) policies, Umbrella and Excess liability policies; Director and Officers (D&O) liability policies, Side A/DIC Directors and Officers policies; Employment Practices Liability (EPL) policies; Punitive Wrap policies; Fiduciary Liability Policies; Executive Risk Policies; Financial Umbrella policies; Professional Liability policies; Errors and Omissions (E&O) policies; Employers' Liability/Workers Compensation policies; and Property and Business Interruption policies.

REPRESENTATIVE MATTERS

Over the past 12 years, Pamela Morgan Hodge has recovered more than \$50 million in payments on behalf of insureds on insurance claims in which the insurance companies disputed coverage.

Pamela Morgan Hodge (Continued)

- Resolved years of coverage litigation with multimillion dollar settlements from several general liability and excess liability insurers on an environmental claim that the insurers initially refused to cover
- Obtained summary judgment in federal case involving fiduciary liability policy; insurer ultimately paid multimillion dollar policy limit
- Recovered multimillion dollar policy limit on executive risk excess liability policy in which insurer disputed coverage (negotiated payment of full policy limit after filing coverage and bad faith lawsuit against insurer in federal court)
- Negotiated multimillion dollar settlement on executive risk excess liability policy in which insurer disputed coverage
- Convinced insurer to reverse its denial of coverage and provide coverage for environmental claim under its general liability policies; recovered over \$500,000
- Convinced insurer to reverse its denial of coverage and to provide coverage for environmental claim pursuant to its general liability policies; recovered over \$1 million
- Recovered multimillion dollar payment on Directors & Officers (D&O) claim in which coverage was disputed
- Developed coverage arguments that resulted in client obtaining additional \$2 million on business interruption claim [related to Hurricane Katrina]
- Negotiated settlement of over \$1 million on Employment Practices Liability (EPL) claim that insurer had initially denied
- Numerous representations of various homebuilders and construction companies in litigation, mediation, and private negotiations resulting in obtaining insurance coverage under general liability and excess liability insurance policies for construction defect claims after the insurers denied coverage
- Assisted clients in monitoring various claims, communicating with insurers, and obtaining payments from insurers on numerous types of insurance claims in which the insurers were initially raising coverage issues or failing to timely respond to demands for coverage

AWARDS & RECOGNITIONS

- Named *Cincy Leading Lawyer*, 2005-2012

NEWS

- Nine Keating Muething & Klekamp Attorneys were Named Cincy Leading Lawyers by Cincy Magazine

SPEAKING ENGAGEMENTS

- Directors & Officers Insurance Seminar: "Dispelling the Myths", Keating Muething & Klekamp, October 4, 2007
- "Maximizing the Likelihood of Getting Insurance Coverage for Construction Claims", Greater Cincinnati HBA Risk Management Seminar, May 18, 2004
- "Insurance Coverage for Construction Claims", Presentation for Associated General Contractors, December 2, 2003
- "Insurance Bad Faith Claims in Ohio", Cincinnati, May 30, 2001

PUBLICATIONS

- "Getting Liability Insurers to Pay Construction Defect Claims," *Housing*, May 2007
- Articles and Notes Editor, *American Criminal Law Review*, 1989

Pamela Morgan Hodge (Continued)

- Book Review, "Escape of the Guilty," by Judge Ralph Fine, *American Criminal Law Review*, Vol. 25, No. 2, Fall, 1987

PROFESSIONAL AND COMMUNITY INVOLVEMENT

- Cincinnati Bar Association
- Kentucky Bar Association
- Northern Kentucky Bar Association
- Ohio State Bar Association