

Industry

Insurance

Mirick represents and counsels insurers, self-insurers, and policy holders in a wide variety of insurance-related disputes. The firm's Life, Health, Disability and ERISA Litigation Team represents insurers and self-insurers in both individual and group claims under state and federal law, including ERISA. Our representation encompasses a full array of issues arising in this area of litigation, including the defense of life, health and disability benefit claims, rescission and reformation cases, interpleaders, allegations of breach of fiduciary duty and bad faith claims.

The Medical Liability and Health Care Litigation Team represents hospitals, physician practice groups, health care insurers, physicians, nurses and other medical providers in cases involving professional liability, employment disputes, and breach of contract. We have resolved these cases through trial and arbitration, with numerous verdicts and awards in our clients' favor.

The firm's Business and Litigation attorneys work together to advise our clients on insurance-related issues, including coverage disputes involving general liability, insurance, property insurance, directors' and officers' coverage, and employment practices liability coverage.

## Experience

- Successfully resolved a coverage dispute relating to mold damage and remediation with a property insurer on behalf of the owner of an apartment complex
- Successfully defended employers and insurers on claims for life, health and disability insurance benefits under both state law and ERISA in cases pending in Massachusetts, Rhode Island and Connecticut, and

CHAIR

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## Related People

**J. Christopher Collins**

**Elizabeth L.B. Greene**

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**Joan O. Vorster**

**Erin M. Boucher**

**Francis G. Gleason, Jr.**

**David Viens**

## Related Services

**Life, Health, Disability and  
ERISA Litigation**

**Litigation**

**Medical Liability Litigation**

obtained precedent-setting decisions from the U.S. Court of Appeals for the First Circuit

- Represented a disability insurer before the U.S. Court of Appeals for the First Circuit in establishing a standard of review in ERISA benefit claim determinations
- Represented an insurer before the U.S. Court of Appeals for the First Circuit in establishing that a disability policy constituted an ERISA plan
- Obtained a jury verdict in federal district court for an insurer against a physician claiming total disability
- Represented an insurer in federal district court in establishing grounds for a rescission of coverage in a benefit plan governed by ERISA
- Obtained an arbitration award in favor of a primary care physician on a wrongful death claim alleging failure to diagnose pneumonia
- Successfully defended a transplant surgeon on a wrongful death claim alleging improper performance of kidney transplant surgery that led to sepsis and the subsequent death of a 55-year-old woman
- Successfully defended primary care physicians in a case alleging failure to timely diagnose prostate cancer by not offering PSA test after age 50
- Successfully defended obstetricians in two separate cases alleging failure to diagnose and properly manage deliveries complicated by shoulder dystocia
- Successfully resolved an insurance coverage dispute for an ERISA plan services provider relating to professional negligence claims for which the insurance carrier asserted there was no coverage
- Successfully resolved a coverage dispute relating to mold damage and remediation with a property insurer on behalf of the owner of an apartment complex