



→ Marc J. Feldman

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Marc Feldman is a partner in the Business Trial Practice Group in the firm's San Diego office.

Areas of Practice

Marc specializes in insurance and healthcare litigation. He represents insurance companies in cases involving first-party and third-party claims, personal lines and commercial policies, bad faith claims, complex coverage disputes, class actions and claims under California's Business and Professions Code. Marc also represents health plans and health insurers in a variety of disputes, including litigation against providers involving the reasonable value of services and breach of contract. Marc has tried cases to verdict in California courts, represented insurers and health plans in binding arbitrations, and has briefed and argued cases in the California Courts of Appeal and the Ninth Circuit Court of Appeals.

Marc's clients include: Allstate Insurance Company, Mercury Insurance Company, Kaiser Foundation Health Plan, Inc., Argo Group, Fireman's Fund Insurance Company, and Infinity Insurance Company.

Marc is a former President of the Insurance Bad Faith Law Section of the San Diego County

Honors

Best Lawyer in America, Insurance Law, *Best Lawyers*, 2018-2023

Martindale-Hubbell® AV Rating

Experience

Representative Matters and Results:

- Obtained defense verdict in jury trial of bad faith failure-to-settle claim – one of the Daily Journal's Top Defense Verdicts of 2017.
- Won motion dismissing breach of contract and bad faith claims against insurer based on claim arising from purchase of \$20 million in counterfeit wine. Argued and won affirmance on appeal in published decision.
- Obtained \$18 million arbitration award for insurer against third party claim administrator. Award confirmed in court.
- Won defense judgment for insurer after 4-week trial of bad faith lawsuit arising from a water and mold claim for a multimillion dollar estate home.

- Obtained summary judgment for auto insurer on \$50 million class action alleging that auto policy violated California law. Affirmed on appeal.
- Won bench trial for insurer on claim for violation of California Unfair Practices Act.
- Obtained complete defense arbitration award for primary insurer sued by excess insurer on \$22 million subrogation claim.
- Won numerous motions for summary judgment on bad faith claims against insurers.
- Represented insurer in coverage action involving \$1 billion claim by SDG&E against subcontractor arising from 2007 San Diego wildfires.
- Obtained defense judgment in trial of malicious prosecution claim against homeowners insurer.
- Won trial in bad faith action, with jury finding that homeowner committed arson.

Articles

- Litigation in California: What Every Business Needs to Know
McKenna Long & Aldridge California Litigation Guide, 01.2013
- General Principles for Advertising Injury Coverage in IP Lawsuits
Daily Journal, 11.22.2011
- Third-Party Bad Faith: Claims for Breach of the Duty to Settle
Daily Journal, 07.12.2011
- Luce Forward Obtains a Published Decision Upholding an Insurer's Right to Condition Payment of Extended Dwelling Limits on Repair or Replacement
03.31.2011
- The 'Genuine Issue' Defense - Eliminating Bad Faith Claims in Cases of Suspected Insurance Fraud
Insurance Fraud Alert, Summer 1996
- Jewish Divorce and Secular Courts: Helping a Jewish Woman Obtain a Get
Berkeley Women's Law Journal, Vol. 5, 1989-90

Media Mentions

Insurer Need't Cover \$3M Judgment Over Fatal Car Accident

Law360, 08.24.2022

Business Interruption Insurance: The Defendants' position

Daily Journal, 05.01.2020

Chu v. Mercury Casualty Company

Daily Journal, 02.21.2018

Sheppard Mullin Takes In 10 McKenna Attys In Calif.

Law360, 04.07.2014

Memberships

Association of Business Trial Lawyers

Past President, San Diego County Bar Association - Insurance Bad Faith Section

American Inns of Court - Louis Welsh Chapter

Practices

Litigation

Insurance Litigation

Industries

Insurance

Education

J.D., Harvard University, 1989, *magna cum laude*

A.B., Princeton University, 1985, *cum laude*, *Phi Beta Kappa*

Admissions

California

Maryland

Languages

Hebrew