



## Joseph M. Saka

Senior Counsel

Washington, D.C.

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For more than a decade, Joseph has been helping policyholders successfully resolve complex insurance coverage disputes. Known for his responsiveness, reliability, and attention to detail, Joseph represents insureds and their creditors in obtaining coverage for a wide variety of liabilities, including bodily injury, products liability, environmental liability, defamation, intellectual property, antitrust, RICO, securities, D&O liability, and privacy claims. Joseph also represents clients seeking coverage for losses resulting from interruptions to their businesses, employee dishonesty, cyber security breaches, reps and warranties, cargo losses, wildfires, and criminal activity.

Frequently, Joseph helps clients obtain negotiated resolutions with their insurance carriers without the need for litigation; however, when necessary, he is experienced in litigating high-stakes commercial disputes against insurers and other contracting parties. Joseph also serves as a trusted advisor to clients in the process of procuring insurance policies or drafting contractual language.

Joseph has been recognized as a Rising Star by Super Lawyers and as "Up and Coming" by Chambers & Partners, which notes that Joseph has "an impressive track record handling insurance recovery claims for a broad range of corporate clients, government agencies and nonprofits."

He maintains an active pro bono practice and contributes to a number of civic causes, including serving on the Board of Directors of Hillel at George Washington University, on the President's Council of Higher Achievement, and as outside general counsel to several nonprofit organizations.

Prior to entering private practice, he served as judicial extern for the Hon. Ricardo M. Urbina (retired) of the U.S. District Court for the District of Columbia.

## EXPERIENCE

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- > Assisting various entities, including clients from the hospitality, entertainment, media, food, and healthcare industries, pursue insurance coverage for losses caused by physical loss or damage to their property following the COVID-19 pandemic.
- > Representing multiple prominent publishing companies in pursuing insurance coverage under CGL policies for a more than \$30 million judgment obtained for copyright and trademark infringement.
- > Representing a Fortune 500 company in pursuing reimbursement as an additional insured and under an indemnification agreement for a settlement that resolved a lawsuit alleging that a defective engine caused a fire and destroyed an offshore supply ship.
- > Serving as counsel to a food company seeking defense coverage under D&O policies for dozens of lawsuits alleging, among other things, violations of the Sherman Antitrust Act.
- > Representing a Fortune 500 manufacturing company seeking defense and indemnity coverage under CGL policies for thousands of lawsuits claiming damages for personal injury from alleged exposure to welding fumes and asbestos; to date, the client has obtained summary judgments for tens of millions of dollars in defense costs.
- > Advising a leading media company on strategies to maximize insurance coverage provided by directors and officers liability, employment practices liability, and cyber insurance policies.
- > Represented the FDIC in dozens of lawsuits against numerous D&O insurers, including ACE, AIG, AXIS, Chubb, Lloyd's of London, OneBeacon, Progressive, RSUI, Travelers, and Zurich, to obtain payment for professional liability claims against directors and officers of failed financial institutions following the 2008 financial crisis.
- > Served as lead counsel to a client pursuing property insurance coverage for the loss of a multimillion dollar residence completely destroyed during the Northern California wildfires of 2017.
- > Assisted a client in the paper industry to pursue coverage for business interruption and cargo loss resulting from a factory fire.
- > Represented a receiver in obtaining a favorable settlement under financial institution bond for losses resulting from the dishonest and fraudulent acts of the former CEO and president.
- > Obtained an award totaling more than \$1 million as lead counsel against a charter jet broker for failing to provide a specified aircraft.
- > Represented an international chemical company in pursuing reimbursement from both its primary and excess insurers for attorney's fees incurred in defending several antitrust

class actions.

- > Acted as lead associate on behalf of several Blue Cross Blue Shield entities in a lawsuit to obtain insurance coverage for class actions alleging civil RICO violations; after obtaining a significant summary judgment decision finding the principal exclusion at issue inapplicable, the case settled on the eve of trial.
- > Advised a Fortune 500 company regarding proposed modifications to D&O liability insurance policy to obtain coverage for FCPA claims.
- > Achieved negotiated resolution on behalf of a casino for damage to computer equipment and surveillance system caused by the inadvertent discharge of a fire suppression system.

## HONORS & AWARDS

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- > **Chambers USA: America's Leading Lawyers for Business (2019-2021)**  
Recognized in the District of Columbia as an Associate to Watch for work in Insurance: Policyholder
- > **Super Lawyers: Rising Star for Insurance Coverage (2017-2018)**

## NEWS & INSIGHTS

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### Publications

- > June 22, 2021  
**"Five Tips To Help Navigate the Insurance Claims Process,"** *Lowenstein Sandler LLP*  
Andrew Reidy, Joseph M. Saka,
- > May 5, 2021  
**"Novel Securities Liabilities From the Coronavirus and Utilizing Insurance to Manage the Risk,"** *The Review of Securities & Commodities Regulation*  
, Rachel Maimin, Andrew Reidy, Joseph M. Saka
- > April 7, 2021  
**"In the Know: The Lowenstein Insurance Recovery Group's Tip of the Month,"** *Lowenstein Sandler LLP*  
Joseph M. Saka
- > January 7, 2021  
**"Managing the Risk of Emerging COVID-19 Securities Liabilities With D&O Insurance,"** *Insurance Recovery and White Collar Criminal Defense Client Alert*  
, Rachel Maimin, Andrew Reidy, Joseph M. Saka
- > April 22, 2020  
**"Insurance Coverage in the Time of COVID-19,"** *American Bar Association, Section of Litigation, Corporate Counsel Committee*  
Joseph M. Saka
- > March 23, 2020  
**"Will Companies Have Insurance Coverage for Employment Decisions Flowing From COVID-19?,"** *Insurance Recovery Client Alert*  
Michael D. Lichtenstein, Joseph M. Saka, Julie Levinson Werner
- > January 24, 2019  
**"How to Manage Cyber Risks with Insurance,"** *American Bar Association*  
Joseph M. Saka
- > July 16, 2018  
**"Maximizing Insurance Coverage for Cyber Losses: Two New Decisions Highlight Potential Recovery Sources,"** *Insurance Recovery Client Alert*  
Andrew Reidy, Joseph M. Saka,
- > November 13, 2017  
**"One Lesson from Wannacry: Look to Insurance to Minimize the Risk of Ransomware Attacks,"** *ABA Corporate Counsel Practice Points*  
Joseph M. Saka
- > June 21, 2017  
**"Five Questions to Ask to Maximize D&O Insurance Coverage of FCPA Claims,"** *The FCPA Report*  
Andrew Reidy, Joseph M. Saka,
- > June 5, 2017  
**"New DFS Cybersecurity Regulations Are Here: Will Your Insurance Protect You?,"** *New York Law Journal*  
Andrew Reidy, Joseph M. Saka
- > May 8, 2017  
**"Is Insurance Part of Your Plan for Responding to a Data Breach? Hint: It Should Be,"** *ABA Corporate Counsel Spring Newsletter*  
Joseph M. Saka

- > January/February 2017  
**"Is Your D&O Coverage Ready for Individual Liability?,"** *The Corporate Board*  
 Andrew Reidy, Joseph M. Saka
- > December 5, 2016  
**"California Decision Shows That Companies May Obtain Insurance Coverage for Wage and Hour Claims,"** *Insurance Recovery Group Client Alert*  
 Lynda A. Bennett, Joseph M. Saka,
- > November 10, 2016  
**"Insurance Coverage for SEC Investigations: Lynn Tilton's Patriarch Partners Sue for Coverage and Highlight Traps to Avoid,"** *Business Litigation*  
 Joseph M. Saka
- > October/November 2016  
**"Insurance After Employee Betrayal,"** *Today's General Counsel*  
 Joseph M. Saka
- > October 25, 2016  
**"Matthew's Message: Maximize Insurance Recoveries After a Major Weather Event,"** *Corporate Counsel*  
 Joseph M. Saka,
- > October 6, 2016  
**"Preparing for the Worst: Five Tips for Maximizing Insurance Recoveries in the Wake of Hurricane Matthew,"** *Insurance Recovery Group Client Alert*  
 Joseph M. Saka
- > October 6, 2016  
**"Assignment of Insurance Rights May Be Used for Claims Against Judgment-Proof Defendants,"** *Insurance Recovery Group Client Alert*  
 Joseph M. Saka
- > October 6, 2016  
**"Assignment of Insurance Rights May Be Used for Claims Against Judgment-Proof Defendants,"** *Insurance Recovery Group Client Alert*  
 Joseph M. Saka
- > September 21, 2016  
**"Cyber-Extortion: Will Your Company Be Covered in a Ransomware Attack?,"** *Legaltech News*  
 Joseph M. Saka
- > August 2016  
**"Ten Points Every In-House Counsel Should Know About Insurance,"** *Corporate Counsel Connect*  
 Joseph M. Saka
- > July 28, 2016  
**"Second Circuit Affirms Insurance Coverage Available for Lawsuits Alleging Intentional Misconduct,"** *Business Litigation*  
 Joseph M. Saka
- > March 7, 2016  
**"The Professional Services Exclusion and Investment Management: Are You Purchasing Potentially Illusory Coverage?,"** *Business Litigation*  
 Joseph M. Saka
- > November 6, 2015  
**"Beware of Patent Trolls: Insurance Coverage for Infringement Lawsuits Brought by Non-Practicing Entities,"** *Westlaw Journal*  
 Joseph M. Saka
- > April 13, 2015  
**"What's Under the Glass?,"** *Banking Exchange*  
 Joseph M. Saka
- > March 4, 2015  
**"Insurance Coverage for False Claims Acts Lawsuits,"** *Corporate Counsel*  
 Joseph M. Saka

## In the Media

- > January 3, 2019  
**Joseph M. Saka** is quoted in *Business Insurance* regarding coverage for Foreign Corrupt Practices Act claims. Saka cautions policyholders procuring coverage for FCPA claims to be cautious of limitations including carve outs in loss definitions.
- > October 28, 2015  
**Andrew Reidy, Catherine Serafin,** and **Joseph Saka** are mentioned in **Law360** regarding the tentative settlement of a lawsuit that resulted from defaulted loans which are being sought out by the issuing company.

## SPEAKING ENGAGEMENTS

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- > Speaker, **ACC NCR In-House Primer - Exploring Key Topics Central to the Role of the General Counsel - National Capital Region Fall Conference**, Association of Corporate Counsel, Webinar, September 28, 2021
- > Speaker, **A Policyholder's Primer—A 30-Minute Discussion of Insurance Issues Impacting Your Business**, Lowenstein Sandler, Webinar, June 23, 2021
- > Speaker, **Maximizing Insurance For Claims Impacting Your Business**, Northern Virginia Technology Council (NVTC), Webinar, May 21, 2021
- > Speaker, **ACC NCR Emerging Liabilities Resulting From COVID-19 and How Insurance Can Help Limit Your Company's Exposure**, Association of Corporate Counsel (ACC) National Capital Region, Webinar, April 28, 2021
- > Speaker, **A Policyholder's Primer—A 30-Minute Discussion of Insurance Issues Impacting Your Business**, Lowenstein Sandler, Webinar, March 4, 2021
- > Speaker, **TechGC Virtual Dinner: Insurance Recovery: Insurance May Be Your Shelter in Place**, TechGC, July 28, 2020
- > Speaker, **Insurance Recovery: 60 Days Later: Insurance May Be Your Shelter in Place**, Lowenstein Sandler LLP, Webinar, May 27, 2020
- > Panelist, **Utilizing Insurance To Mitigate Losses and Liabilities Resulting From The Coronavirus**, Lowenstein Sandler LLP, WEBINAR, May 6, 2020
- > Panelist, **Are You Prepared for Your Emerging Employment Liabilities?**, Lowenstein Sandler, Washington, D.C., May 1, 2019
- > Speaker, **Best Practices for Insurance Placement and Claims Resolution**, Lowenstein Sandler's D.C. Office, October 30, 2018
- > Speaker, **Understanding Your Cyber Exposure and How Insurance Will Respond**, McLean, VA, June 7, 2018
- > Speaker, **Understanding Your Cyber Exposure and How Insurance Will Respond**, Lowenstein Sandler LLP, Washington, D.C., April 11, 2018
- > Speaker, **Evaluating Cyber Insurance Policies**, 2018 Telecom Executive Forum, Monterrey, CA, March 13, 2018
- > Speaker, **Shortcuts To Favorable Insurance Claim Resolution**, 2018 IMA Account Executive Conference, Kansas City, MO, February 6, 2018
- > **Shortcuts to Favorable Insurance Claims**, January 11, 2018
- > Speaker, **No-Injury Class Actions: The Efforts to Reform and the Tools to Defend**, Lowenstein Sandler and U.S. Chamber Institute for Legal Reform Seminar, June 15, 2017
- > Speaker, **Dealing with Denial: Persuading Insurers to Modify Their Coverage Determinations**, TechAssure Spring Conference, April 10, 2017
- > Speaker, **Cyber Insurance: Underwriting and Claim Strategies to Maximize Coverage**, Lowenstein Sandler and Marsh & McLennan, April 5, 2017
- > Speaker, **Minimizing the Cost of Discovery: Practical Tips to Limit the Burden of Discovery**, Lowenstein Sandler Alumni Day, December 6, 2016
- > Speaker, **The False Claims Act – Recent Developments, Best Practices, and Pursuing Insurance to Manage the Risk**, Lowenstein Sandler LLP, New York, NY, November 2, 2016
- > Speaker, **Best Practices for Insurance Placement and Claims Resolution**, Lowenstein Sandler and Lockton, October 6, 2016
- > **The False Claims Act – Recent Developments, Best Practices, and Pursuing Insurance To Manage the Risk**, Washington, D.C., April 7, 2016
- > Speaker, **Sea Change: The 2015 Amendments to the Federal Rules of Civil Procedure And Their Implications On Ethical Practice**, March 13, 2016

## EDUCATION

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- > The Catholic University of America, Columbus School of Law (J.D. 2007), cum laude, *Associate Editor, Journal of Contemporary Health Law and Policy*
- > George Washington University (B.A. 2004)

## ADMISSIONS

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- > Texas
- > District of Columbia