



John H. Kazanjian

Principal

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John is one of the top-rated insurance coverage lawyers in New York, with over forty years of experience in complex civil and commercial litigation.

He helps business clients recover the insurance dollars they purchased to protect themselves from critical loss exposure when their insurance companies resist paying. John applies his mastery of insurance coverage law and a range of disciplines for each underlying matter, including environmental law, toxic tort law, and securities law, to maximize recovery.

John advises policyholders in assessing the scope of their insurance coverage and negotiating policy language. He counsels clients in preparing insurance claims and in determining whether to pursue the settlement or litigation of disputed coverage claims.

He has vast experience in evaluating and negotiating settlements with insurance companies, including claims resolutions through mediation or arbitration, no matter the coverage or policy type—from comprehensive general liability, first-party property and business interruption, to errors and omissions, directors and officers, fiduciary liability, employment practices, crime, fidelity, Bermuda form, and environmental, cyber, and other specialty coverages.

Policyholder Clients

John represents corporate and governmental policyholders seeking insurance recovery for bodily injury, property damage, financial loss, and other alleged liabilities and possesses broad industry experience. His clients include chemical, energy, coatings, tire, building products, pulp and paper, mining, recycling, electronics, technology, beverage, pharmaceutical, and medical device manufacturers, as well as hotel operators, franchisors, home builders, property developers and owners, financial services companies, transportation and logistics companies, universities, and municipalities.

His experience also includes specialty policies designed to cover pollution cleanup and liability, such as environmental cost-cap and site liability policies, as well as cyber liability policies. He has represented clients seeking insurance recoveries for domestic and international liabilities and has substantial experience in insurance issues relating to mergers and acquisitions.

Litigation

John has served as lead counsel for policyholders in significant litigation involving insurance coverage for environmental, product, toxic tort, employment, securities, fiduciary, construction defect, and class action liabilities and for punitive damages. He has developed strategies to manage these cases cost-effectively and bring about their earliest possible settlement or resolution, including trial, if necessary, through appeal.

He has argued vital coverage issues before the highest courts of several states and has represented numerous industry and policyholder groups as *amici curiae* in federal and state appellate courts.

A collaborative problem solver, John is also called upon for his general litigation and dispute resolution skills, including mediation and arbitration.

In addition to insurance coverage disputes, he represents manufacturers in product liability, toxic tort, and mass liability cases. Other matters John has handled over his distinguished career include antitrust, trade regulation, intellectual property, banking, business torts, securities, commodities, contracts, construction, defamation, international, real estate, admiralty, and maritime disputes.

Professional Involvement

John chairs the firm's Insurance Coverage and Recovery practice. He previously served as managing principal of B&D's New York office.

He is a frequent author and lecturer on insurance coverage, product liability, and toxic tort issues, as well as on litigation practice, procedure, and techniques. He has served as chair of the Committee on Product Liability for the New York City Bar Association, and as chair of the Tort Law Section's Committee on Insurance Law at the New York County Lawyers Association.

John has been selected by his peers for inclusion in Benchmark Litigation (Plaintiff) as a New York "Litigation Star." In addition, John has been recognized as a Fellow of Litigation Counsel of America and a Fellow of the American Bar Foundation and has served by appointment of the United States Court of Appeals for the Second Circuit to its Pro Bono Panel.

Education

- Providence College (A.B., *magna cum laude*, 1971)
- University of Notre Dame (J.D., *cum laude*, 1975)
 - Managing Editor, Law Review

Bar Admissions

- New York
- District of Columbia

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals - Federal Circuit
- U.S. Court of Appeals - Second Circuit
- U.S. Court of Appeals - Third Circuit
- U.S. Court of Appeals - Ninth Circuit
- U.S. Court of Appeals - Tenth Circuit
- U.S. District Court - Southern District of New York
- U.S. District Court - Eastern District of New York
- U.S. District Court - Colorado

Professional Affiliations

- American Bar Association
- New York City Bar Association
- New York County Lawyers Association

Honors & Awards

- *Chambers and Partners - USA*, ranked Band 3 in Insurance (2018-2023)
- *Chambers and Partners - USA*, recognized practitioner in Insurance (2016-2017, 2022)
- *Super Lawyers, part of Thomson Reuters*, New York Super Lawyer (2009-2022)

Representative Matters

John's extensive experience includes:

- Successfully opposing an insurance company's rescission suit against the client and negotiated a resolution for the full amount of available directors and officers (D&O) insurance proceeds where the client's D&O insurer had sued to rescind the insurance policy it sold the client in order to avoid covering multiple securities suits against the client.
- Assisting and negotiating an environmental liability transfer to a third party, as well as specialty pollution insurance policies to backstop the transaction, to resolve a client's potential liability for known and unknown pollution at a site.
- Obtaining a favorable ruling on behalf of a client that was sued in numerous cases alleging injury from asbestos exposure where the client's insurance carriers refused to pay for the significant defense costs because the asbestos suits did not specifically identify the client's

products and the court's ruling that the insurer's broad duty to defend required it to pay for the client's defense was upheld on appeal.