



Charles W. Browning

PARTNER

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Practice Areas

Insurance Coverage Law

Commercial Litigation

Class Action, Mass Tort &
Multi-District Litigation

Education

- University of Detroit
School of Law, J.D.,
1981
- Michigan State
University, B.A., 1978

Admissions

Michigan, 1981

U.S. District Court - Eastern
District of Michigan, 1982

U.S. District Court -
Western District of
Michigan, 1989

U.S. Court of Appeals -
Sixth Circuit, 1988

U.S. Court of Appeals -
Eighth Circuit, 2010

U.S. District Court -
Western District of
Pennsylvania, 1997

U.S. District Court -
Northern District of Indiana,
2001

U.S. District Court -

Charles (Chuck) W. Browning is a partner and Co-leader of the firm's Insurance Coverage Practice Group, overseeing the firm's nationwide practice as coverage counsel for several major insurance companies. Mr. Browning is also an experienced commercial and tort litigator, with particular skill in the handling of high exposure tort claims and construction defect disputes.

Mr. Browning has been designated annually as a Michigan Super Lawyer and is annually listed in the publication The Best Lawyers in America. He is a Fellow in the American College of Coverage Counsel. Mr. Browning was a member of both the 2015 and 2020 classes of the Lawyers of the Year as determined by Michigan Lawyers Weekly, one of only a handful of lawyers to have received this honor more than once.

Mr. Browning is Co-editor in Chief of The DRI's compendium of the law in all 50 states and Canada on the critical issues surrounding a carrier's duty to defend. He is also regional editor of DRI's compendium of the law in all 50 states and Canada on the critical issues surrounding a carrier's reservation of rights. The 2016 recipient of DRI's prestigious Albert H. Parnell Award, Mr. Browning has been Program Chair for both of the organization's flagship insurance seminars – the Insurance Coverage and Claims Institute (held annually in Chicago) and the Insurance Coverage and Practice Symposium (held annually in New York City).

Mr. Browning is a member of the State Bar of Michigan and several federal courts, and he has been admitted to practice law pro hac vice in more than 34 states. He is a member of the DRI's Insurance Law Committee; International Association of Defense Counsel (Insurance

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Southern District of Indiana,
2003

U.S. District Court -
Western District of
Wisconsin, 2011

U.S. District Court -
Northern District of Illinois,
2014

Admitted pro hac vice
numerous times in state
courts in Indiana, Illinois,
Minnesota, Ohio, Kentucky,
Pennsylvania, West Virginia,
New Jersey, New York,
California, Mississippi,
Tennessee, Missouri, Iowa,
Delaware, Wisconsin,
Florida, Virginia, Oklahoma,
Alabama, North Carolina,
South Carolina, Georgia,
Arizona, Maryland, New
Mexico and Texas

Committee, Chair 2006 to 2008); Federation of Defense & Corporate
Counsel (Insurance Committee); and the American Bar Association
(Litigation Section and Torts and Insurance Practice Section). He is a
member of the Board of Editors of the Defense Counsel Journal.

Representative Client Work

Mr. Browning has represented and counseled insurance carriers in
countless complex insurance coverage matters throughout the United
States for over 38 years. He represents insurance carriers in coverage
matters arising from such issues as bad faith, class actions,
construction defects, mass torts, environmental, defective products,
asbestos, mold, contaminated foods, general liability (primary and
excess), employer's liability, errors and omissions, property, directors
and officers, and professional liability. The list below provides only a
representative sample of his experience in such coverage matters:

- Represented an insurance company in coverage disputes with
manufacturers and sellers of "biodegradable wipes" that allegedly
caused damage to municipal sewage treatment facilities across the
country
- Represented an insurance company in a coverage dispute arising
from severe plumbing defects at Lucas Oil Stadium
- Represented an insurance company in a coverage dispute arising
from numerous mishandling instances of human remains by funeral
homes
- Represented an insurance company in a coverage dispute arising
from claims for property damage to 5,000-plus vehicles in Idaho
arising from a defective road surface
- Represented an insurance company in a coverage dispute with
teams from the National Football League arising from alleged bodily
injury claims by players from addictive pain medication treatment
- Represented an insurance company in a coverage dispute with a
municipality arising from the city of Flint water crisis
- Represented an insurance company in a coverage dispute arising
from the injection of allegedly tainted steroids in hundreds of
patients, which allegedly resulted in numerous deaths and injuries

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- Represented an insurance company in a coverage dispute arising from a wrongful murder conviction in which the claimant served 16 years in prison
- Represented an insurance company in a coverage dispute arising from the collapse of a large outdoor stage from a severe thunderstorm during a rock concert at the Indiana State Fair, which resulted in numerous deaths and injuries
- Represented an insurance company in a coverage dispute arising from alleged construction and design defects in a major new Chicago hospital
- Represented an insurance company in a coverage dispute with an international construction company that sought insurance coverage for 11 defectively constructed coal-fired electric power plants located across the Midwest
- Represented an insurance company in a coverage dispute with large multinational corporation that sought insurance coverage for hundreds of thousands of respirator and dust mask claims arising from exposure to asbestos, silica or coal dust
- Represented an insurance company in a coverage dispute with a national department store chain that sought insurance coverage for the alleged disclosure of confidential customer information
- Represented insurance companies in numerous litigated insurance coverage disputes arising from environmental contamination claims in Indiana
- Represented an insurance company in litigated insurance coverage disputes with Waste Management, Inc. and several of its affiliated entities in courts in Indiana, Ohio, New Jersey, Pennsylvania and Texas arising from hundreds of thousands of claims from exposure to silica or asbestos
- Represented an insurance company as national coverage counsel with respect to all coverage claims arising from Chinese drywall
- Represented an insurance company in a coverage dispute with a company that caused an explosion at their plant that leveled several city blocks and destroyed 28 separate businesses
- Represented an insurance company (that issued 20 years of primary policies) in a coverage dispute with a Fortune 50 chemical company that sought insurance coverage for several hundred contaminated waste sites
- Represented an insurance company that issued several years of primary and excess coverage to Dow Corning in a coverage dispute with respect to the Dow Corning breast implant litigation
- Represented an insurance company in a coverage dispute with an Ohio tire manufacturer with respect to thousands of underlying tire defect claims
- Represented an insurance company in a coverage dispute with 3M with respect to the 3M breast implant litigation
- Represented an insurance company (that issued 40 years of primary policies) in a coverage dispute with a Big-Three automaker that sought insurance coverage for all historical environmental and

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asbestos claims against it

- Represented an insurance company in a coverage dispute with a Big-Three automaker with respect to company-wide class action employment discrimination and wrongful termination claims
- Represented an insurance company in a coverage dispute with a Big-Three automaker with respect to roll over claims against that automaker allegedly arising from defective tires
- Represented an insurance company in a coverage dispute with a furnace manufacturer with respect to hundreds of thousands of defective furnace claims pending in class actions and individual lawsuits
- Represented an insurance company in a coverage dispute with a West Virginia mining company with respect to tens of thousands of alleged bodily injury claims pending in class action lawsuits
- Represented an insurance company in a coverage dispute with a large meat-packing company with respect to thousands of claims arising from a multi-state e-coli outbreak
- Represented an insurance company in a coverage dispute with a large manufacturer of premium windows with respect to a nationwide class action lawsuit arising from water infiltration claims
- Represented an insurance company in a coverage dispute with a manufacturer of asbestos containing products, facing hundreds of thousands of underlying claims
- Represented an insurance company in a coverage dispute with a siren manufacturer with respect to a nationwide class action of firefighters and emergency response personnel, alleging hearing loss
- Represented an insurance company in a coverage dispute with a crematorium in Georgia that failed to cremate the remains of hundreds of deceased persons
- Represented an insurance company in a coverage dispute with a national home construction company with respect to alleged defective construction claims in several states
- Represented an insurance company in a coverage dispute arising from the collapse of a large swing stage from atop the Hancock Building in Chicago that resulted in multiple deaths and injuries
- Represented an insurance company in a coverage dispute with large multinational food conglomerate with respect to a recall of processed turkey in numerous states
- Represented an insurance company in a coverage dispute with a multi-state pipeline company operating a 20,000-mile pipeline with respect to environmental claims at each of the hundreds of pipeline transfer stations
- Represented an insurance company in a coverage dispute with a baseball bat manufacturer with respect to an antitrust claim brought by a competing manufacturer

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PUBLICATIONS AND LECTURES

Mr. Browning has been a frequent lecturer and author on insurance coverage issues throughout his legal career. For example, he has presented lectures and published legal articles and papers as follows:

- "Fair Claims Practice - Ohio" webinar, Co-presenter, Claims and Litigation Management Alliance, Dec. 5, 2023
- "Fair Claims Practice - Michigan" webinar, Co-presenter, Claims and Litigation Management Alliance, Dec. 7, 2023
- "PFAS Claims: Are These "Forever Chemicals" The New Asbestos?," Presenter, DRI's Insurance Coverage and Practice Symposium, New York, Dec. 1, 2023
- "Bad Faith - Michigan" webinar, Presenter, Claims and Litigation Management Alliance, Oct. 12, 2023
- FETTI 2023, Program Chair, Chicago, Sept. 27-29, 2023
- "Insurance Coverage for Pre-Closing Liabilities: Enforcing the Successor's Rights to Predecessor's Coverage" Co-presenter, Stafford webinar, Aug. 1, 2023
- "When are Duties Owed to Parties Other Than the Named Insured," Co-presenter, IF P&C's International Liability Competence Group, Oct. 21, 2021
- DRI Insurance Coverage Practice Symposium – "The Intended and Unintended Consequences of a Reservation of Rights" (also prepared corresponding written materials), Lecturer, New York, December 2020
- DRI Northeast Regional Claims Conference – Program Chair, Hartford, September 2018
- "Drilling Down on the Duty to Defend," DRI Northeast Regional Claims Conference, Hartford, November 2017
- "Hacking a Path Through the Coverage Jungle - Additional Insured Status from Construction Contracts," Co-Author, DRI's *For the Defense*, May 2017
- DRI Insurance Coverage Practice Symposium – the Foreign World of International Coverage Claims (also prepared corresponding written materials), Lecturer, New York, December 2016
- DRI Insurance Boot Camp – Reservation of Rights (also prepared corresponding written materials), Lecturer, Chicago, September 2016
- DRI Insurance Coverage Practice Symposium, Program Chair, New York, December 2015
- DRI Insurance Law Committee – Webcast – Insurance 101; The Duty to Defend and Best Practices for a Reservation of Rights (also prepared corresponding written materials), Lecturer, Chicago, July 2015

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- "Coverage B Compendium," DRI Defense Library Series, Regional Editor, June 2015
- "Writing a Reservation of Rights: A North American Compendium," DRI Defense Library Series, Regional Editor, January 2015
- DRI Insurance Coverage and Claims Institute – Put it in Writing: Drafting a Reservation of Rights (also prepared corresponding written materials), Lecturer, Chicago, April 2014
- DRI Insurance Law Committee – Webcast – Insurance 101; The Duty to Defend and Best Practices for a Reservation of Rights (also prepared corresponding written materials), Lecturer, Chicago, August 2013
- DRI Insurance Executive Roundtable, Program Chair, Boston, June 2013
- ABA Insurance Coverage Litigation Committee – Allocation Issues Arising from Long-Tail Claims (also prepared corresponding written materials), Lecturer, Tucson, March 2013
- DRI Insurance Executive Roundtable, Program Vice Chair, Chicago, June 2012
- HB Litigation Conferences – All Sums, Reallocation and Settlements; Rights of Subrogation and Contribution (also prepared corresponding written materials) Lecturer, New York, June 2012
- DRI Insurance Coverage and Claims Institute – New and Emerging Issues Facing the Insurance Industry (also prepared corresponding written materials), Lecturer, Chicago, March 2012
- DRI Insurance Coverage and Claims Institute, Program Chair, Chicago, March 2011
- DRI Insurance Coverage Practice Symposium - Insurance Coverage Issues Arising from Chinese Drywall Claims (also prepared corresponding written materials), Lecturer, New York, December 2010
- Major Property and Casualty Carrier - Insurance Coverage Issues for Chinese Drywall Claims Under General Liability Policies, Lecturer, New Jersey, December 2009
- HarrisMartin presentation - Insurance Coverage Issues for Chinese Drywall Claims Under General Liability Policies (also prepared corresponding written materials), Lecturer, Miami, October 2009
- DRI Insurance Coverage and Claims Institute - Trigger of Coverage for Latent Injury Claims (also prepared corresponding written materials), Lecturer, Chicago, April 2009
- American Law Firm Association and Major Property and Casualty Carrier - New and Emerging Insurance Coverage Issues Under General Liability Policies, Lecturer, New York, December 2008
- "Iowa High Court Upholds Total Pollution Exclusion As Bar To Coverage," IADC Casualty Newsletter, Author, May 2007
- IADC Seminar on New And Emerging Insurance Coverage and Liability Issues, Lecturer/Moderator, February 2007
- "Oregon Supreme Court Upholds Consent to Assignment Clause and Precludes Coverage," IADC Casualty Newsletter, Author, January 2007

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- "Texas Supreme Court Holds That Mold Exclusion Applies Even Though Damage Was Caused By A Covered Peril," IADC Casualty Newsletter, Author, November 2006
- "Environmental Claims in Michigan Insurance Law And Practice," (updated chapter), Author, November 2006
- Major Property and Casualty Carrier – New Developments in Pre-Tender Coverage Issues And Related Issues On A Carrier's Right To Control The Defense Under Reservation of Rights (also prepared corresponding written materials), Lecturer, Boston, November 2006
- Major Property and Casualty Carrier – New Developments in Michigan Insurance Coverage Law, Lecturer, New York, August 2006
- IADC Seminar – Coverage Issues Arising from Non-United States Mass Tort Claims, Lecturer/Moderator, Rome, Italy, July 2006
- Mealey's Webcast Seminar on Asbestos Coverage Litigation – The Number of Occurrences Issue (also prepared corresponding written materials), Lecturer, June 2006
- IADC Seminar – New and Emerging Trends in Insurance Coverage Issues -- A View From the Trenches, Lecturer/Moderator, February 2006
- Mealey's Seminar on Asbestos Coverage Litigation – Successor Liability and Related Coverage Issues (also prepared corresponding written materials), Lecturer, New York, December 2005

PROFESSIONAL AFFILIATIONS

- State Bar of Michigan Member (Insurance Law, Negligence and Environmental Law sections)
- American College of Coverage Counsel, Fellow
- DRI - The Voice of the Defense Bar (Insurance Law Committee)
- American Bar Association (Litigation Section, Torts and Insurance Practice Section, Insurance Law Subcommittee and Task Force on Environmental Insurance Coverage Litigation, member)
- International Association of Defense Counsel (Insurance Committee)
- Federation of Defense & Corporate Counsel (Insurance Committee)

Honors & Recognitions

- American College of Coverage Counsel, Fellow
- Best Lawyers in America® in the field of Insurance Law, 2010 - 2024
- Martindale-Hubbell's highest rating-AV Preeminent™ Peer Review Rated
- Michigan Super Lawyer in Insurance Coverage, Michigan Super Lawyers, 2006 - 2023

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- Leading Lawyer in Insurance, Insurance Coverage & Reinsurance Law, Leading Lawyers Magazine Michigan, 2015 - 2022
- Albert H. Parnell Outstanding Program Chair Award, DRI - The Voice of the Defense Bar, Oct. 20, 2016
- Top Lawyer in Insurance Law, DBusiness magazine, 2010, 2013 - 2022, 2024