

Karen Libertiny Ludden

Karen Libertiny Ludden is a shareholder and the Chair of the Insurance Coverage and Defense Practice Group. She is known for her negotiating skills and her practical and efficient method of handling complex insurance coverage and defense matters for insurance carriers, commercial insureds and private clients.

Karen specializes in negotiating global resolutions in complex cases involving product liability, general contractor liability, subcontractor liability, trucking accidents, personal auto accidents, dram shop, class actions, premises liability, arson, property damage, contract disputes and municipal defense. She has a multi-state Federal practice and has argued in the Michigan Court of Appeals and briefed in the Michigan Supreme Court. She regularly guides clients on insurance coverage, risk management and loss control.

Karen also sits as a commercial case evaluator in Oakland County and as a tort case evaluator in Wayne County. She is available to sit as a facilitator/mediator in commercial liability cases where insurance coverage is at issue.



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INSURANCE COVERAGE EXPERTISE

- Additional Insureds
- Business Interruption (BI)
- Commercial Auto (CA)
- Commercial General Liability (CGL)
- Cyber Liability (CL)
- Designated Products
- Designated Work
- Employment-Related Practices
- Engineers, Architects or Surveyors Professional Liability
- Errors & Omissions (E&O)
- Excess Liability (XL)
- Fungi or Bacteria Exclusions
- Inland Marine (IM)
- Limited Contractual Liability Coverage for Personal and Advertising Injury
- Michigan No-Fault (PIP)
- Pollution Exclusions
- Products Completed Operations
- Professional Liability (PL)
- Property Damage (PD)

- Risk Management/Loss Control
- Terrorism Exclusions

INDUSTRY REPRESENTATION

Karen has handled coverage disputes and defended commercial insureds and private clients in a wide variety of industries, including:

- Apartment Complexes
- Banks
- General Contractors
- Individual Owner/Operators
- Landscaping Companies
- Medical Offices and Centers
- Multi-Purpose Stores
- Municipalities
- Non-profits
- Salons
- Security Companies
- Snow Plow Companies
- Subcontractors
- Trucking Companies
- Web-Only Stores

REPRESENTATIVE SUCCESSES

- Resolution of multi-state class action suit involving complex coverage arising from products liability case
- Resolution of coverage issue in intellectual property case brought by Microsoft against commercial insured, which resulted in resolution of underlying litigation
- Resolution of multiple cases brought by MDOT against trucking companies for large property losses involving pedestrian bridges
- Attainment of published Federal Court decision declaring no insurance coverage necessary from carrier for a risk that insured denied it was engaging in during application process but which resulted in a \$9 million commercial loss
- Global settlement of large Federal Court coverage case filed by top-tier food manufacturing company against small commercial supplier that purchased filler ingredient from Chinese company that allegedly resulted in contamination of thousands of pounds of commercially-manufactured granola bars
- Settlement of complex products liability case involving crush injury in DVD/video dispensing machine where client was the original designer, and the manufacturer attempted to shift blame to the designer
- Successful defense of case involving commercial apartment complex where toddler fell out of second floor window with allegedly insufficient safety guards
- Successful resolution of complex construction case involving coverage and liability with multiple unrelated Plaintiffs, a general contractor and 19 subcontractors with simultaneous federal and state cases

CLIENT TESTIMONIALS

“I’ve worked with Karen for over 10 years defending a variety of unique and complex legal issues involving coverage and merits cases. Karen’s ability to identify key issues, develop strategy to position cases for negotiation from a position of strength and then execute has led to outstanding results for both our clients and our company.”

"I've used Karen on a variety of occasions. Her legal work is exceptional. As importantly, her recognition that legal matters more often than not involve individuals, each of whom has a particular motivation, makes her a deft dealmaker."

"She is very intelligent, hard-working and honest. She is a credit to her clients."

LEADERSHIP ROLES, HONORS AND COMMUNITY SERVICE

- Past President of the Michigan Chapter of the Federalist Society
- Commercial Mediator, Oakland County, Michigan
- Tort Mediator, Wayne County, Michigan
- Member of the Coverage Section of Claims & Litigation Management (CLM) and co-chair of its annual NYC Seminar
- 2016 graduate of the Litigation Management Institute (LMI) of CLM at Chicago Kent Law School
- Regular lecturer on insurance coverage including endorsement, exclusions, reservation of rights, denials, additional insured, indemnitees and no-fault law
- Lecturer on trucking liability and no-fault issues
- AV Preeminent rated; the highest peer rating available from Martindale-Hubbell
- Recipient of Michigan Lawyers Weekly's 2016 "Women in the Law" nomination, an awards program honoring women lawyers in Michigan who have a commitment to excellence in the practice of law, are inspiring and accomplished leaders in the legal profession, serve as mentors to other women, and who contribute significant time and effort to volunteerism and/or pro bono work.
- Moot court judge for the University of Michigan Law School
- Detroit Legal Aid and Defender Association award recipient for pro bono work

EDUCATION

- University of Michigan Law School, 1993 J.D.
- University of Michigan, 1990 B.A.
magna cum laude

BAR ADMISSIONS

- Michigan

COURT ADMISSIONS

- All Michigan courts
- United States Court of Appeals for the Sixth Circuit
- United States District Courts for the Eastern and Western Districts of Michigan
- Bankruptcy Court for the Eastern District of Michigan

PROFESSIONAL ACTIVITIES

- State Bar of Michigan
- American Bar Association
- Federal Bar Association
- Oakland County Bar Association
- Claims & Litigation Management Alliance

PRACTICE AREAS

- Insurance Coverage and Defense
- Litigation and Dispute Resolution
- Transportation and Logistics Law