


COVID-19



Decades of strategic case development and trial experience.

For more than twenty years, WSHB has anticipated legal trends and worked to protect our clients before claims get made. We were national thought leaders on emerging risks before that term was coined. Today, we stand ready to assist our clients with risk management, employment issues, transactional advice and pre-litigation claims arising from the novel coronavirus and the infectious disease caused by this virus - Covid-19. Drawing from the experience of our more than 350 attorneys, our geographic breadth with offices across the County and unmatched experience with infectious disease litigation, WSHB is the "go to" law firm for unfolding issues related to the pandemic.

Coronavirus has literally changed our world in the course of weeks. It presents public health and economic challenges that impact every aspect of society. Employers, businesses, property owners and their underwriters are being presented with risk management and reputational risk challenges, employment issues and the need to minimize the potential for claims arising from the pandemic. WSHB can assist with a measured, thoughtful, proactive and responsible approach based on the latest data and best practices, plus years of relevant experience. We have obtained defense verdicts in multi-plaintiff infectious disease cases and were lead defense counsel in the Federal Multi-District Litigation filed in response to the 2012 Hantavirus outbreak at Yosemite National Park. Our expertise in mass torts, employment, insurance and business transaction allows WSHB to take a multi-disciplinary approach. With a group of well regarded thought leaders who focus on particular industries, our Coronavirus National Response Team is prepared to respond immediately to the quickly changing legal issues our clients face as a result of the coronavirus pandemic.

WSHB is at the forefront of advising insurance agents and brokers on a wide range of potential errors and omissions issues that may arise in connection with Covid-19. Since the onset of this pandemic in the United States, WSHB's strong bench of national professional liability defense lawyers have been advising insurance agents and brokers on navigating the new insurance issues presented by Covid-19. Specifically, WSHB lawyers have been reviewing and maintaining updated resources regarding the latest insurance industry Covid-19 insurance information; communicating with its insurance agent, agency and carrier clients on a regular basis to learn new information as it becomes available to help serve our clients; assisting insurance agents with documenting communications with insureds regarding coverage issues; and advising insurance agents regarding potential errors and omissions claims.

The firm enjoys an international reputation for closely collaborating with its clients, so that long term goals are not sacrificed to resolve immediate problems. Quick communication and analysis are essential in the fast changing landscape resulting from coronavirus. WSHB's ability to collaborate and share information across geographical regions and practices presents a significant value add in situations where time is of the essence. We have already handled issues in varied practice areas arising from the pandemic, provided virtual training and webinars on emerging coronavirus issues and stand ready to navigate issues of first impressions for our clients.

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Experience in Multiple Practice Areas

Coronavirus and Covid-19 can create issues in numerous practice areas. These cross-over issues must be considered when public health issues arise in the workplace, when employers need to address new regulations and handle workforce reductions, corporations draft business continuation plans and consider risk management issues or claims made. We have handled these issues and more during the current pandemic. Whatever the issue, chances are we have already addressed the problem your business is facing and have strong recommendations, protocols, consultants and action plan options to consider.

WSHB has deep experience representing both public entity and private clients, in industries including construction, real estate, hospitality, healthcare, technology, insurance and retail. Our lawyers know these sectors and clients on a deep level, understanding contractual relationships, litigation risks and other issues which clients must now address in the context of coronavirus.

Our talent base is broad and we have established practice groups in many key areas impacted by the pandemic:

- Senior Living / Nursing Home
- Medical Malpractice / Medical Negligence
- Professional Liability
- Directors and Officers Liability
- Labor and Employment
- Hospitality
- Insurance Coverage
- Contract analysis
 - event cancellation
 - interpretation of force majeure language
 - construction contracts
 - real estate contracts
 - landlord tenant issues
- Habitability
- Cybersecurity and Data Privacy
- Occupational Exposure
- Environmental
- Product Liability
- Consumer Finance Litigation

Here to Help - 24/7

We understand the immediacy of needing legal counsel to address issues that are unfolding hourly. Many of these decisions do not give the luxury of time. **If you have an immediate legal need, contact VirusRapidResponse@wshblaw.com.** Monitored 24/7, a member of our team will reach out to you depending on the issues presented.

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EXPERIENCE

- The Louisiana Supreme Court Overturns Finding that COVID-19 is a Physical Loss Triggering Insurance Coverage
4.10.23
- Pandemic Claim for Business Interruption Rejected
10.25.22
- COVID-19 Particles Constitutes Physical Loss Triggering Coverage
10.24.22
- Statute of Limitations Tolled Broadly in Emergency Order
11.5.21

NEWS

- Sunsetting of Emergency Rule to Extend Time to Bring a Civil Action To Trials Spurs Confusion
Coronavirus Resources, 4.11.22
- New COVID Workplace Requirements Released for California Businesses
Article, 1.27.22
- Supreme Court Prevents OSHA “Vaccine or Test” Standard From Taking Immediate Effect But Allows Healthcare Worker Mandate To Stand
Coronavirus Resources, 1.13.22
- Omicron Surge Pushes Courts Back to Remote Proceedings
Article, 1.6.22
- Emerging Issues for Vaccine and Test Mandates
Article, 12.7.21
- Leaders in an Emerging Nationwide Trend: Orange County Courts to Pilot New Electronic Evidence Portal
Article, 12.3.21
- President Biden’s Employer Vaccine Mandate Moves Forward
Article, 11.9.21
- California Leads Nation in Preserving Remote Appearances; Proposed Legislation Allows Virtual Appearances, Testimony and Trials
Article, 11.5.21
- Texas Employer Conundrum: Conflicting State and Federal Rules on Vaccine Mandates
Article, 10.13.21
- Executive Order Said to Require Private Employers with 100 Plus Employees to Make Mandatory Vaccinations and/or Weekly Testing
Coronavirus Resources, 9.9.21
- Employment Law Alert: OSHA Issues Emergency Temporary Standard for Managing COVID-19 in the Healthcare Employers and Roadmap for Other High Risk Workplaces
Article, 6.15.21

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- Will Payroll Tax Credit Extensions Beget Further Paid Leave Under The FFCRA?
Article, 12.31.20
- Federal Court Guardrails Covid-19 Paid Leave: Paid Leave Expanded For New York Workers Under the Families First Coronavirus Response Act
Article, 8.26.20
- California Bill Seeks to Shift Burden of Proof to Carriers for COVID-19 Business Interruption Claims
Newsroom, 7.15.20
- Covid-19 Hits the Construction Industry
Coronavirus Resources, 6.15.20
- Requirement to Accept, Forward, Acknowledge, and Fairly Investigate All Business Interruption Insurance Claims Caused by the COVID-19 Pandemic
Newsroom, 4.17.20
- New Jersey Temporarily Allows Remote Notarizations During Virus Outbreak
Newsroom, 4.16.20
- Emergency Coronavirus Insurance Regulations in Colorado
Article, 4.16.20
- How will COVID-19 Impact Insurance Agents/ Brokers E&O; Minimizing Exposure During and After the Pandemic
Newsroom, 4.16.20
- Federal Legislation Proposed to Mandate Business Interruption Coverage for Pandemics
Newsroom, 4.16.20
- Enforcement of Force Majeure: Can it Excuse Performance Resulting From the COVID-19 Pandemic?
Coronavirus Resources, 4.13.20
- COVID-19: Philadelphia Court of Common Pleas Strives to Keep Civil Litigation Advancing During Public Health Crisis
Newsroom, 4.10.20

PUBLICATIONS

Can Covid-19 Liability Be Waived?, Risk Management Magazine (September 1, 2020)

Assessing Personal Injury Liability from Covid-19, Risk Management Magazine (May 1, 2020)

Covid-19 Hits the Construction Industry, CLM Construction Claims Magazine (Summer 2020)

- Getting Back to Normal: The Practice of Law Post Pandemic
Article, 3.7.22
- Will Payroll Tax Credit Extensions Beget Further Paid Leave Under The FFCRA?
Coronavirus Resources, 12.31.20
- Getting Ahead of the Curve: Future Lessons for Underwriters and Business Leaders in the Aftermath of COVID-19
Article, *The Recorder*, 4.17.20
- COVID-19 Nevada Litigation Alert: Statute of Limitations Stayed
Article, 4.2.20

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- COVID-19 Employer Alert: Summary of the CARES Act
Publications, 3.26.20
- COVID-19 Employer Alert: Enactment of Families First Coronavirus Response Act (FFCRA)
Publications, 3.19.20

CORONAVIRUS RESOURCES

- Employment Law Alert: OSHA Issues Emergency Temporary Standard for Managing COVID-19 in the Healthcare Employers and Roadmap for Other High Risk Workplaces
Coronavirus Resources, 6.15.21
- Federal Court Guardrails Covid-19 Paid Leave: Paid Leave Expanded For New York Workers Under the Families First Coronavirus Response Act
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Coronavirus Resources, 4.10.20
- Covid-19: Assessing the Legal Risk of Infectious Diseases
Coronavirus Resources, 4.7.20
- COVID-19: New Jersey Legislation Client Alert
Coronavirus Resources, 4.3.20
- COVID-19: New York Malpractice Law Alert
Coronavirus Resources, 3.25.20