



Kirsten A. Byrd

PARTNER

KANSAS CITY, MO

PHONE: 816.983.8384

EMAIL: KIRSTEN.BYRD@HUSCHBLACKWELL.COM

OVERVIEW

Clients count on Kirsten for representation in complex disputes.

Clients rely on Kirsten to dissect and translate complex insurance issues, then develop successful resolution strategies. Her practice focuses on insurance regulatory law and insurance disputes, including compliance with state and federal regulations, coverage and extra-contractual liability. She is fluent in a broad array of insurance products, including:

- Commercial general liability
- Commercial property and business income
- Crisis management
- Professional malpractice
- Life insurance
- Management liability
- Cyberinsurance

Kirsten also focuses on complex commercial and professional malpractice disputes. She is adept at anticipating all angles of a dispute. Among her achievements are numerous favorable trial verdicts dealing with contract, malpractice and tort claims. Understanding the time and cost demands clients face, Kirsten has also been instrumental in developing innovative ways to use software in order to streamline litigation for faster and more efficient results.

Industry

Financial Services & Capital Markets

Services

Commercial Litigation

Consumer Fraud Litigation

Insurance

Litigation & Alternative Dispute Resolution

Professional Liability Litigation

Experience

- Counsel business clients on all aspects of insurance law, including regulatory compliance, coverage, claims handling standards and insurance disputes.
- Experience with a wide range of insurance products, including CGL, commercial property and business income, automobile insurance, first and third-party cyber insurance, directors & officers liability insurance, crisis management, professional malpractice, life insurance (coverage, rescission, reinstatement, lapse and fraud), regulatory/investigation coverage, and transactional insurance (e.g., reps & warranties).
- Substantial representation of business clients through trial and appeal on a wide range of disputes, including contract and tort claims.
- Secured a defense verdict on malpractice claims against professional corporation and employee.
- Secured multi-million dollar resolution for business client on complex insurance claim involving issues of first impression.
- Obtained favorable settlement for primary insurer against excess insurer after filing motion for summary judgment.
- Secured dismissals of declaratory judgment suits on behalf of business client on insurance claims.
- Defended insurer through appeal on agent's claim of authority to bind insurer to coverage.
- Counseled banking clients on recovery against fidelity bonds, insurance coverage for bank directors, officers and employees and recovery under private mortgage insurance.
- Several favorable settlements relating to insurance coverage gaps.
- Obtained favorable settlements on property insurance claims.

Experience

- Represented leading national insurance regulatory organization with regard to amicus briefing in the Supreme Court of the United States dealing with health insurers' claims for outstanding Risk Corridor payments under the Affordable Care Act.
- Navigated expedited negotiations, hearings and discovery for state insurance department client in disputed rehabilitation and subsequent liquidation proceedings. Team counsel avoided trial, resulting in significant client cost and time savings, thus preserving and maximizing estate assets.
- Secured dismissal of Fair Credit Reporting Act (FCRA) and Telephone Consumer Protection Act (TCPA) claims against our client; while motion to dismiss was pending, our legal team convinced court to exempt our client from all discovery for one year.
- As key member of the firm's CARES Act resource team, served as a key resource on insurance coverage issues related to COVID-19.
- Counseled international packaging company during coronavirus pandemic on accounts receivable/trade credit insurance to manage risk related to collection of future accounts receivable.
- Assisted clients in supporting their coronavirus related insurance claims, including event cancellation, business interruption and extra expense claims.
- Secured two settlements worth nearly \$150 million on behalf of our client, a state insurance commissioner, in his capacity as the liquidator of an insolvent insurer.
- Represented former directors and officers in claims against them for negligence and breach of fiduciary duty, securing an early and advantageous settlement to avoid personal exposure.

Recognition

- *The Best Lawyers in America*®, Insurance Law, 2021-2024; Commercial Litigation, 2023 and 2024
- *KC Business Magazine*, Rising Stars, 2013
- *Missouri Lawyers Weekly*, “Up & Coming Lawyer,” 2013

Education

- J.D., University of Iowa College of Law
 - with honors
- B.A., University of Iowa
 - Spanish
 - with honors

Admissions

- Missouri
- Kansas
- Iowa
- U.S. District Court, Central District of Illinois
- U.S. District Court, Northern District of Iowa
- U.S. District Court, District of Kansas
- U.S. District Court, Western District of Missouri
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. Court of Federal Claims

Community Leadership

- Kansas City Ballet, Board of Directors, 2010-2022
- KCPT Public Television, Board of Directors, 2010-2019



2024 Best Lawyers