



Tamara Hayes O'Brien

PARTNER

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OVERVIEW

Tami's national practice focuses on identifying, managing and maximizing companies' historical insurance assets to respond to mass tort claims.

She works closely with clients to assure they have seamless coverage and to minimize out-of-pocket costs. Her tactical, detail-oriented approach helps remove the distractions of complex litigation for clients. Tami likes to hear clients say that they haven't thought about a matter for months because they know she is taking care of it.

Her success in managing asbestos and insurance coverage litigation nationwide stems in part from her extensive, client-focused collaboration with product manufacturers. Tami partners with clients to develop individualized strategic plans that mitigate and efficiently manage ongoing liability issues.

She also advocates to secure the rights of corporate policyholders facing complex coverage issues in a variety of contexts, including asbestos liabilities, environmental liabilities and construction defects.

Industry

Manufacturing

Services

Asbestos Litigation

Commercial Litigation

Insurance

Litigation & Alternative Dispute Resolution

Toxic Tort

Experience

- Manages significant insurance assets for policyholders facing hundreds of thousands of asbestos personal injury claims. Litigates numerous complex insurance issues that arise in this context, ensuring seamless access to more than \$800 million of primary and umbrella coverage for one client and more than \$250 million of coverage for another. Representation has included negotiation of sophisticated coverage-in-place agreements and policy buybacks involving numerous layers of excess and umbrella coverage, negotiation of claim allowances with "estates" of insolvent insurers and assignments of claim allowances.
- Represented insurance policyholders securing both first-party and liability insurance coverage for claims of construction defects under commercial general liability policies, contractor's professional liability policies, professional liability errors and omissions policies, and builder's risk policies, including design/build professionals, architects, engineers, real estate developers, general contractors and subcontractors.
- Advised policyholders on appropriate type and scope of coverage needed under directors and officers policies for various professional services.
- Worked with entrepreneurs and startup companies, along with selected insurance brokers, to manuscript insurance policies to comprehensively cover the services performed by startups, including investment liability coverage; errors and omissions coverage for design, architectural and real estate development services; mortgage banking and brokerage services; and property management services.
- Serves as outside counsel for two global companies to coordinate national asbestos litigation. Works with local counsel and insurer representatives to develop global strategies for defense, resolution and trial of asbestos personal injury claims, and to ensure insurance companies fulfill their fiduciary duties of good faith in defense and indemnification of claims.

Experience

- Negotiated and litigated contested insurance coverage issues under general liability policies, construction project policies, professional liability errors and omissions policies, directors and officers policies, municipal liability policies, fidelity and crime policies, and homeowner and automobile insurance policies.
- Worked with mutual municipal liability insurer to redraft municipal liability and school leaders errors and omissions policies to eliminate inconsistencies and ambiguities, to accommodate changes in Wisconsin statutes relating to underinsured and uninsured motorist coverage, and to ensure policies provide intended scope of coverage.
- Represented insurer in connection with reinsurance disputes and offshore insurers.

Recognition

- *The Best Lawyers in America*®, Commercial Litigation, 2013-2024; Insurance Law, 2023 and 2024; Litigation - Insurance, 2023 and 2024
- Martindale-Hubbell AV Preeminent

Education

- J.D., Marquette University Law School
 - *cum laude*
- B.A., University of Wisconsin-Madison
 - with distinction

Admissions

- Colorado
- Wisconsin
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. Court of Appeals, Seventh Circuit



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