



SCOTT STIRLING

PARTNER

One North Franklin Street sstirling@walkerwilcox.com
Suite 3200 Phone: 312.244.6754
Chicago, Illinois 60606

Legal Assistant | Linda Felau
lfelau@walkerwilcox.com | 312.244.6714

Paralegal | Kristin Duewerth
kduewerth@walkerwilcox.com | 312.244.6768

OVERVIEW

Scott Stirling litigates insurance coverage and bad faith disputes, class actions, complex tort claims, catastrophic injury and trucking claims, and professional liability lawsuits at the trial and appellate levels. He represents insurers, businesses, and insureds in high-stakes litigation and alternative dispute resolution proceedings throughout the country. He also advises domestic, London, and international insurers regarding difficult coverage issues outside of litigation. Excess insurers utilize Scott to monitor trials and pre-trial proceedings in high-exposure cases to continuously evaluate exposure, communicate with primary insurers and defense counsel, participate in mediations, and assume settlement negotiations as appropriate. Scott's comprehensive understanding of the London insurance market and claims apparatuses of Lloyd's syndicates enables him to efficiently advocate for Underwriters and their insureds in courts throughout the United States. In addition to a robust local practice in Chicago and throughout Illinois, Scott often secures temporary admission to argue and appear in state and federal courts nationwide to aggressively protect and pursue his clients' positions.

Scott's recent successes for his clients include:

- Obtained judgment as a matter of law in a \$10 million False Claims Act insurance coverage dispute for a professional liability insurer on a pre-discovery motion to dismiss in federal court in Louisiana. *Iberiabank Corp. v. Illinois Union Ins. Co.*, No. CV 18-1090, 2019 WL 585288 (E.D. La. Feb. 13, 2019).
- Secured dismissal with prejudice on a motion to dismiss in a putative class action suit against a property management company in a case where condominium sellers alleged the management company's fees for providing disclosure documents violated the Illinois Consumer Fraud Act and the Illinois Condominium Act. *Horist v. Sudler & Co.*, No. 17 C 8113, 2018 WL 1920113 (N.D. Ill. Apr. 24, 2018).
- In the Western District of Pennsylvania, obtained summary judgment for an insurer regarding insurance coverage based on the application of an "outside business exclusion," after securing a ruling that the insured's motion seeking to remand the case to state court was without merit. *Westport Ins. Corp. v. Hippo*

Fleming & Pertile Law Offices, No. CV 3:15-251, 2016 WL 1715194 (W.D. Pa. Apr. 28, 2016); *Westport Ins. Corp. v. Hippo Fleming & Pertile Law Offices*, 349 F. Supp. 3d 468 (W.D. Pa. 2018).

- Obtained dismissal with prejudice on a motion to dismiss for an insurance brokerage by securing a novel ruling that under Illinois common law, an insurance broker has no duty to report the claims of its clients, and further defeated the plaintiff's attempt to bring the client back into the case on a different theory months after the dismissal. See *Deerfield Construction, Inc. v. Arthur J. Gallagher Risk Management Services, Inc.*, No. 15 C 1785, 2016 WL 2977274 (N.D. Ill. May 19, 2016) and September 28, 2017 Order.
- Successfully secured summary judgment for the defense in a catastrophic injury case asserting premises liability and construction negligence in the Circuit Court of Cook County. The court agreed with the briefs Scott drafted arguing that the defendant owed no legal duty to the plaintiff based on the evidence developed in depositions. *Venegas v. Iron Mountain Inc.*, 2015 L 1659 (Cir. Ct. Cook County, Ill., Oct. 22, 2018).

FOCUS AREAS

- Appellate
- Bad Faith Litigation
- Commercial
- Complex Tort Litigation
- First Party Property
- Insurance and Reinsurance
- Litigation
- Medical Malpractice Defense
- Professional Liability/Errors & Omissions

CREDENTIALS

ADMISSIONS

- Illinois
- Arkansas
- U.S. District Court, C.D. Illinois
- U.S. District Court, N.D. Illinois, Trial Bar
- U.S. District Court, S.D. Illinois
- U.S. District Court, W.D. Arkansas
- U.S. District Court, W.D. Wisconsin
- U.S. Court of Appeals for the 3rd Circuit
- U.S. Court of Appeals for the 5th Circuit
- U.S. Court of Appeals for the 7th Circuit
- Pro hac vice in many courts across U.S.

EDUCATION

- Washington University in St. Louis, J.D., *cum laude*
 - CALI Award for Top Performer in Appellate Advocacy
 - Associate Editor, *Washington University Global Studies Law Review*
- University of Central Arkansas, , B.A.

EXPERIENCE

ACCOLADES

- *Super Lawyers*® Illinois Rising Stars 2019
- *Super Lawyers*® Illinois Rising Stars 2018
- *Super Lawyers*® Illinois Rising Stars 2017
- *Super Lawyers*® Illinois Rising Stars 2016
- *Emerging Lawyers*SM (Chicago Daily Law Bulletin) 2018–Current

AFFILIATIONS

- Chicago Bar Association, Judicial Evaluation Committee
- Defense Research Institute
- American Bar Association, Litigation Section
- Volunteer, Big Brothers Big Sisters of Metropolitan Chicago

NEWS

- Walker Wilcox Achieves Seventh Circuit Victory for Insurance Broker
- Defense Research Institute's Insurance Bad Faith and Extra-Contractual Liability Seminar
- Walker Wilcox Wins Dismissal of Putative Class Action Against Property Management Company