

WALKER WILCOX ACHIEVES SEVENTH CIRCUIT VICTORY FOR INSURANCE BROKER

Walker Wilcox obtained a victory in the United States Court of Appeals for the Seventh Circuit on behalf of a client insurance broker in an opinion delivered by Chief Judge Diane Wood on August 12, 2019. Partners Joyce Noyes and Scott Stirling, who had previously obtained dismissal of the broker in the District Court at the motion to dismiss stage, also litigated the subsequent appeal. Stirling argued before a panel of Chief Judge Wood, Judge Frank Easterbrook, and Judge William Bauer on May 28, 2019. The panel's opinion agreed with Walker Wilcox's argument that under Illinois law, an insurance producer generally does not owe an insured a common law duty to give notice of claims to an insurer, and therefore the District Court's dismissal of the alleged professional negligence and breach of fiduciary duty claims against the broker was proper. The Seventh Circuit also agreed with the argument that the District Court was correct in denying an untimely attempt to bring the broker back into the case more than a year after it initially secured dismissal. Case citation: *Deerfield Constr., Inc. v. Arthur J. Gallagher Risk Management Services, Inc.*, No. 18-2205, 2019 WL 3774127 (7th Cir. Aug. 12, 2019).