

## MVP: Gibson Dunn's Deborah L. Stein

By *Eli Flesch*

*Law360 (September 20, 2021, 4:47 PM EDT)* -- Gibson Dunn & Crutcher LLP's Deborah Stein helped notch a host of victories for Travelers in the carrier's pandemic coverage disputes with policyholders and authored the insurer's brief in the first case to be appealed to the Ninth Circuit, earning her a spot among Law360's 2021 Insurance MVPs.

### **HER BIGGEST ACCOMPLISHMENT THIS YEAR:**

While she says it's hard to pick one accomplishment out of her pandemic work for Travelers, she says she's very proud to have helped secure several dozen dismissals for the carrier. If she had to pick, though, the first win might have been the sweetest.

"We really had no idea how the courts were going to react to our arguments in the midst of the pandemic, even though we felt the law was very clearly in our favor," she said. "So when we got the first order, it was very rewarding because the court agreed with our reading of the law and the policy language."

That case, 10E LLC v. Travelers Indemnity Co. of Connecticut, was the first published decision in California over a pandemic business interruption suit.

Much of her pandemic coverage work for the insurer has concerned policies with very clear virus exclusions, she said. But she added that she thought there wouldn't be coverage for policyholders in many of those suits even without an exclusion because of the requirement for direct physical loss or damage written into so many of those policies.

"The coverage issues were actually really straightforward, and the courts that I've been in front of have really seen them that way," Stein said. "They have found in all of the cases that I've represented Travelers in Travelers favor."

### **WHY SHE'S AN INSURANCE ATTORNEY:**

While she loves litigating all sorts of cases, Stein's work representing insurers stands out for its variety. She's represented carriers in class actions, privacy actions, False Claims Act litigation and commercial



disputes, among other types of litigation.

"Many people think of insurance as coverage, but that's really only one of many types of disputes that insurance companies have," she said. "That practice just allows me to be nimble, and I'm always learning, whether it's about different areas of the law, or different types of industries. It's actually quite a broad practice, and I find it really fascinating."

She said her work on pandemic coverage suits has also allowed her to enjoy one of her favorite parts of her practice: the chance to partner with her clients and other lawyers to develop case strategies and arguments.

***HER BIGGEST CHALLENGE THIS YEAR:***

With all the unusual circumstances of a pandemic year, Stein said the inability to drop into colleagues' offices may have been one of the most challenging parts of her year. There's no substitute for the brainstorming that goes on in those meetings, she said.

"It's very significant because in litigation, when I come up with a thought, I grab someone in the hallway, I pop into someone's office and run it by them, use them as a sounding board," Stein said. "The challenge has been trying to replicate those moments virtually."

Still, she praised the work of her colleagues in making themselves available over the phone and video and adapting to what has become the new normal for American workplaces. She says what's changed is just the way in which she and her colleagues collaborate.

***HER ADVICE FOR JUNIOR ATTORNEYS:***

Stein emphasized that the more senior attorneys on a case want their junior counterparts to be active in the case. The role of a junior lawyer, she said, shouldn't be just to take notes on their laptop, but to be engaged — sharing ideas, asking questions.

"Everyone has great ideas," she said. "You don't have to be a senior lawyer to be the person with the idea. A lot of great ideas on cases come from the most junior people on the team. They're reading cases, they're looking at documents. So they're really primed to be key contributors to the case."

She said the key to success for a young lawyer — whether they're litigating insurance issues or otherwise — is to actively participate and to brainstorm with their colleagues. Plus, she said, doing it that way just makes the job a lot more fun.

— *As told to Eli Flesch. Editing by Kelly Duncan.*

*Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2021 MVP winners after reviewing nearly 900 submissions.*