

MVP: Gibson Dunn's Matthew Hoffman

By **Hope Patti**

Law360 (November 7, 2024, 12:02 PM EST) -- Matthew Hoffman of Gibson Dunn & Crutcher LLP's insurance and reinsurance practice group helped secure wins for AIG insurers in major areas of coverage litigation involving opioid, COVID-19 and sexual abuse claims, earning him a spot as one of the 2024 Law360 Insurance MVPs.

His biggest accomplishment:

Hoffman served as co-lead counsel for AIG units National Union Fire Insurance Co. of Pittsburgh, Pa., and AIU Insurance Co. in a suit against drug distributor McKesson Corp.

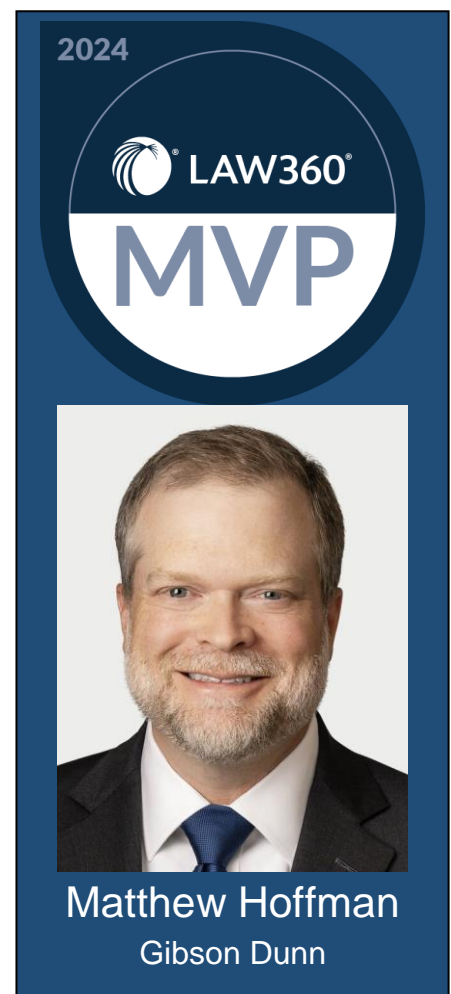
In April 2022, U.S. District Judge Jacqueline Scott Corley found that the AIG insurers and Chubb unit Ace Property & Casualty Insurance Co. had no duty to defend McKesson over claims it intentionally oversupplied opioids and contributed to the opioid epidemic.

In January, a three-judge panel for the Ninth Circuit affirmed the insurers' win, finding that the three underlying bellwether suits at issue "describe purely deliberate conduct."

"I think that's a significant accomplishment," Hoffman said. "Obviously, the opioid crisis has been a dark chapter in this country's history, and it's a good result for society, in my opinion, that an opioid distributor cannot be bailed out by insurance when it intentionally oversupplies opioids on a massive scale with entirely foreseeable and tragic results."

Hoffman also served as lead counsel for AIG unit Lexington Insurance Co. in a casino and golf course operator's bid for COVID-19 business-interruption coverage.

After getting Fond du Lac Management Inc.'s suit tossed in the trial court, a Minnesota state appeals panel affirmed the dismissal in December, finding that the operator failed to claim that COVID-19 was actually present at its properties.



"I was involved in some of the earliest COVID-19 pandemic coverage cases, so it's been immensely gratifying to achieve favorable results for my clients across so many different jurisdictions, and ultimately, to shape the law in that area after four years of litigation," he said.

His biggest challenge:

"I would say my biggest challenge is just the sheer number of places I find myself litigating these days," Hoffman said.

Not only has handling coverage issues in dozens of jurisdictions — including federal, state and tribal courts — forced Hoffman back to a pre-pandemic level of business travel, it has also compelled him to learn both the law and local rules of each jurisdiction in which he finds himself.

"Obviously, that's not a solo effort," he said. "I'm blessed with incredibly smart and hardworking colleagues that get it done, and I get to work with numerous talented local counsel in all these jurisdictions I've appeared in."

What motivates him:

It's not the victories in court that keep Hoffman motivated — though those are nice, too — but rather, gaining the respect and trust of clients, judges, juries and, sometimes, even opposing counsel.

"Win or lose, I want others to think of me as being the most prepared and thoughtful attorney in the room," he said. "I get immense satisfaction when others see me as that trusted adviser to a client or trusted attorney in the courtroom."

Why he is an insurance attorney:

Though he didn't know much about insurance when he first started working at Gibson Dunn over 20 years ago, Hoffman said he quickly grew to enjoy the work and collaborating with his colleagues in the firm's insurance and reinsurance practice group.

"I became an insurance attorney because I think insurance cases are extremely complex and challenging, and so it keeps the work interesting and thought-provoking," Hoffman said, likening many of the cases he's worked on to three-dimensional chess.

Some matters can last up to a decade, involving 30 years of potential insurance coverage, dozens of insurers and hundreds of policies, he said. While trying to figure out a resolution can be incredibly complicated, Hoffman said he finds the work intellectually stimulating.

Hoffman said he also enjoys working with insurance company clients due to their expertise in risk management.

"Working with insurers as a litigator kind of feels like a match made in heaven, to be honest," he said. "They understand the risk management aspect of a litigator because that's what they do for a living in their business."

His advice for junior attorneys:

Early on in his career, Hoffman said he tried to be like others who he thought were successful attorneys, but that approach often comes across as inauthentic or phony.

Now, he advises junior attorneys to take the good qualities and skills they learn from others and tailor them to their own personality.

"We are all made up of bits and pieces of other lawyers we've seen along the way," Hoffman said. "We take things we like in others and borrow them and incorporate them into our own practice. You can learn a lot from mentors and colleagues, but you need to adapt those things to your own personality."

--As told to Hope Patti. Editing by Melissa Treolo.

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 2024 MVP winners after reviewing nearly 900 submissions.