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## LARRY G. CASSIL, JR.

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### *Of Counsel*

For Larry G. Cassil, Jr., interpreting and understanding insurance policies is a lot like code-breaking.

It's all about pattern recognition, finding meaning in structure and attention to minutiae. It's the same skill that gives him a talent for foreign languages, crossword puzzles, math, and music.

And it's what makes him a formidable advocate for insurance policyholders, who rely on his expertise to decipher and interpret the often-complex insurance policies that help them allocate the risks of running a successful business.

Although Larry has a strong background in litigation and appellate work, he found his calling to insurance law in 1993 when a colleague asked him to analyze a client's insurance policy to determine whether it would cover the lawsuit filed against them. That assignment led to another and another and another, until Larry became so adept at analyzing policies and writing coverage opinions that he went to work in-house at an insurance company, where he spent several years getting an inside view of the insurance business.

He now uses his knowledge from working on the insurer side to benefit policyholders by cracking insurance companies' codes and regularly helping businesses secure maximum policy recoveries.

Larry has significant experience with a wide range of insurance policies, including:

- Commercial general liability
- Executive and professional liability policies, including director and officer liability
- Fiduciary liability
- Errors and omissions
- Employment practices liability
- Other professional liability policies
- Commercial property
- Motor carrier
- Excess and umbrella policies

### REPRESENTATIVE CASES

Larry is a determined force on behalf of his clients, and he has a lengthy list of successes on both sides of the aisle to prove it. Here are just a few of the positive results he has obtained over the years:

- Larry successfully briefed and argued on summary judgment on behalf of an electrical cooperative named as an "additional insured" under a multi-part policy containing commercial auto liability, commercial general liability and inland marine coverage parts, defeating the insurer's attempts to invoke a pollution exclusion and a contracts exclusion, as well as an attack on the additional insured's standing to sue. The case was affirmed on appeal, *Alfalpa Elec. Coop., Inc. v. Mid-Continent Cas. Co.*, 2015 OK CIV APP 53, 350 P.3d 1276
- After initially winning the insured's coverage battle on summary judgment based on an allegation the insurer wrongfully terminated its workers' compensation/employer's liability policy, and being reversed on appeal, *Zaloudek Grain Co. v. CompSource Okla.*, 2012 OK 75, 298 P.3d 520, on remand, Larry successfully briefed and prepared the case for bench trial. After months of acts and omissions that lead its insured into believing its workers' compensation/employer's liability policy was in effect, the insurer denied a multi-million dollar claim for injuries to two young workers. Based on the insurer's acts and representations to the insured, the trial court found the insurer was stopped to deny coverage and awarded the insured several million dollars in damages. That decision is currently pending on appeal, which Larry also briefed. *Zaloudek Grain Co. v. CompSource Okla.*, Okla. Sup. Ct. Case No. 114590

- He has also represented clients in litigation resulting in the following published opinions, which have established and influenced insurance, employment, and toxic tort law in multiple state and federal jurisdictions:
  - *Cudd Pressure Control, Inc. v. N.H. Ins. Co.*, 297 F.R.D. 495 (W.D. Okla. 2014)
  - *Steadfast Ins. Co. v. Agric. Ins. Co.*, 548 Fed. Appx. 544 (10th Cir. 2013)
  - *Steadfast Ins. Co. v. Agric. Ins. Co.*, 475 Fed. Appx. 683 (10th Cir. 2012)
  - *Republic Underwriters Ins. Co. v. Moore*, 493 Fed. Appx. 907 (10th Cir. 2012)
  - *Poteau Ford Mercury, Inc. v. Zurich Am. Ins. Co.*, 2009 OK CIV APP LEXIS 140
  - *Consol. Grain & Barge Co. v. Structural Sys.*, 2009 OK 14, 212 P.3d 1168
  - *Am. Cas. Co. v. Health Care Indem., Inc.*, 520 F.3d 1131 (10th Cir. 2008)
  - *Nat'l. Am. Ins. Co. v. Vallion*, 2008 OK CIV APP 41, 183 P.3d 175
  - *Shelter Mut. Ins Co. v. Wheat*, 313 Fed. Appx. 76 (10th Cir. 2008)
  - *Nat'l Fire Ins. Co v. NWM-Oklahoma, LLC, Inc.*, 546 F.Supp.2d 1238 (W.D. Okla. 2008)
  - *Scottsdale Ins. Co. v. Tolliver*, 2005 OK 93, 127 P.3d 611
  - *Migis v. Pearle Vision*, 135 F.3d 1041 (5th Cir. 1998)
  - *Rohrbaugh v. Owens-Corning Fiberglas Corp.*, 53 F.3d 1181 (10th Cir. 1995)
  - *O'Banion v. Owens-Corning Fiberglas Corp.*, 968 F.2d 1011 (10th Cir. 1992)
  - *Rohrbaugh v. Owens-Corning Fiberglas Corp.*, 965 F.2d 844 (10th Cir. 1992)
  - *Pangaea Exploration Corp. v. Ryland*, 2010 OK CIV APP 66, 239 P.3d 160
  - *Horace Mann Ins. Co. v. Johnson*, 953 F.2d 575 (10th Cir. 1991)

#### PUBLICATIONS | PRESENTATIONS

- Summer 2011      “Appellate and Insurance Law Update” presentation to Oklahoma Association of Defense Counsel, Oklahoma City, Oklahoma
- 1990                *Intellectual Property Update*, 21 Tex. Tech L. Rev. 419 (1990), co-authored with Herbert J. Hammond

#### HONORS | ACHIEVEMENTS

- Rated AV® Preeminent™ 5.0 out of 5 (Peer Review Rating) by Martindale-Hubbell® [AV® Preeminent™ and BV® Distinguished™ are certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell® certification procedures, standards and policies]

#### PROFESSIONAL | COMMUNITY INVOLVEMENT

- Vice-Chairperson, Board of Directors of CityRep Theater, Oklahoma City, Oklahoma, 2016 – present
- Vice-Chairperson, Oklahoma State Board of Licensed Social Workers, 2008 – 2014

#### EMPLOYMENT

Before joining Amy Stewart Law, Larry was of counsel to Oklahoma City’s Hornbeek Vitali & Braun PLLC, where he represented policyholders in a variety of insurance coverage matters. Prior to his affiliation with the Hornbeek firm, he maintained a robust litigation and insurance practice, including several years of work as an in-house attorney at an insurance company. Larry began his legal career in 1988 with the Dallas firm now known as Gardere Wynne Sewell LLP, where he practiced intellectual property law.

#### EDUCATION

- J.D., Columbia Law School, 1988  
Harlan Fiske Stone Honors Moot Court Competition  
International Law Society
- M.A., Vanderbilt University, 1994  
Center for Latin American and Iberian Studies; concentrations in Political Science, Law, and History  
University Fellow
- B.A., Vanderbilt University, 1985, *summa cum laude*  
Spanish and Sociology, Phi Beta Kappa

**BAR | COURT ADMISSIONS**

- State Bar of Texas
- Oklahoma Bar Association
- Oklahoma County Bar Association
- U.S. Court of Appeals for the Fifth and Tenth Circuits
- U.S. District Court for the Northern, Southern, and Western Districts of Texas
- U.S. District Court for the Northern, Eastern, and Western Districts of Oklahoma
- U.S. District Court for the Eastern and Western Districts of Arkansas

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