Kim Winter

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PRACTICE AREAS

Insurance Recovery & Counseling

Civil Rights Insurance Recovery

Environmental Insurance Analysis & Recovery

Organizational Misconduct

COURT MEMBERSHIPS

- Kansas
- Missouri
- U.S. District Court for the Western District of Missouri
- U.S. District Court for the District of Kansas
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit

An insurance coverage and insolvency attorney with more than 20 years of experience, Kim Winter possesses great insight and perspective into complex coverage disputes.

Insurance Coverage Disputes

Kim handles a wide variety of complex coverage disputes arising under general liability, umbrella/excess, product liability, cyber and data breach, employment practices, environmental, pollution legal liability, directors and officers, professional liability, errors and omissions, fiduciary, fire, commercial auto, uninsured and underinsured motorist and first-party property policies, among others.

A significant portion of Kim's practice involves analyzing policy terms, conducting insurance archeology, and negotiating with solvent and insolvent insurance carriers on behalf of policyholders facing long-tail environmental and product liability claims.

Insolvency

As counsel for the Director of the Missouri Department of Insurance for certain receivership proceedings involving Missouri-domiciled insolvent insurance companies over the past 20 years, as well as representing policyholders in various other insolvency proceedings, Kim has rare depth of experience in the fields of insurance regulation and insolvency.

General

Additionally, Kim frequently analyzes policies and advises clients on tips for negotiating coverage terms, as well as handling claims and risks. Kim is a frequent speaker and author on all types of insurance

EDUCATION

University of Missouri-Kansas City School of Law, J.D., *with distinction*, 1996

University of Nebraska-Lincoln, B.A., *with highest distinction*, 1993

issues.

Kim also donates her time and experience as a member of the Finance Committee for the Kansas City Pet Project, a non-profit animal shelter.

Reported Decisions

- *Brecek & Young Advisors, Inc. v. Lloyds of London Syndicate 2003,* 2017 WL 217911---Fed.Appx.---(10th Cir., Apr. 18, 2017)
- *Foliar Nutrients, Inc., et al. v. Nationwide Agribusiness Ins. Co.,* 133 F.Supp.3d 1372 (M.D. Ga. 2015)
- *Hartford Fire Ins. Co. v. Vita Craft Corp.,* 911 F.Supp.2d 1164 (D. Kan. 2012)

Events

- State of Litigation: Football Draft Edition
  April 12, 2023
- State of Litigation Virtual Event Series
  Session 1 - Thursday, July 16; Session 2 - Thursday, July 23; Session 3 - Thursday, July 30
- Insurance Recovery 101 for Franchisors: Maximizing Your Coverage (Including COVID-19 Related Losses)
  April 9, 2020

Presentations

- Moderator, "Fourth Quarter: Lightning Round 2," Lathrop GPM 2023 State of Litigation: Draft Edition, April 12, 2023
- Moderator, "First Quarter: Lightning Round 1," Lathrop GPM 2023 State of Litigation: Draft Edition, April 12, 2023
- Co-presenter, "Navigating Insurer Insolvency: When an Insurer's Insolvency Hands You a Lemon, Make Lemonade," American College of Coverage Counsel 10th Annual Meeting, Chicago, Illinois, May 12, 2022
- Speaker, "The Policyholders' Right to Choose Defense Counsel," Lathrop GPM Webinar, February 11, 2021
- Speaker, "Reopening your Business in the age of COVID-19," Missouri Lawyers Weekly, June 17, 2020
- Panelist, "Straight Talk Series Session II: Business Interruption Insurance Coverage," Employment Law Alliance, May 12, 2020

- Panelist, "Minimizing Cyber Losses by Maximizing Insurance Recoveries: A Strategic Discussion," First Chair Awards Conference, Chicago, Illinois, August 2018
- Co-presenter, "Policyholder Recovery 101: Top 10 Mistakes Policymakers Make When Handling a Liability Claim," Kansas City Metropolitan Bar Association 30th Annual Corporate House Counsel Institute, Kansas City, Missouri, June 2017
- Speaker, "Finding Coverage for 'Personal and Advertising Injury' Claims When You Least Expect It: Looking Beyond the Labels," RIMS 2017 Annual Conference and Exhibition, Philadelphia, Pennsylvania, April 2017
- Speaker, "Top 10 Mistakes to Avoid When a Liability Claim Comes In," Association of Corporate Counsel - Mid-America Chapter, October 2016
- Speaker, "Avoiding Potential Minefields of Claims-Made Coverage," RIMS 2015 Annual Conference and Exhibition, New Orleans, Louisiana, April 2015
- Speaker, "10 Endorsements You Should Consider Adding to Your Standard Policy," RIMS 2014 Annual Conference and Exhibition, Denver, Colorado, April 2014
- Speaker, "10 Endorsements You Should Consider Adding to Your Standard Policy," ACC Small Law Department Committee, February 2014
- Speaker, "How to Get the Most Out of Your Liability Coverage After the Claim Comes In," Kansas City CPCU, October 2013
- Speaker, "How to Get the Most Out of Your Liability Coverage After the Claim Comes In," Risk Insurance Management Society - Ozarks Chapter, May 2013
- Speaker, "How to Get the Most Out of Your Liability Coverage After the Claim Comes In," Association of Corporate Counsel - Mid-America Chapter, April 2013
- Speaker, "Insurance Hot Topics: Practical Advice for Corporate Counsel," January 14, 2009
- Speaker, "Tips on Handling Insolvent Claims," Risk Insurance Management Society, Springfield, Missouri, 2006
- Speaker, "Environmental and Toxic Tort Insurance Recovery: Archaeology to Payment," Association of Corporate Counsel - St. Louis Chapter, October 2004

Publications

- Author, "Best Insurance Practices to Consider During These Tumultuous Times of Mass Protests," CEOWorld Magazine, June 9, 2020
- Author, "How to Maximize Coverage When Your Insurer Is Declared Insolvent," *The John Liner Review*, Vol. 22, No. 4, Winter 2009
- Co-author, "Environmental Insurance," New Appleman on Insurance Law Library Edition, Chapter 27, October 2010
- Co-author, "Marsh Clients Must Decide Whether to Accept Marsh Settlements by September 20, 2005," Lathrop Gage legal alert, June 2005

Client Alerts And Blog Posts

- Policy Review Offer
  September 21, 2022
- Protection for Public Entities - Cyber Insurance
  August 4, 2022
- Supply Chain Disruption Insurance - Lathrop GPM in the News
  February 23, 2022
- Lessons from the Colonial Pipeline Ransomware Attack: Check Your Cyber Coverage
  July 1, 2021
- Insurance Coverage for PFAS Issues? Check Your Policies
  June 10, 2021
- When Can You Insist on Your Choice of Defense Counsel Despite the Insurer Paying the Bills?
  May 7, 2021
- Insurance Coverage for COVID-19, Mass Protests and More – Lathrop GPM in the News 3.0
  July 20, 2020
- For Businesses Seeking Relief after the Mass Protests: Promptly Notify Your Insurance Carrier
  June 3, 2020
- Insurance Recovery Alert: For Businesses Seeking Relief after the Mass Protests: Promptly Notify Your Insurance Carrier
  June 2, 2020
- Insurance Coverage for Coronavirus Losses – Lathrop GPM in the News 2.0
  May 4, 2020

- Will Business Interruption Losses From COVID-19 Be Covered By My Insurance?
  April 7, 2020
- Will Business Interruption Losses From COVID-19 Be Covered By My Insurance?
  April 6, 2020
- Insurance Coverage for Coronavirus Losses - Lathrop GPM in the News
  March 25, 2020
- Must Policyholders Exhaust All Underlying Policies Before Pursuing Excess?
  April 6, 2018

In The News

- Franchise Times Quotes Nancy Sher Cohen and Kim Winter Regarding Business Interruption Win for Restaurants
  October 28, 2020
- MarketWatch Quotes Kim Winter on Policyholder Win for Business Interruption Coverage
  August 17, 2020
- Business Class News Interviews Kim Winter on Mental Health in the Workplace
  July 11, 2020
- Insurance Journal Quotes Kim Winter on Riot Insurance Coverage
  June 15, 2020
- CEO World Features Article by Kim Winter on Insurance Practices During Protests
  June 9, 2020
- USA Today Quotes Kim Winter on Damage Claims
  June 9, 2020
- The Washington Post/Bloomberg Quotes Kim Winter and Hahn Pham on Looting-Related Insurance Claims
  June 3, 2020
- Canadian Underwriter Quotes Kim Winter on COVID-19 Insurance Recovery
  May 8, 2020
- Canadian Underwriter Quotes Kim Winter on Business Interruption Coverage
  May 4, 2020

- Canadian Underwriter Quotes Kim Winter on Business Interruption Insurance
  April 9, 2020
- Law360: Calif. Justices May Ease Policyholders' Road to Recovery
  December 7, 2017

News Releases

- Eight Lathrop GPM Attorneys Named Lawyer of the Year, 89 Ranked as The Best Lawyers in America©
  August 17, 2023
- Lathrop GPM LLP Secures $27.4 Million Trial Win for Client Maxus Metropolitan LLC
  August 4, 2023
- 14 Lathrop GPM LLP Practice Groups and 35 Attorneys Ranked in Chambers USA 2023
  June 1, 2023
- Six Lathrop GPM Attorneys Named Lawyer of the Year, 95 Ranked as The Best Lawyers in America©
  August 18, 2022
- Chambers USA 2022 Names Lathrop GPM a Top Law Firm, Franchise Group Ranked Nationwide
  June 1, 2022
- Seven Lathrop GPM Attorneys Named Lawyer of the Year, 100 Ranked as The Best Lawyers in America©
  August 19, 2021
- Chambers USA 2021 Names Lathrop GPM a Top Law Firm, Franchise Group Ranked Nationwide
  May 20, 2021
- Lathrop GPM Attorneys Named to The Best Lawyers in America©, Lawyer of the Year, and Ones to Watch for 2021
  August 20, 2020
- Chambers USA 2020 Names Lathrop GPM a Top Law Firm, Insurance Recovery Team Earns New Recognition, Franchise Group Ranked Nationwide
  April 23, 2020
- Best Lawyers in America 2020 Names 72 Lathrop Gage Attorneys; 13 Lawyers of the Year
  August 15, 2019
- Best Lawyers in America Recognizes 70 Lathrop Gage Attorneys
  August 15, 2018

- Kim Winter Named to Law360 Insurance Editorial Advisory Board for 2018
  April 10, 2018
- Best Lawyers in America Recognizes 78 Lathrop Gage Attorneys
  August 15, 2017
- Lathrop Gage Obtains Women in Law Empowerment Forum's 2015 Certification
  June 25, 2015
- Lathrop Gage Promotes Eight to Partner
  January 2, 2013
- Kimberly Winter: How to Maximize Coverage when Your Insurer is Declared Insolvent
  March 9, 2009

Professional Affiliations

- American Bar Association
- Association of Women Lawyers
- Kansas Bar Association
- Kansas City Metropolitan Bar Association
- The Missouri Bar

Community Involvement

- KC Pet Project, Finance Committee
- Central Exchange, Emerging Leaders Program, 2017-2018

Honors

- Selected among *The Best Lawyers in America®,* 2018-2024
- *Chambers USA: America's Leading Lawyers for Business*, Insurance, 2020-2023
- Kansas City Business Journal, named in "Twenty to Know in Insurance," 2021
- Elected as Fellow of the American College of Coverage Counsel (ACCC), 2020
- Central Exchange, Emerging Leaders, 2017-2018
- Phi Beta Kappa
- Order of the Bench and Robe
- Member of the National Moot Court Team

- BNA Award for Best Brief, Moot Court Competition
- Law360 Insurance Editorial Advisory Board, 2018