



Samuel H. Ruby

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Sam Ruby is the firm-wide Practice Group Leader for the Insurance Law Group and is the Shareholder-in-Charge of the firm's San Francisco office. Sam advises and defends national and international insurers in connection with complex property, liability, and marine insurance claims. He has defended multi-million-dollar lawsuits for declaratory relief, breach of contract, and bad faith. He also provides coverage opinions and represents insurers at appraisals and examinations under oath. Sam is a frequent author on insurance law subjects. In addition to insurance litigation, Sam has handled a variety of general business and tort litigation.

Sam is admitted to several federal bars and handles cases in state and federal trial courts throughout California. Sam has also successfully argued cases in the California Court of Appeal and the U.S. 9th Circuit Court of Appeals.

Property Insurance Coverage Practice

Sam has represented insurers in connection with large fire, water damage, mold, earth movement, electrical disturbance, construction defect, collapse, business interruption, and bad faith claims. He has extensive experience with issues such as insurable interest, "covered property," "physical loss or damage," date of loss (manifestation/loss-in-progress), causation and exclusions, valuation, misrepresentation/concealment, non-cooperation, and late notice/time bar. Sam attends functions of the Loss Executives Association and the Property Law Committee of the American Bar Association's Tort and Insurance Practice Section.

Liability Insurance Coverage Practice

Sam has represented insurers in connection with tenders of defense, demands for indemnity, and contribution actions between insurers. He has extensive experience with standard and non-standard commercial general liability (CGL) forms, including "all sums" issues, "legally obligated to pay as damages" issues, definitions of "bodily injury," "property damage," "occurrence," and "advertising/personal injury," exclusions, "other insurance" clauses, and independent ("Cumis") counsel issues.

Admiralty/Maritime/Transportation Insurance Coverage Practice

Sam has particular expertise in marine insurance coverage matters, having advised and represented underwriters of such coverages as ocean and inland marine cargo and storage; hull/yacht; protection and indemnity; marine general liability; ship repairer's, marina operator's, and boat dealer's liability; and motor carrier's liability. He is one of the few attorneys in the country to have litigated claims involving container

lessor's insurance, steamship agent's liability insurance, pilots' liability insurance, and the U.S. Marshal's liability insurance for vessels under arrest.

General Business and Tort Litigation

Sam has represented companies and individuals in disputes over sales contracts, banking contracts, construction contracts, commercial leases, intellectual property, and regulatory matters. He tried a case in Humboldt County against a shopping mall landlord that resulted in substantial long-term savings for a tenant. Sam also has represented individuals and companies in property damage and personal injury cases. He has defended claims involving industrial and motor vehicle accidents, including a multi-million-dollar traumatic brain injury claim.

Practice Areas

Admiralty & Maritime
Appellate
Commercial Litigation
Insurance Law
Professional Liability / D&O

Industries

Insurance

Education

University of California, Berkeley, Boalt Hall School of Law - J.D., 1997
Associate Editor, California Law Review, Member, Moot Court Board
University of California, Berkeley - B.A., 1994, *summa cum laude*, Phi Beta Kappa

Bar Admissions

- California, 1997

Professional and Civic Involvement

- Tort, Trial & Insurance Practice Section, American Bar Association (Member)

Awards and Honors

- AV[®] Preeminent[™], Peer Review Rated by Martindale-Hubbell
- Named as "recognized practitioner" in California's insurance law by [Chambers USA](#) (2017 & 2016)
- Selected for inclusion in *Northern California Super Lawyers* (2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009 — Insurance Coverage)

Publications and Presentations

- Co-Speaker, "Maritime Cases Roundup: The Last Two Years in Review," Board of Marine Underwriters of San Francisco (BMUSF) Biennial Seminar (2016)
- Contributor, "Property Insurance Litigator's Handbook, Second Edition," American Bar Association, Tort Trial and Insurance Practice Section (TIPS) (2013)
- Author, "*City of Hollister v. Monterey Insurance Company*," LexisNexis Insurance Report (2008)
- Author, "*Devonwood Condominium Owners Assn v. Farmers Ins. Exchange*: What Happens after the Appraisal?" LexisNexis Insurance Report (2008)
- Author, "*Goddard v. Farmers Ins. Co. of Oregon*: Oregon Supreme Courts Most Recent Interpretation of the Constitutional Limits on Punitive Damages Awards," LexisNexis Insurance Report (2008)
- Speaker, "Let's Make a Deal? – Live Mediation of a Hull Claim," San Francisco Board of Marine Underwriters Biennial Marine Seminar (2008)
- Author, "*Long v. Century Indemnity Co.*: New Guidance on the Mechanics of the Tripartite Relationship," LexisNexis Insurance Report (2008)
- Author, "*Northrop Grumman Corp. v. Factory Mutual Ins. Co.*," LexisNexis Insurance Report (2008)
- Author, "Pollution Exclusions: Alive and Well after MacKinnon," LexisNexis Insurance Report (2008)
- Author, "*Polygon Northwest Co. v. American National Ins. Co.*: Attorney Fees Are Not Costs Taxed Under a Sophisticated Insureds Supplementary Payments Provision," LexisNexis Insurance Report (2008)
- Author, "Rising Catastrophic Flood Losses and Insurer Response," LexisNexis Insurance Report (2008)
- Speaker, "Marine Insurance Claims," Northern California Claims Conference (2005)
- Author, "Trigger of Coverage Under Property Insurance Policies," Mealey's™ Litigation Report (2003)
- Speaker, "Depositions for the Insurance Professional," Chartered Property Casualty Underwriter Society Annual Convention (2002)
- Author, "The Demise of Comparative Bad Faith," Mealey's™ Litigation Report (2000)