



BULLIVANT
HOUSER



LLOYD BERNSTEIN

Shareholder, Board of Directors

☎ 503 499 4586 ✉ lloyd.bernstein@bullivant.com

Lloyd Bernstein has been protecting the interests of insurers and businesses in the Pacific Northwest for more than 25 years. They rely on him to navigate them through thorny legal issues, resolve insurance coverage and commercial disputes and defend extra-contractual and bad faith claims. Because he has been handling these types of cases for a long time, he has a thorough understanding of the insurance and legal issues involved. He's also keenly aware of the nuances relative to the local venues and knows the landscape, judges and insurance laws unique to these jurisdictions.

Lloyd's work often involves extensive motion practice or trial in state and federal court. But he also recognizes that effective representation does not always mean going to trial, and that an arbitrated, mediated or negotiated resolution can oftentimes be more successful. Clients appreciate that he's a straight shooter and that they can count on his real-life approach and practical advice. Given his significant experience, he's better prepared to lay out the risks and counsel clients on the best path for resolution.

REPRESENTING INSURERS ON ISSUES INVOLVING VARIOUS TYPES OF POLICIES

- Property & Casualty
- Professional, Employment & Fiduciary
- Builders Risk & Inland Marine
- Technology & Cyber
- Excess & Surplus

ADVISING AND LITIGATING BUSINESS DISPUTES

- Employment, harassment, and discrimination
- General, business, and commercial contracts and torts
- Products, professional and premises liability cases
- Construction, title and escrow and real estate
- Catastrophic injury and wrongful death cases

PRACTICE AREAS

Insurance Coverage
Commercial Litigation
D&O Liability
Professional Liability
Employment Counseling & Litigation

EDUCATION

- California Western School of Law – J.D.
- State University of New York, Plattsburg – B.S.
- University of Central Lancashire-England – Study Abroad

BAR ADMISSIONS

- Oregon
- Washington

COURT ADMISSIONS

- U.S. District Court, District of Oregon
- U.S. District Court, Western District of Washington
- U.S. District Court, Eastern District of Washington
- U.S. District Court, Central District of California
- U.S. District Court, Southern District of California
- U.S. Court of Appeals, Ninth Circuit

PROFESSIONAL AND CIVIC INVOLVEMENT

- Oregon Association of Defense Counsel (President, 2020; Board Member, 2014-2020; Chair, Insurance Coverage Practice Group, 2011-2013; Member, Governmental Affairs Committee)
- Defense Research Institute (Member, Insurance Law Committee, Property Insurance Subcommittee, Bad Faith Subcommittee)
- Association of Defense Trial Attorneys (Member)
- West Side YMCA (Volunteer Youth Basketball Coach)
- i9 Sports (Volunteer Youth Flag Football Coach)
- Stand for Children Oregon (Beaverton Chapter Leader, 2013-2015)

AWARDS AND HONORS

- AV® Preeminent™, Peer Review Rated by Martindale-Hubbell
- Selected for inclusion in The Best Lawyers in America® (2021, 2020, 2019 — Commercial Litigation; Insurance Law; Litigation – Insurance)
- Named as a “Rising Star” in Oregon Super Lawyers (2008 — Insurance Coverage)
- Recipient of The State Bar of California’s Wiley W. Manuel Award for Pro Bono Legal Service

PUBLICATIONS AND PRESENTATIONS

- Co-Speaker, “What is Bad Faith?”, Northwest Insurance Law, The Seminar Group, Live Webcast (October 2021)
- Co-Speaker, “COVID-19 Business Interruption Insurance Litigation,” Multnomah Bar Association Continuing Legal Education Seminar (January 2021)
- Speaker, “Latest Trends and Developments in Insurance Law and Litigation,” Oregon CPCU Society Chapter Meeting (September 2020)
- Co-Speaker, “Defending PIP/UM/UIM Implied Covenant of Good Faith and Fair Dealings Claims: Strategies, Pitfalls, and Recent Developments,” OADC Fall Seminar (November 2019)
- Co-Speaker, “A New Approach to Policy Limit Demands,” Perrin Conferences Insurance Coverage & Allocation Issues Conference (May 2019)
- Speaker, “Overview of Legal Environment for Auto Claims in Washington,” Defense Research Institute (DRI) Webcast (November 2018)
- Co-Speaker, “Bad Faith Remedies and Stipulated Settlements: A Mock Negotiation,” The Seminar Group, Legal and Professional Education, Northwest Insurance Law: A Comprehensive Review (October 2018)
- Co-Speaker, “Policy Limit Demands – Strategies, Pitfalls and Recent Developments,” Perrin Conferences Insurance Coverage & Allocation Issues Conference (April 2018)
- Speaker, “Legal Audits, Attorney/Client and Discovery Issues,” American Conference Institute (ACI) Insurance Coverage & Extra-Contractual Disputes Conference (November 2016)
- Speaker, “Latest Trends and Developments in Insurance Litigation,” Oregon CPCU Society Chapter Meeting (September 2016)

PUBLICATIONS AND PRESENTATIONS

(continued)

- Host & Co-Speaker, Bullivant's Pacific Northwest Client Claims Clinic (April 2016 & February 2016)
- Moderator, "Corporate Representative Depositions - Practicalities, Pitfalls and Strategies," Oregon Association of Defense Counsel (OADC) Fall Seminar (2015)
- Speaker, "Examinations Under Oath: Practicalities, Pitfalls and Strategy," Oregon Association of Defense Counsel (OADC) Insurance Coverage Group CLE (2014)
- Speaker, "Insurance Coverage for Cyber Losses," Oregon Association of Defense Counsel (OADC) Fall Seminar (2013)
- Speaker, "Maintaining the Warranty - Confronting Insurance Coverage Issues Before & During Trial," Oregon Association of Defense Counsel (OADC) Annual Conference (2012)
- Speaker, "Business Interruption Insurance and Lessons Applicable to the Japanese Disaster and Other Catastrophes," Defense Research Institute (DRI) Property Insurance Webcast (2011)
- Speaker, "Hot Topics in Insurance Coverage - Cyber Losses & Business Loss Claims," Primerus Defense Institute (PDI) Insurance Coverage & Bad Faith Seminar (2010)
- Speaker, "Property Insurance Appraisals: Scope, Effect and Other Considerations," CNA Webinar (2010)
- Speaker, "Homeowner Liability Claims: Dealing with Problem Issues," Property Loss Research Bureau/Liability Insurance Research Bureau (PLRB/LIRB) Annual Conference (2010)
- Speaker, "First-Party Cyber Losses: When the Network Goes Down," Property Loss Research Bureau/Liability Insurance Research Bureau (PLRB/LIRB) Large Loss Conference (2009)
- Author, "Avoiding a 'Collapse' of Common Sense," Oregon Association of Defense Counsel (OADC) Summer Newsletter (2009)
- Speaker, "Computer Virus: Adjusting Losses in a Worldwide Network Environment," Property Loss Research Bureau/Liability Insurance Research Bureau (PLRB/LIRB) Large Loss Conference (2008)
- Speaker, "Thorny Issues with Commercial Property Coverages," Property Loss Research Bureau/Liability Insurance Research Bureau (PLRB/LIRB) Regional Conference (2008)
- Speaker, "Emerging Torts: Good Old Negligence - The Latest Theory In Cyber Liability?," Washington Defense Trial Lawyers (WDTL) Tort Law Update (2007)
- Speaker, "Analyzing Intellectual Property Coverage Claims," Property Loss Research Bureau/Liability Insurance Research Bureau (PLRB/LIRB) Regional Conference (2007)
- Speaker, "Liability Lurking in Your Backyard," Oregon State Bar Legal Links Talk Show (2005)
- Speaker, "Bad Faith Litigation in Oregon," National Business Institute (NBI) Seminar (2004)
- Author, "'Captive' Insurance Agent Has No Duty to Homeowners," Oregon Association of Defense Counsel (OADC) Newsletter (2002)