



## Barbara A. O'Donnell

**BOSTON, MA**

**PROVIDENCE, RI**

### CONTACT

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Drawing on more than 20 years of experience in resolving complicated coverage disputes and bad faith claims, as well as leadership roles held with the Federation of Defense and Corporate Counsel (FDCC) and the American College of Coverage and Extracontractual Counsel (ACCC), Barbara O'Donnell serves as regional coverage counsel for several leading property and casualty insurance companies in the New England area. Admitted to practice in the state and federal courts in Massachusetts, Connecticut and New York, she has a proven track record of resolving defective construction, additional insured, priority of coverage, allocation and unfair claims handling disputes for insurers throughout the Northeast. To assist insurers in effective ways to minimize exposure to extra contractual liability claims, Barbara and her colleagues regularly provide insurer clients with customized presentations on proactive measures to avoid bad faith claims and emerging coverage issues and trends.

Barbara has served on the faculty of the FDCC's Insurance Coverage Training Academy Boot Camp, an "immersion level" program offered to insurance industry professionals from around the country. She has written numerous articles on coverage and claims handling topics based upon her participation on panel presentations at DRI, FDCC and ACCC programs.

Barbara lives in Rockport, Massachusetts where she enjoys the thriving arts and music scene on Cape Ann (the "other cape" north of Boston that includes Gloucester, a historic seaports that just celebrated its 400th anniversary). She enjoys spending time with the friends she has made through her many years of active involvement in the FDCC and ACC, and has also started carving out time for travel outside the U.S., including Smithsonian trips to Ireland, Sicily and S. Italy with more to come in future years.

*Lee Kennedy Co. v. Arch Insurance Company* (Massachusetts 2019)

Obtained summary judgment upholding insurer's denial of coverage for insured's pre-suit effort to resolve a dispute over the allegedly faulty construction of a school gymnasium.

*First Specialty Insurance Corporation v. Pilgrim Insurance Company*  
(Massachusetts 2012)

Obtained Appeals Court decision upholding CGL insurer's right to deny coverage based upon application of auto use exclusion to negligent hiring and supervision claims brought against company that employed at fault driver in motor vehicle accident.

*Republic Franklin Insurance Company v. United Educators* (Massachusetts 2004)

Successfully defended educators' liability insurer against action brought by general liability insurer seeking contribution toward settlement and defense costs paid on behalf of private educational institution in action brought by student alleging wrongful discharge, breach of contract and hazing. Obtained summary judgment for insurance agent charged with failing to secure adequate and/or requested insurance coverage.

## **PRACTICE AREAS**

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Bad Faith

Insurance Coverage

# Curriculum Vitae

## EDUCATION

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Boston College Law School (JD, cum laude)

University of Virginia (BA, with distinction)

## PROFESSIONAL MEMBERSHIPS

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ABA Tort and Insurance Practice Section (Former Co-Chair, Book Publications Board; Former Chair, Insurance Litigation Committee)

American College of Coverage Counsel, Fellow (Co-Chair, 2024 Annual Meeting Committee; Vice Co-Chair, 2023 Annual Meeting; Former Member, Finance Committee)

Defense Research Institute (Member; Insurance Coverage Committee)

Federation of Defense and Corporate Counsel (Vice Chair, Admissions Committee; Former Chair, Reinsurance, Excess and Surplus Lines Section;

Former Chair, Extra Contractual Liability Section; Member, Insurance Coverage Section; Former Member, Foundation Board)

## BAR ADMISSIONS

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Connecticut (2019)

New York (2016)

US Court of Appeals 1st Circuit (1987)

Massachusetts (1985)

## AWARDS

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New England's Best Lawyers® - Rhode Island: Insurance Law (2024)

The Best Lawyers in America® - Insurance Law (2024)

Massachusetts Super Lawyers - Insurance Coverage (2013-2023)

Corporate Counsel Super Lawyers - Insurance Coverage (2013-2023)

Massachusetts Lawyers Weekly - "Top Women of Law" (2020)

Marquis - "Who's Who" (2020)

Martindale-Hubbell® Peer Review Rating™ - AV Preeminent®

## PUBLICATIONS

Claims File Materials - Limiting Their Discovery - DRI For the Defense Magazine (November and December 2023)

Faulty Construction Coverage Disputes (Two-Part Series) - DRI For the Defense Magazine (December 2021 and January 2022)