

## ALLISON L. KRUPP

SHAREHOLDER



### AREAS OF PRACTICE

Insurance Services – Coverage & Bad Faith  
Litigation

### CONTACT INFO

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### ADMISSIONS

Pennsylvania  
2009

### EDUCATION

Widener University School of Law  
(J.D., cum laude, 2009)

York College of Pennsylvania  
(B.A., magna cum laude, 2006)

### HONORS & AWARDS

Best Lawyers in America®,  
Insurance Law  
2024

Pennsylvania Super Lawyers  
Rising Star  
2019

### ASSOCIATIONS & MEMBERSHIPS

American Inns of Court

Cumberland County Bar  
Association

Dauphin County William J. Lipsitt  
Inn of Court, Associate

Pennsylvania Bar Association

### OVERVIEW

Allison is a member of the Professional Liability Department where she concentrates her practice on insurance coverage and bad faith litigation. She routinely represents national/global insurance carriers in insurance coverage disputes and first-party automotive claims brought against them. Allison is experienced in many types of coverage issues, including: policy cancellation, policy reformation, phantom vehicle cases, and a variety of policy exclusions. She also defends clients in the area of bad faith litigation. She practices in Pennsylvania state and federal court, as well as before arbitration panels and appellate courts.

For two years prior to joining the firm, Allison served as a judicial law clerk for the Honorable Judge Donald R. Totaro in the Lancaster County Court of Common Pleas. During her final year of law school, Allison served as a legal extern for the Honorable Justice J. Michael Eakin of the Pennsylvania Supreme Court. She also served as a certified legal intern for the Pennsylvania State Civil Service Commission in the Hearings and Appeals Department.

In 2006, Allison graduated *magna cum laude* from York College of Pennsylvania. She then attended the Widener University School of Law and graduated *cum laude* in 2009. During her time in law school, Allison served on *Widener's Law Journal* and was the president of the Moot Court Honor Society from 2008 to 2009.

## THOUGHT LEADERSHIP

### Federal District Court's Discretionary Jurisdiction Over Declaratory Judgment Actions: Recent Trends and Developments

February 1, 2022

### New Jersey Legislature Passes Bad Faith – What's Next??

Mount Laurel

Insurance Services – Coverage & Bad Faith Litigation

January 14, 2022

New Jersey is on the brink of its first insurance bad faith statute after clearing both the Senate and Assembly by vote on January 10, 2022. The material in this law alert has been prepared for our readers by Marshall Dennehey Warner Coleman & Goggin.

### Pa. Ruling Leaves Auto Policy Stacking Questions

Harrisburg

Insurance Services – Coverage & Bad Faith Litigation

November 10, 2021

### Superior Court Warns Insurers: Be Specific in RORs and Update Them When Necessary

Insurance Services – Coverage & Bad Faith Litigation

April 29, 2020

In *Selective Way Ins. Co. v. MAK Servs.*, 2020 Pa. Super. LEXIS 342 (Pa. Super. The material in this law alert has been prepared for our readers by Marshall Dennehey Warner Coleman & Goggin.

### Supreme Court Pulls Trigger on Expanding Scope of Occurrence Coverage

Insurance Services – Coverage & Bad Faith Litigation

April 23, 2020

The Pennsylvania Supreme Court has rendered an important coverage decision construing the common “occurrence” and “expected or intended” language in homeowners and personal liability policies. The material in this law alert has been prepared for our readers by Marshall Dennehey Warner Coleman & Goggin.

### CLASSES/SEMINARS TAUGHT

*Bad Faith 2022*, Pennsylvania Bar Institute CLE, September 2022

*Exploring Bad Faith – Practical Discussion of Bad Faith Law in Pennsylvania and New Jersey*, Marshall Dennehey Insurance Fraud 360 Seminar, Lafayette Hill, PA, June 2022

*All things UM/UIM & Bad Faith in PA*, Marshall Dennehey Virtual Client Presentation, February 2021

*An Overview of Pennsylvania Law for Auto Law & Premises Claims*, Marshall Dennehey Virtual Client Presentation, February 2021

*Proper Handling of UM/UIM Claims: The Good, The Bad, And The Ugly*, Marshall Dennehey Client Seminar, June 17, 2016

*Regular Use Exclusions in Pennsylvania -- Coverage Issues and Practical Applications*, Marshall Dennehey Client Seminar, June 2015

*Recent Pennsylvania Trial and Appellate Case Law*, Cumberland County Lunch and Learn, March 2015

## **PUBLISHED WORKS**

"Federal District Court's Discretionary Jurisdiction Over Declaratory Judgment Actions: Recent Trends and Developments," *Pennsylvania Association of Mutual Insurance Companies (PAMIC)*, Winter 2022 Edition

"Pa. Ruling Leaves Auto Policy Stacking Questions," *Law360*, November 10, 2021

"Just How Hard Does Gallagher Hit the Household Vehicle Exclusion?," *Defense Digest*, Vol. 25, No. 2, June 2019

"Airbnb and Insurance Coverage: Is It Up in the Air?" *The Legal Intelligencer's Insurance Law Supplement*, page 7, August 29, 2017

"A Perfectly Imperfect Process: Dauphin County's First Post-Koken Jury Trial: *Oaks v. Erie Insurance Exchange and Austin*," *Defense Digest*, Volume 20, No. 3, September 2014

"Where to Sue Since *Summy*," *Defense Digest*, Volume 20, No. 3, September 2014

*Legal Updates for Coverage and Bad Faith*, Editor, 2014-present

"Reservations Over Reserving Your Rights," *Defense Digest*, Volume 19, No. 4, December 2013

"Predicting the Future of Predictive Coding," *Defense Digest*, Volume 18, No. 1, March 2012

## RESULTS

### Jury Verdict Received in a Breach of Contract Action

#### **Insurance Services – Coverage & Bad Faith Litigation**

**April 11, 2024**

We secured a jury verdict in a breach of contract/statutory bad faith action that arose under a legal malpractice policy issued to a law firm by our insurance company client. The plaintiffs settled a malpractice claim set forth against them without our client's knowledge or consent. The insurance company then denied coverage for that claim, and the plaintiffs filed suit. Because the case included a bad faith claim, if the plaintiffs prevailed on both counts, the damages could have been seven figures or more. We took the case to trial before Judge Patrick in Philadelphia County.

### Dismissal of bad faith UTP and UTPCPL claims.

#### **Insurance Services – Coverage & Bad Faith Litigation**

**December 20, 2022**

We obtained dismissal of both bad faith and Unfair Trade Practices and Consumer Protection Law (UTPCPL) claims in a case filed in the Eastern District of Pennsylvania. The case arose from a UIM claim presented after a motor vehicle accident. In an extensive footnote to the order, the court included a fairly comprehensive overview of the standards for pleading viable bad faith in UTPCPL claims in Pennsylvania. The court did not allow the plaintiff the opportunity to amend his complaint in order to cure the pleading defects.

### Summary Judgment for Large Insurance Carrier in a Breach of Contract Case.

#### **Insurance Services – Coverage & Bad Faith Litigation**

**December 31, 2018**

The parties had filed cross-motions for summary judgment. The issue for the court was whether the carrier had breached the terms of the policy when it denied the plaintiff's first-party benefits claim relating to medical bills for PTSD allegedly caused by the underlying accident.

### Summary Judgment in Class Action Lawsuit On Behalf of Large Insurer.

#### **Class Action Litigation**

**August 24, 2018**

We obtained summary judgment in a putative class action lawsuit in the Eastern District of Pennsylvania on behalf of a large insurer. The case dealt with a letter the insurance carrier would send to their insureds following a motor vehicle accident in which they advised their insureds that they would have a rental vehicle for five days. The named plaintiffs argued the letter misrepresented the policy language and they sued for breach of contract, bad faith, declaratory judgment and equitable relief.

### Defense Prevails in Automobile Liability Case.

#### **Insurance Services – Coverage & Bad Faith Litigation**

**May 11, 2018**

We secured the dismissal of a declaratory judgment action filed in federal court against a large insurer. This case arose from a motor vehicle accident that occurred in 2015. The plaintiff averred that she had sustained injuries in excess of the tortfeasor's bodily injury liability limits and sought stacked underinsured motorist (UIM) benefits. While the plaintiff had admittedly signed a rejection of UIM coverage form and a rejection of UIM coverage stacked limits form, she argued that her insurer had altered the statutorily required forms by adding additional language.

## **SIGNIFICANT REPRESENTATIVE MATTERS**

Assisted with obtaining summary judgment in favor of the insurer in federal court on all 7 counts of the complaint, including breach of contract, insurance bad faith, misrepresentation, negligence, deceit, breach of covenant of good faith and fair dealing, and unfair trade practices.

Assisted with obtaining a decision from the Superior Court of Pennsylvania affirming the trial court's entry of summary judgment in favor of the insurer on counts of insurance bad faith and violations of the MVFRL.

Assisted with obtaining a decision from the Commonwealth Court affirming the Insurance Commissioner's decision in favor of the insurer, where the policyholder had challenged a homeowner's policy cancellation.

Assisted with obtaining summary judgment in favor of the insurer in Pennsylvania state court on counts of breach of contract and insurance bad faith.

Worked on multiple cases regarding the validity and applicability of stacking waivers on Pennsylvania auto policies, and obtained summary judgment in several of those cases.

Assisted with successfully opposing a Motion for Class Certification in a Philadelphia County TCPA case.

Obtained a defense verdict from a Philadelphia County arbitration panel, where the underlying issue was permissive use of a vehicle.

Obtained defense verdicts from Lancaster County arbitration panels in two separate property damage cases involving a neighbor dispute.

Obtained a defense verdict from a magisterial district judge for lack of subject matter jurisdiction.

Second-chaired and received a defense verdict in a high-profile casualty case, where the plaintiff sustained serious injury in a sprint car accident.