

## Seventh Circuit Rejects Broad Interpretation of Claim Under Claims-Made Professional Liability Policy

**Date:** 07/08/20

In *Market Street Bancshares, Inc. v. Federal Insurance Co.*, 2020 WL 3396303 (7th Cir. June 19, 2020), the Court of Appeals for the Seventh Circuit grappled with whether a damages argument asserted for the first time in a thirteen-year-old litigation constituted a new “claim” that triggered an insurer’s duty to defend under a later claims-made policy. Concluding that the damages argument was not itself a “claim” but merely part of an earlier-made claim (the civil action as a whole, commenced by the service of the complaint), the Court found that the insurer had no duty to defend and affirmed an order granting it summary judgment.

---

### Attorneys

- Joel Kurtzberg
- Thorn Rosenthal
- Connor Carroll