



Samuel H. Ruby

Shareholder-in-Charge
Practice Group Leader
Direct Dial: 415.352.2723
samuel.ruby@bullivant.com

Sam Ruby leads the firm's Insurance Law Group and is the Shareholder-in-Charge of the 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 breach of contract, bad faith, and declaratory relief. He also provides coverage opinions and represents insurers at appraisals and examinations under oath.

Practice Areas

Commercial and Personal Lines Property Insurance

Sam has represented insurers in connection with large fire, rain, mold, earth movement, flood, electrical disturbance, construction defect, contamination, and other first-party insurance claims. He has extensive experience with both the physical damage issues and the time element issues that such claims may present—including questions relating to civil authority, ingress/egress, service interruption, and contingent time element (dependent property) coverage. Sam frequently is engaged to assist with claims presented under specialized insurance programs for public entities and Native American nations, and he serves a major insurer as national coordinating counsel regarding claims potentially implicating Additional Collapse Coverage. He is an Associate Member of the Loss Executives Association, a premiere organization of professionals in the large loss arena.

Builder's Risk Insurance

Sam frequently assists insurers with resolution of severe and complex builder's risk claims. On the property damage side of such claims, he often is involved with issues surrounding repair costs, defect exclusions, sub-limits, coverage extensions, and termination of coverage. On the delay-in-completion side of such claims, he is often involved with issues surrounding validation and calculation of delay periods; accounting of income loss over a period of delay; and identification and measurement of covered soft costs.

London Market Representation

Throughout his career, Sam has represented syndicates doing business at Lloyd's and companies operating in the greater London Market. He has defended London-based underwriters in litigation in California and several other states. Sam is a regular visitor to London and attends the annual conference organized by the Property Insurance Claims Group, a Lloyd's Market Association committee.

General Liability Insurance

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.

Professional and D&O Liability Insurance



Sam advises and represents professional liability and D&O insurers in connection with errors and omissions claims, often involving architects, engineers, and contractors.

Admiralty/Maritime/Transportation Insurance Coverage

Dating back to his days as a law clerk while still in law school, 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.

Practice Areas

Admiralty & Maritime
Appellate
Commercial Litigation
COVID-19 Response
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

- American College of Coverage Counsel (Fellow, 2019-Present)
- American Bar Association (Member, Tort, Trial & Insurance Practice Section)

Awards and Honors

- AV[®] Preeminent[™], Peer Review Rated by Martindale-Hubbell
- Selected for inclusion in *Northern California Super Lawyers* (2021, 2020, 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)