



Katherine E. Tamaro

Partner

katherine.tamaro@wilsonelser.com

Madison, NJ – 973.735.6147

Katherine Tamaro has nearly 25 years of experience representing insurance companies in complex coverage matters throughout the country, including professional liability; specialty lines, including media-specific policies; D&O and EPLI; environmental; advertising; personal injury; product liability, including asbestos and chemical exposures; and construction defect cases. She also handles numerous claims of bad faith and improper claims handling.

As a co-chair of Wilson Elser's Pro Bono Committee, Kate oversees the continued effectiveness of the firm's pro bono program and is committed to advancing its objectives.

Kate has authored numerous articles on insurance coverage topics, including analysis of the pollution exclusions; allocation of defense and indemnity costs; advertising and personal injury claims handling practices; additional insured and contractual indemnification issues; targeted tender and occurrence concerns; discovery and technology topics such as discovery of electronic data and privilege in general and in bad faith cases; professional liability policies, including claims made, coverage for mold under liability and property policies; construction defects under liability and property policies, including OCIPs; and homeowners and auto claims issues. She has spoken at numerous ACI, PLRB, DRI and Mealey's conferences throughout the country on these topics.

Education

- Georgetown University Law Center (J.D., 1992)
- University of Notre Dame (B.A., 1989)
 - with honors

Bar Admissions

Services

- Appellate
- Insurance & Reinsurance Coverage
- Israel

- New York
- New Jersey
- Illinois

Court Admissions

- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. District Court, Northern District of Alabama
- U.S. District Court, Eastern District of Alabama
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Western District of Michigan
- U.S. District Court, District of New Jersey
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Western District of New York
- U.S. District Court, Western District of Wisconsin

Awards & Honors

- Selected for inclusion in *The Best Lawyers in America*®, 2024-2026
- Selected for inclusion in *The Best Lawyers in America*® *Women in Law*, 2025
- Ranked in the Chambers USA Guide: 2025, New Jersey – Insurance
- Selected for inclusion in The Legal 500 - Insurance Tier 4, 2023
- Selected for inclusion in *The Best Lawyers in America*® in the area of Insurance Law, 2021–2023
- Selected for inclusion in *Super Lawyers*, New Jersey, 2018–2020

Representative Matters

Defending insurance company clients in state and federal court in complex coverage matters involving first- and third-party policies and claims of breach of duty to defend and indemnify, bad faith allegations, violation of various Unfair Claims Practices Acts and breach of contract.

Defending insurance company clients in state and federal courts involving issues related to identification of insureds, application of form and manuscript exclusions and provisions, allegations of waiver and estoppel, allocation and application of “other insurance” clauses, personal and advertising injury analysis, existence of covered damages under

environmental policies, policy interpretation issues, reformation and rescission issues, coverage for alleged sexual assault and/or abuse, and additional insured issues.

Representing insurance company clients in state and federal appellate courts in matters involving breach of the duty to defend and bad faith on first- and third-party policies, allocation and application of self-insured retentions and deductibles, use of extrinsic evidence in determining the duty to defend and coverage for alleged trade secret infringement, and reformation and rescission issues, E&O and EPLI issues.

Counseling and providing coverage opinions to insurance company clients regarding the potential for the existence of coverage and potential duty to defend and extra-contractual implications for issues involving professional liability E&O policies, EPLI and D&O policies, first-party property policies, commercial auto policies, commercial general liability policies, umbrella and excess policies, environmental policies, workers' compensation and employers' liability policies, first-party property policies, standard and surplus lines policies.

Publications

July 1, 2024

Insurance Coverage Litigation Strategies: How to Sue and Be Sued

March 22, 2021

The SAFE Banking and CLAIM Acts Will Transform the Cannabis Insurance Industry – Here's What to Expect

June 25, 2020

The NJ Cannabis Legalization Ballot Question: Get Out the Vote by Staying at Home

Law.com

Client Wins

Tammaro Secures Affirmance of Win for Insurance Industry

Katherine Tammaro (Partner-Madison, NJ) received a unanimous affirmance for the NJ Supreme Court following oral argument in September. On December 12, the court affirmed Kate's wins at the Trial and Appellate levels. Essentially, the court held that an employer's liability insurer will never have a coverage obligation, including any duty to defend, in a suit by an employee against an employer when that insurer is paying workers' compensation benefits and the policy at issue contains the New Jersey Part Two (Employers Liability Endorsement) exclusion for claims within the New Jersey workers' compensation exclusivity bar exception or similar language, which the Court found to be clear, unambiguous, and in accordance with the public policy of New Jersey.