



Tanya T. Austin

Of Counsel

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Tanya Austin represents insurance companies in coverage and bad faith litigation. Her practice focuses on analysis of insurance coverage obligations and claims-handling practices relative to first- and third-party claims. She has successfully litigated declaratory judgment, breach of contract and bad faith insurance practices actions stemming from insurers' handling of personal injury, wrongful death, property damage, defamation and economic loss claims.

Tanya has extensive experience litigating insurance coverage and bad faith claims at the trial and appellate level. She has successfully assisted insurers in litigating and resolving a wide variety of complex coverage disputes under commercial and personal lines policies, and has defended insurers against accusations of bad faith claims handling in both individual and class actions. In addition to litigation, Tanya provides assistance to insurers in drafting policy forms, endorsements, and advisories for personal and commercial policies, and conducts training seminars for insurance professionals on best claims-handling practices.

Tanya joined Wilson Elser in 2024, after a 15-year career at a mid-size Northeast region litigation firm.

Insurance Coverage

Tanya provides insurers with legal opinions regarding coverage for first- and third-party claims, including wrongful death, personal injury, property damage, construction defect, environmental pollution, contractual liability and business interruption claims. Additionally, she represents insurers in declaratory judgment, reach and apply, and contribution actions dealing with insurance coverage in state and federal court, applying her experience to efficiently resolve cases via motions to dismiss or for summary judgment where possible.

Insurance Bad Faith

Services

- Insurance & Reinsurance Coverage

Tanya represents insurers in actions alleging bad faith claims handling, whether made by individuals or framed as putative class actions. Her experience includes claims involving primary and excess insurers' allegedly wrongful failure to defend, indemnify and settle claims against their insureds, as well as allegations of misrepresentation, fraud, improper calculation of interest and wrongful cancellation or nonrenewal of policies.

Education

- Harvard Law School (J.D., 2005)
- University of California, Berkeley (B.A., 2002)

Bar Admissions

- Massachusetts
- California

Court Admissions

- U.S. Court of Appeals, First Circuit
- U.S. District Court, District of Massachusetts

Representative Matters

Prevailed at the Massachusetts Appeals Court, establishing that the mere presence of a disabled vehicle on a premises did not constitute "property damage" to the premises so as to trigger liability coverage under an auto policy for towing costs.

Prevailed at the Massachusetts Appeals Court, which affirmed that an insurer had no obligation to defend its insured against claims that he had refused to appear for a deposition in an unrelated personal injury case.