



No Defense Reimbursement For Insurers In Wash., Law360

*By Louie H. Castoria, Esq.
(April 4, 2013)*

Law360, New York (April 04, 2013, 10:47 AM ET) — It's cynically said that no good deed goes unpunished. The Washington State Supreme Court seems to agree when it comes to insurers' reservations of rights to seek reimbursement of fees and costs they have paid for the defense of claims that later prove not to be afforded coverage.

In National Surety Corp. v. Immunex Corp., No. 86535-3, Wash. S.Ct. 2013 (March 7, 2013), by a 5–4 decision, the court required National Surety Corp. to pay for defense fees and costs that its insured incurred prior to...