



Timothy J. Wolf

Principal

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Mr. Wolf practices in the areas of complex business litigation, including breach of contract disputes, class actions, labor and employment claims, insurance coverage, and bad faith litigation. He provides counsel to his clients on primary and excess property and liability policies with an emphasis on catastrophic injury claims and complex coverage issues. He has published articles and often speaks to industry professionals regarding insurance regulations and proper claim handling procedures. His broad insurance background includes litigating all aspects of insurance cases involving property and casualty insurance.

Mr. Wolf has lectured on class actions and how to manage the class action lawsuit. He is responsible for significant favorable results for his clients in Telephone Consumer Protection Act class action cases in state and federal courts and in challenging regulations with the Federal Communications Commission in Washington, D.C. These results have had a significant impact on an industry-wide basis in advancing the successful defense of TCPA class action lawsuits.

Mr. Wolf also has significant experience in successfully representing insurance clients in affirmative litigation. He counsels insurers on strategies to combat insurance fraud, including claims involving staged losses and medical billing fraud. Mr. Wolf is routinely called upon by insurers to counsel on the use of civil RICO actions to prevent insurance fraud in many jurisdictions across the country. He also represents school districts in their subrogation efforts to recover against third parties.

Mr. Wolf has tried numerous lawsuits to successful conclusion in state and federal courts and has deposed hundreds of experts on liability, causation and damage issues. He has represented clients in mediations and arbitrations in various venues and jurisdiction.

Recent Trial Results

- *General Credit Acceptance Company v. David Deaver*; St. Louis County Circuit Court, 11SL-CC2888-02 (May 2016). After multi-day evidentiary hearing, Tim defeated plaintiff's motion to certify nationwide class of consumers who alleged their automobiles were wrongfully repossessed in violation of the UCC.

- *Lowe v. Foremost Insurance Company*, Green County Missouri, (February 2014). Tim was granted Summary Judgment on behalf of his client Foremost in a UIM stacking case. The court held that the policy unambiguously prohibited stacking of UIM policy limits for multiple vehicles insured by the Foremost policy.
- *Machine Maintenance, Inc. v. Generac Power Systems, Inc*, Eastern District of Missouri, 4:12-cv-793, (November 2013). After a two week trial, jury awarded Plaintiff only \$50,000 against Tim's client Generac in an industrial equipment dealership termination dispute. Plaintiff sought more than \$6 million in damages against Generac.
- *Gus Maduros v. Eric Krugh, Jr.*, Western District of Missouri, 4:09-cv-04211, (December 2010). Obtained jury verdict for Defendant. Plaintiff suffered a fractured knee and other spine injuries in an auto accident with Defendant who was an unlicensed minor.
- *Avida Williams v. Ken Chiu* St. Louis City, 052-1183, (March 2009). Obtained jury verdict for Defendant. Plaintiff alleged she suffered a herniated disc and various other injuries from rear end collision in the City of St. Louis.
- *Rias v. Safeco Ins. Co. of America* 594 F.Supp.2d 1090 (E.D. Mo. 2009). Obtained summary judgment for insurer. Court found Safeco's policy did not provide unlimited building and code upgrade coverage following fire loss to home in historic district as argued by plaintiff.
- *Vogt, et al. v. Travelers Indemnity Company of America* CV305-8822-CC, Jefferson County, Missouri (May 2008). Obtained summary judgment for insurer. Insurer had no duty to defend or indemnify insured for construction defect claims under commercial general liability policy.
- *The Charter Oak Fire Insurance Co. v. Edward Holthaus, et al*, Slip Copy, 2008 WL 509557 (E.D. Mo, Feb 22, 2008). Obtained summary judgment for insurer confirming no duty to defend or indemnify insured for lawsuit relating to auto accident where plaintiff alleged catastrophic injuries.
- *Meuangthane v. Stoneland, Inc., et al.*, 2106CC-03135, St. Louis County, Missouri (February 7, 2008). Obtained jury verdict for defendant. Jury found defendant was not liable for plaintiff's closed head injury when defendant's forklift overturned on her vehicle striking her in the head.
- *Foremost Insurance Company v. Gene Evans*, 05WA-CC00338, Washington County, Missouri (December 2007). Obtained jury verdict for insurer. Jury found no coverage for fire damages to insured's property as a fraud, misrepresentation and intentional loss conditions and exclusions in policy.
- *Plunk, et al. v. Shelter Mutual Insurance Company*, 05-BO-CC-00030, Bollinger County, Missouri (August 2007). Obtained summary judgment for insurer. Insurer had no duty to provide coverage for business personal property following residential fire.
- *Travelers Indemnity Co. v. Vas-Nes*, Slip Copy, 2005 WL 3107697 (W.D. Mo., Nov 18, 2005). Obtained summary judgment for insurer. Insurer had no duty to provide coverage for employee dishonesty claim.
- *Assurance Co. of America v. Adbar, L.C.*, 129 Fed.Appx. 334 (8th Cir. 2005). Eighth Circuit Court of Appeals upheld entry summary judgment for insurer. Builder's risk policy language was not affected by Missouri's Valued Policy Statute, saving insurer over \$500,000 on insured's claim.

Recent Arbitration Results

- Confidential Arbitration Proceeding (2020). Successfully defended more than \$10 million in claims asserted against client in confidential arbitration proceeding involving complex construction liability claims.

Practice Areas

Arson-Fraud Litigation
Business and Commercial
Litigation
Employment Law
Insurance Law
Premises and Retail Liability
Product Liability

More About Tim

Education & Bar Admissions

Education

- Saint Louis University School of Law (J.D., 2001)
- Westminster College (B.A., History, Political Science, 1998)

Bar Admissions

- Missouri
- Illinois
- Arkansas
- Kansas
- U.S. District Court for the Eastern District of Missouri
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Eastern District of Oklahoma
- U.S. District Court for the Northern District of Oklahoma
- U.S. District Court for the Western District of Missouri
- U.S. District Court of Kansas
- U.S. District Court of Texas
- U.S. Bankruptcy Court for the Southern District of Illinois
- U.S. District Court for the Southern District of Illinois
- U.S. District Court for the Central District of Illinois
- U.S. Court of Appeals for the Eighth Circuit

Recent Achievements

- Rising Stars - Insurance Coverage, Missouri & Kansas Super Lawyers (2010-2016)

Professional Affiliations

- International Association of Special Investigation Units (IASIU) Kansas City Chapter, Chief Counsel
- Claims & Litigation Management Alliance, Environmental and Toxic Tort Committee
- Defense Research Institute
- Illinois State Bar Association
- Missouri Organization of Defense Lawyers
- Property Law Research Bureau

Publications

- Fraudulent Misrepresentation of Policy Limits
- Editor, Missouri Sources of Proof, Fifth Edition, The Missouri Bar

- Editor, "Settlements in Commercial Litigation," Journal of The Missouri Bar (January 2014)
- Editor, "Enforcement or Rescission of Settlement Agreements," Journal of The Missouri Bar (January 2014)
- Author, "Civil Conspiracy Claims Extend Business Litigator's Reach to Defendants Not a Party to the Contract," The Firm Inquiry (Winter 2008)
- Author, "Tide Turning? Decisions Opposing Class Certification," The Firm Inquiry (Summer 2008)
- Author, "Insurance Law from A to Z," National Business Institute (May 2008)
- Author, "Missouri Court Limits Class Action Certification," The Firm Inquiry (Fall 2007)
- Author, "Fraudulent Misrepresentation of Policy Limits," The Firm Inquiry (Fall 2006)

Speaking

- Presenter, "2017 Tort Reform Update," Brown & James General Defense & Insurance Law Symposium, January 2018
- Presenter, "Stacking the Deck: Changes to Missouri's Collateral Source Rule," 2017 Brown & James Tort Reform Seminar: A New Day in Missouri, September 2017
- Presenter, "Practical Realities and Pitfalls of Uninsured and Under-insured Motorist Coverage," 2017 CLM Greater St. Louis Education & Networking Event, August 2017
- Presenter, "Case Law Update," Brown & James General Defense & Insurance Law Symposium, January 2017
- Presenter, "Data Analytics and the RICO Act - Powerful Tools in the Fight against Insurance Fraud Rings," Brown & James Law Symposium, January 2016
- Presenter, "Reserving Rights and Declining Coverage in Missouri," Brown & James Law Symposium, January 2014
- Presenter, "Putting Together a Powerful Closing Argument," National Business Institute, May 2013
- Presenter, "The Ever-Evolving Co-Employee Liability Law - Have We Reached The End?" Brown & James Law Symposium, January 2013
- Presenter, "Emerging Issues Relating to Business Income, Extra Expense & Appraisal Pitfalls," Brown & James Law Symposium, January 2011
- Presenter, "Class Actions: Plaintiff's Attorney's Dream, Insurance Carrier's Nightmare," Annual Conference of the Council on Litigation Management - CLM, April 2010
- Presenter, "Settling Uninsured and Underinsured Motorist Claims," National Business Institute, February 2010
- Presenter, "Ethical Considerations in Coverage Disputes," National Business Institute, June 2009
- Presenter, "Class Actions, Plaintiff's Attorney's Dream Insurance Carrier's Nightmare," Central Claims Executives Association Conference, October 2008