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Barnes & Thornburg Represents Simon Property Group In $204 Million Trial Victory

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A Barnes & Thornburg team led by partners Andrew Detherage and Charles Edwards representing Simon Property Group, a global leader in retail real estate ownership, management and development, won a $204 million jury verdict after a six-week trial in Nashville, Tenn. The trial related to flood losses that occurred in May 2010 at the Opry Mills mall in Nashville. The verdict included both covered losses and consequential damages in excess of the coverage limits. The jury also awarded additional consequential damages in an amount to be determined by the trial judge. The trial involved 17 insurers who refused to pay for losses above the first $50 million layer of coverage. The verdict follows a favorable summary judgment ruling in March 2015 in which the court ruled that up to $200 million in coverage was available for the loss. The case had been pending for five years and involved more than 130 depositions, including more than 20 experts, along with dozens of motions for partial summary judgment and motions in limine, and a successful effort to defeat a motion to compel appraisal. Assisting Detherage and Edwards were Christian Jones, Dennis Stolle, Joseph Chapelle, Curt Greene, Lindsey Dates, Rachel Lerman, Andrea Warren, Kara Cleary, and Brooke Aurs.

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