



MIKAELA WHITMAN

Partner

Mikaela Whitman is a partner in Pasich LLP's New York office and a founding member of the insurance recovery team. Recognized since 2014 by Super Lawyers as a New York Metro Rising Star for Insurance Coverage, Mikaela has more than a decade of experience representing policyholders—never insurance companies—in complex insurance coverage matters.

Mikaela litigates and mediates insurance disputes across the United States and has recovered hundreds of millions of dollars for policyholders. In addition to her litigation practice, Mikaela is a strategic advisor to in-house counsel on mitigating risk and maximizing value from insurance assets.

Mikaela's areas of expertise include disputes concerning directors and officers (D&O) insurance, first-party property insurance, employment practices liability insurance (EPL), commercial general liability insurance (CGL), and media liability insurance. She has represented policyholders in obtaining coverage for a wide range of claims, liabilities and lawsuits, including losses from floods, hurricanes, product recalls and liabilities, environmental contamination, cyber losses, bodily injuries, securities claims, and energy industry liabilities.

Mikaela's practice also focuses on insurance disputes in the entertainment and media industries. She regularly counsels clients on coverage issues arising out of event cancellation, sexual harassment, defamation, production losses and intellectual property infringement. Mikaela is a contributing author of the *New Appleman Sports and Entertainment Insurance Law & Practice Guide*, a treatise written by Pasich LLP and published by LexisNexis, and has represented several high-profile individuals in the entertainment industry.

A frequent writer and speaker, Mikaela has spoken and presented at programs tailored for general counsel and defense counsel, as well as at programs sponsored by Stafford, the American Bar Association, the Sports and Entertainment Committee of the ABA, the Wharton School of Business, the U.S. German Chamber of Commerce and Americanafest, among others. Her articles have been featured in various publications, including the *New York Law Journal*, *Lexology*, *Law360*, *LexisNexis Critical Issues Series*, *Corporate Counsel Magazine* and *Advisen*.

PUBLICATIONS AND SPEAKING ENGAGEMENTS

Below is a representative sampling of Mikaela's recent publications and speaking engagements:

- "Event Cancellation Insurance and March Madness," *AthleticBusiness* (Feb. 27, 2020)
- "Insight: Tips To Maximize Coverage and Limit Insurers' Deductions to Defense Cost Invoices," *Bloomberg Law* (Feb. 4, 2020)

- “Insurance Trends to Watch in 2020,” *Insurance Services Network* (Feb. 2020)
- “Using Unfair Claim Settlement Statutes to Prove Bad Faith,” *New York Law Journal* (Oct. 10, 2019)
- Speaker, “Insurability of Disgorgement and Restitution Claims,” Strafford Live CLE Webinars (Sept. 25, 2019)
- “Insuring Risk in the Fitness Industry and the Commercial Liability Policy,” *Lexology* (Sept. 5, 2019)
- “Do Weather Related Sublimits Apply to Time Element Coverages,” *Lexology* (July 18, 2019)
- “Insurance Considerations for the Music Festival Business,” *New York Law Journal* (June 7, 2019)
- “The Sixth Circuit Highlights a Key Insurance Issue for the #MeToo Era in Negligent Hiring, Supervision and Retention Cases Involving Sexual Misconduct,” *Lexology* (June 6, 2019)
- “Debunking the Myth that the First Department Has Rung the Death Knell on Disgorgement,” *New York Law Journal* (Oct. 15, 2018)
- Speaker, “Sex, Drugs & Rock ‘n’ Roll: Insuring the Music Industry,” *AmericanaFest* (Sept. 13, 2018)
- “Disgrace Insurance: The Crossroads of Branding and Scandal,” *New York Law Journal* (Aug. 9, 2018)
- “Worried about Harvey, Travis or Roseanne at Your Company? Here’s What GC’s Can Do,” Interviewed by *Corporate Counsel Magazine* (Aug. 7, 2018)
- Speaker, “Insurance Coverage and the Cannabis Industry,” *Vincente Sederberg LLP* (April 4, 2018)
- “Terrorism, Hurricanes, and Wildfires: Event Cancellation Insurance in the Age of Uncertainty,” *Advisen* (Nov. 9, 2017)
- Speaker, “Legal Perspectives on the Modern American Record Label,” *Concert and Event Promotion Forum hosted by the German American Chamber of Commerce* (Nov. 7, 2017)
- Speaker, “Women in Sports Law and Entertainment: Perspectives and Insights,” *ABA and American University Washington College of Law 2017 Fall Symposium on Sports and Entertainment Law* (Oct. 20, 2017)
- “Westworld, Skynet . . . There Might Be Insurance For That!,” *New York Law Journal* (June 5, 2017)
- “Insurance Law Implications of the Shared Economy,” *Spring 2017 Edition of New Appleman in Insurance: Current Critical Issues in Insurance Law* (April 12, 2017)
- “What Companies Must Know About Social Media and Insurance,” *Law360* (March 23, 2017)

OUTSIDE THE FIRM

While a partner and member of the insurance recovery practices at Liner LLP and Pasich LLP, Mikaela served as the Director of Business Affairs for Blue Élan Records, an independent record label that has earned a Grammy nomination and has grown to more than twenty artists in less than four years. At Blue Élan she handled artist and third-party contract negotiations, music licensing, financial planning/strategy and general business concerns.

Mikaela is a black belt in Okinawan Shorin-Ryu, a lifelong dancer at Broadway Dance Center in New York City and actively involved in various bar associations and alumni groups for the University of Chicago.

ADMISSIONS

- New York
- U.S. District Court, Southern District of New York
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the First Circuit

EDUCATION

Benjamin N. Cardozo School of Law, Yeshiva University (J.D.)
University of Chicago (B.A.)