



## Jill F. Endicott

Partner  
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Jill is a litigation partner serving sophisticated business and insurance industry clients in complex litigation and dispute resolution. She has successfully litigated a broad range of commercial, mass tort, catastrophic loss, and business lawsuits from trial through appeal in the state and federal courts of Kentucky over the past 25 years, achieving precedent-setting decisions in the areas of insurance coverage and bad faith, breach of contract and UCC law, mass tort and product liability, and securities law. Jill practices cases of all sizes with the same goal of obtaining the best possible result per individual client objectives as quickly and cost-effectively as possible.

Her insurance industry knowledge and experience run deep. From insurance coverage litigation under a broad variety of policies to MGA and broker/dealer breaches of contract to defense of insured and extra-contractual claims, Jill has spent over 50 percent of her full-time practice working for insurance industry clients. She chaired the Insurance Practice Group of ALFA International and serves as an active member and speaker at Claims Litigation Management client seminars on insurance law subjects.

Jill has substantial experience in insurance insolvency proceedings. She represented three successive Kentucky Commissioners of Insurance in their capacity as Liquidator of Kentucky Central Life Insurance including as lead counsel in high-profile litigation against the Bank of Louisville (recovering \$27 million for client) and in the \$100 million Webb dispute, the largest continuous lawsuit of that statutory insolvency.

She is top-rated by Best Lawyers, Martindale-Hubbell, and Super Lawyers in the areas of Insurance Litigation, Business Litigation, Mass Tort & Class Action Defense, and Product Liability Defense. She was recognized as 2018 Lawyer of the Year by Best Lawyers for Mass Tort Litigation & Class Actions (Louisville, Kentucky). Jill served as special justice on the Kentucky Supreme Court by appointment of the governor of Kentucky in 2008.

Jill obtained her B.A. from the University of Pennsylvania and J.D. with honors from George Washington University Law School.

### Services

- Litigation
- Insurance Industry

- Appellate
- Class Action
- Product Liability
- Tort
- Mass Tort
- Toxic Tort
- Antitrust & Trade Regulation
- Government Investigations
- Banking & Financial Services
- Bank Regulatory & Enforcement

## **Education**

- George Washington University Law School (J.D., *with honors*, 1992)
- University of Pennsylvania (B.A., 1989)

## **Bar Admissions**

- Kentucky

## **Court Admissions**

- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Western District of Kentucky
- U.S. District Court for the Eastern District of Kentucky

## **Affiliations/Memberships**

- Kentucky Bar Association
- Louisville Bar Association
- ALFA International Insurance Practice Group
  - Chair Emeritus (2011 - 2013)
  - Chair (2009 - 2011)
  - Vice chair (2005 - 2009)
  - Program chair (2005 - 2006)
  - Steering Committee (2002 - 2015)
- Claims and Litigation Management Alliance (CLM)
  - Coverage Committee

- Extra-Contractual Committee
- Insurance Fraud Committee
- Defense Research Institute, Insurance and Commercial Litigation committees
- Juvenile Diabetes Research Foundation (JDRF) International (2006 - 2011)
  - Board of Directors
  - Gala Committee
  - Corporate fundraising chair
  - Gala Honorary chair, Kentuckiana Chapter (2009)
- University of Pennsylvania, Kentucky Alumni Committee
- Louisville Legal Aid Society, Landlord/Tenant Project, former pro bono counsel

## Distinctions

- AV Rated by *Martindale-Hubbell* (2005-Present)
- *Best Lawyers*®
  - "Lawyer of the Year" in Louisville for Mass Tort Litigation/Class Actions - Defendants (2018)
  - Litigation - Insurance, Mass Tort Litigation/Class Actions - Defendants, Personal Injury and Product Liability Litigation - Defendants
- Top Lawyers featured in *Louisville Magazine* (2011)
- Kentucky *Super Lawyers*® (2007, 2009, 2013 - 2016, 2018 - 2020)
- AM Best's Recommended Insurance Attorneys
- Special Justice of the Kentucky Supreme Court by appointment of Kentucky governor (June 2008)
- Profiled in *Business First* (July 28, 2006)
- Judicial Clerkship, New Mexico Supreme Court (1992 - 1994)

## Experience

### **Appellate Counsel in High Profile Litigation Involving Personal Guaranties on Failed Real Estate Construction Loans**

As counsel to the Kentucky Commissioner of Insurance in his capacity as Liquidator of Kentucky Central Life Insurance Company (KCL), secured reversal of trial court's order denying the enforceability of over \$100 million in personal guaranties owed to client, as well as reversal of \$ 1 million in discovery sanctions imposed by the trial court against our client and its former law firm. Case was followed closely by press due to involvement of prominent real estate developers and serious implications for all creditors and shareholders of KCL.

Continued representing Liquidator of KCL upon remand in what became the largest continuous lawsuit of that \$1 billion statutory insolvency. After several years of litigation, the case was resolved by confidential settlement.

Commissioner of Insurance, Janie A. Miller, in her capacity as Liquidator of Kentucky Central Life Ins. Co. v. Webb, Nos. 1998-CA-2487-MR, 2000-CA-0039-MR, 2000-CA-0212-MR, 2000-CA-2619-MR, 2000-CA-2638-MR, 2002 Ky. App. LEXIS 1462 (Ky. App. July 12, 2002). Click [HERE](#) to view the decision.

### **Recovery of Substantial Funds in Commercial Transaction, Breach of Contract**

As counsel to the Kentucky Commissioner of Insurance in his capacity as Liquidator of Kentucky Central Life Insurance Company (KCL), served as lead counsel to the Liquidator of KCL in extensive litigation against the Bank of Louisville involving a series of complex commercial transactions and claims for breach of contract through the course of summary judgment proceedings, settlement negotiations, and mediation. After years of opponent's vigorous litigation to aggressively oppose our client's claims, settlement of case to recover \$27 million for our client.

### **Defense of Toxic Tort and Environmental Action**

Successfully defended several manufacturers in toxic tort litigation and continue to serve as common counsel to over 40 potentially responsible parties (PRPs) to defend claims for alleged groundwater contamination by Kentucky Energy and Environment Cabinet. Negotiated resolution with Cabinet on behalf of 40 PRPs to monitor site for next 12 years pursuant to negotiated Agreed Order and Operations & Management Plan.

Bulk Terminals/George O'Bryan v. Atlantic Richfield, No. 2005-CA-002448-MR, 2007 Ky. App. LEXIS 78 (Ky. App. March 9, 2007). Click [HERE](#) to view the decision.

### **Defense of Toxic Tort Lawsuits**

Worked on defense team of Fortune 300 company in toxic tort cases of national importance regarding eastern Kentucky Superfund site. Wrote briefs leadings to complete dismissals and establishing significant defense precedents in federal cases regarding the statute of limitations, discovery rule, and enforceability and interpretation of terms of releases in toxic tort actions.

Blanton v. Cooper Industries, Inc., 99 F.Supp.2d 797 (E.D. Ky. 2000). Click [HERE](#) to view the decision.

Luttrell v. Cooper Industries, Inc., 60 F.Supp.2d 629 (E.D. Ky. 1998). Click [HERE](#) to view the decision.

### **Secured Final Dismissal in Lawsuits Against Former Kentucky Commissioners of Insurance**

Defended four former officers of the Liquidation of Kentucky Central Life Insurance Company, including three former Kentucky Commissioners of Insurance, in lawsuits filed against them personally seeking punitive damages for breach of fiduciary duty and wrongful use of civil proceedings. Secured rulings of final dismissal as matter of law in two suits and dismissal without payment in others.

## **Appellate Counsel to Kentucky Bankers Association on Issue of State Agency's Statutory and Regulatory Authority**

Represented nominal party on behalf of interests of Kentucky Bankers Association before Kentucky Supreme Court regarding scope of authority of Kentucky Department of Financial Institutions to grant geographic charters to state credit unions.

Members Choice Credit Union v. Home Federal Savings & Loan Association, 323 S.W.3d 658 (Ky. 2010). Click [HERE](#) to view the decision.

### **Appellate Counsel in FELA Action**

Successfully litigated appeal in FELA action, protecting defense verdict at trial. Appeal involved numerous evidentiary issues, including regarding proper scope, subject, and admissibility of fact witness and expert testimony.

Rossi v. CSX Transp., Inc., \_\_\_ S.W.3d \_\_\_, 2010 Ky. App. LEXIS 233, 2010 WL 5128637 (Ky. App. 2010). Click [HERE](#) to view the decision.

### **Defense of Asbestos Litigation for Past 17 Years**

Defend all lawsuits filed against Metropolitan Life Insurance Company in Kentucky based upon its alleged fraudulent concealment of the harmful effects of asbestos in the 1920s and 1930s. Have settled and dismissed hundreds of Kentucky lawsuits filed since the inception of litigation against Metropolitan Life in Kentucky in early 1990s.

### **Appellate Counsel to Manufacturer in Precedent-Setting Case Regarding Scope of Manufacturer's Liability Under Doctrine of Equitable Estoppel**

Successfully defended equipment manufacturer through appeal, establishing significant favorable precedent in product liability law in Kentucky regarding application of doctrine of equitable estoppel and statute of limitations discovery rule.

Fluke, Inc. v. LeMaster, 306 S.W.3d 55 (Ky. 2010). Click [HERE](#) to view the decision.