

Kyle P. Brinkman | Partner
Insurance Recovery

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Kyle Brinkman is a partner in Blank Rome's policyholder-only insurance recovery practice.

He helps companies and their directors and officers understand and obtain payment from their insurance coverage—from preemptive analysis of coverage for potential risks, to claim advocacy and negotiation, through alternative dispute resolution and litigation.

Having focused his practice exclusively on insurance recovery from day one of his legal career, Kyle has helped clients understand and resolve coverage disputes involving nearly all major commercial insurance types. Examples include:

- Commercial General Liability ("CGL") insurance coverage for asbestos, mass tort, environmental, personal injury tort, and various product liabilities;
- Commercial Property and Business Interruption insurance coverage for fire, hurricane, other severe weather, theft or mysterious disappearance, and other losses;
- Management Liability including Directors' and Officers' Liability ("D&O"), Employment Practices Liability ("EPL"), and Fiduciary Liability insurance coverage for breach of fiduciary duty, derivative, employment, government investigation, and shareholder claim liabilities;
- Pollution Legal Liability ("PLL") insurance coverage for presence of pollutants and other environmental risks connected to ownership, rental, or operation of real property;
- Professional Liability and other Errors and Omissions ("E&O") insurance coverage for liability for professional services provided to clients and customers; and

- Specialized industry insurance coverages including Food Contamination, Marine (Cargo, Hull & Machinery, Liability, Property, Protection & Indemnity), Media Liability, etc.

Kyle has experience working with businesses in a large variety of industries, including as examples: chemical, pharmaceutical, and other manufacturing; data science and technology; defense; energy exploration and production; entertainment; financial; food; logistics; private equity investment; real estate investment (“REITs”); and regulated utilities. He also has advised companies on insurance issues arising from corporate transactions and has assisted both debtors and creditors with insurance coverage issues arising in bankruptcy proceedings.

In 2023, Kyle was part of a team that successfully took a *Fortune* 500 company’s insurance dispute involving major international product liability losses to arbitration and served as second chair in a publicly traded REIT’s coverage lawsuit in New Jersey state court, where he and his colleagues successfully opposed insurer motions for summary judgment and reconsideration on the REIT’s claim for PLL pollution business interruption coverage for the COVID-19 pandemic.

Admissions

- United States Court of Appeals for the Eleventh Circuit
- District of Columbia
- U.S. District Court - Eastern District of Michigan
- U.S. District Court - Eastern District of Virginia
- U.S. District Court - Western District of Virginia
- United States Court of Appeals for the Fourth Circuit
- United States Court of Appeals for the Sixth Circuit
- Virginia

Education

- Georgetown University, AB
- University of Virginia School of Law, JD

Recognitions

- 2022–2024, Insurance Law in Washington, D.C., listed in *Best Lawyers in America*©
- 2020–2024, “40 & Under List,” listed in *Benchmark Litigation*
- 2021, “Rising Star” in Insurance, listed in *Law360*
- 2016–2020, Washington, D.C., “Rising Star” in Insurance Coverage, listed in *Super Lawyers*
- 2019–2023, listed in *The Legal 500 United States*
- 2021–2023, “Next Generation Partner,” listed in *The Legal 500’s Guide to Up-and-Coming Lawyers Nationwide*
- 2020, “Next Generation Lawyer,” listed in *The Legal 500’s Guide to Up-and-*

Coming Lawyers Nationwide

- 2019, “Rising Star,” listed in *The Legal 500 United States*
- 2015, 2018–2019, Capital Pro Bono Honor Roll

Professional Activities

Since 2011, Kyle has volunteered with the Duke Ellington High School for the Arts’ Street Law class and citywide mock trial team through a partnership with Georgetown University and the Washington Lawyers’ Committee for Civil Rights and Urban Affairs.

He is a current member of the American Bar Association, including the Section of Environment, Energy, and Resources (“SEER”).

While a student at the University of Virginia School of Law, he was on the *Virginia Law Review*.