



## Michael R. Giordano

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A skilled advocate, Michael prides himself on his attention to detail and ability to persuasively communicate his clients' positions to achieve successful outcomes at both the trial court and appellate levels

### Practice Areas

Fire Loss

Insurance Coverage & Bad Faith

### Education and Bar Admissions

- University of South Carolina, Columbia, South Carolina, B.A., *magna cum laude*, 2010
- Indiana University Maurer School of Law, J.D., 2013
- Supreme Court of Indiana, 2013
- U.S. District Court, Northern District of Indiana, 2014
- U.S. District Court, Southern District of Indiana, 2014

### Biography

A partner in Lewis Wagner & Trimble's litigation group, Michael devotes his practice to insurance coverage defense and bad-faith litigation, representing insurance carriers in a wide variety of first-party and third-party coverage disputes throughout Indiana. He has extensive experience defending insurers against bad-faith claims arising under both personal lines and commercial lines policies, and using his written advocacy to achieve the best results at both the trial court and appellate levels.

Applying his knowledge of insurance law, Michael advises carriers during their claims investigations to reach sound and defensible coverage decisions and reduce the chance of litigation. He also enjoys working closely with carriers to thoroughly investigate potentially fraudulent claims, including arson and theft, by conducting examinations under oath, consulting credible experts, obtaining records, and preparing comprehensive coverage opinions. He also provides recommendations based on not only the legal and technical considerations of the claim but the broader impact a decision may have on business.

Michael enjoys spending time with his wife and their two dogs, as well as working out, cooking, and reading about personal and professional development.

### Accolades, Affiliations and Activities

- American Bar Association
- *Defense Research Institute*
- *Defense Trial Counsel of Indiana*
- Indiana State Bar Association
- *Indiana Super Lawyers*, Rising Stars, 2017-2023
- Indianapolis Bar Association
  - Insurance Coverage Section
    - Executive Committee Member
    - Past Chair
  - Legal Lines Volunteer, 2014-present
- Indiana University Maurer School of Law
  - Michael and Janie Maurer Scholarship Recipient
  - Sherman Minton Moot Court Competition
- *The Best Lawyers in America*
  - Indianapolis, Ones to Watch – Insurance Law, 2023-2025
- University of South Carolina
  - Phi Beta Kappa Honor Society

### Publications and Presentations

Michael co-authors an electronic newsletter highlighting significant Indiana court decisions and their potential implications, in the field of insurance law.

### Selected Cases and Representation

- *Morgan v. Dickelman Ins. Agency, Inc.*, No. 22A-PL-892, 2022 WL 17998801 (Ind. Ct. App. 2022)
  - Affirming trial court's entry of summary judgment for insurer and its agent in dispute over alleged failure to procure requested increase in coverage.
- *Palmer v. Travelers Indem. Co. of Am.*, No. 1:20-cv-01657-JRS-DLP, 2021 WL 5564890 (S.D. Ind. Nov. 29, 2021)
  - Entering summary judgment for insurer on bad faith claim in dispute over underinsured motorist coverage.
- *Brandell v. Secura Ins.*, 173 N.E.3d 279 (Ind. Ct. App. 2021)
  - Affirming trial court's entry of summary judgment for insurer on bad faith claim in dispute involving underinsured motorist coverage.
- *State Farm Fire & Cas. Co. v. Mitchell*, No. 3:20-cv-574-RLM-MGG, 2021 WL 3570709 (N.D. Ind. May 11, 2021)
  - Entering summary judgment for insurer in dispute over whether policy excluded coverage for accident involving dirt bike.
- *Pearman v. Hale Abstract Co., Inc.*, 159 N.E.3d 597 (Ind. Ct. App. 2020)
  - Affirming trial court's entry of summary judgment for title company in dispute over liability for negligent misrepresentation.
- *Rothhaas v. Nationwide Mut. Fire Ins. Co.*, No. 1:18-cv-1747-WTL-DML, 2018 WL 7133257 (S.D. Ind. Dec. 18, 2018)
  - Entering summary judgment for insurer in dispute over whether suit was time-barred by the policy's suit-limitation provision.
- *Smith v. Nationwide Affinity Ins. Co.*, No. 1:15-CV-10-TLS, 2017 WL 3720201 (N.D. Ind. Aug. 28, 2017)
  - Entering summary judgment for insurer on bad faith claim in dispute over coverage for arson claim.
- *Walsh Construction Company v. Zurich American Insurance Company*, 72 N.E.3d 957 (Ind. Ct. App. 2017)
  - Affirming trial court's entry of summary judgment for insurer in dispute over whether policy excluded coverage for accident involving an all-terrain vehicle.
- *Warner by Warner v. United Farm Family Mutual Insurance Company*, 86 N.E.3d 233 (Ind. Ct. App. 2017)
  - Affirming trial court's entry of summary judgment for insurer in dispute involving a self-insured retention.
- *Wilhelm Construction, Inc. v. Secura Insurance*, 86 N.E.3d 234 (Ind. Ct. App. 2017)
  - Affirming trial court's entry of summary judgment for insurer in dispute involving additional insured coverage for a general contractor.