



PARTNER

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EDUCATION

- 1997 - J.D., American University, Washington College of Law (summa cum laude)
- 1994 - B.A., Indiana University (with distinction and Phi Beta Kappa)

BAR AND COURT ADMISSIONS

- District of Columbia
- Virginia
- Maryland
- U.S. District Court for the District of Columbia
- U.S. District Court for the District of Maryland
- U.S. District Court for the Eastern District of Virginia
- U.S. District Court for the Eastern District of Michigan
- U.S. Court of Appeals for the Sixth Circuit

BARRY I. BUCHMAN

Barry Buchman specializes in complex civil litigation and dispute resolution, focusing primarily on the representation of policyholders in insurance coverage disputes. He handles a variety of complex civil matters, including disputes over insurance coverage for asbestos, lead paint, benzene, and other toxic tort claims, disputes over Directors and Officers coverage and Errors and Omissions coverage, and disputes over coverage for “first party” losses, such as credit and residual value losses on leased and financed assets. He has litigated cases both in federal and state trial and appellate courts, and in the context of private arbitration. In addition to his insurance coverage practice, Mr. Buchman also represents companies in complex commercial disputes, such as those involving allegations of unfair competition and other business torts. He regularly publishes and speaks on insurance coverage issues, and he has been quoted in leading publications such as Business Insurance and the National Law Journal.

Representative Experience

Mr. Buchman has represented companies of all sizes, from Fortune 500 companies to small businesses. He has had significant experience representing companies in the automotive industry in particular, including one of the nation’s largest leasing and finance companies, an auto parts manufacturer, and a company that provides technology solutions to auto dealers.

Mr. Buchman’s representative engagements include the following:

- Representing a Fortune 100 company in massive litigation, against nearly sixty insurance companies, over coverage for hundreds of thousands of underlying asbestos and silica bodily injury claims. The case, which involved a dispute over hundreds of millions of dollars in coverage, included a several-month trial that resulted in numerous favorable rulings for the client.
- Representing one of the nation’s largest automotive companies in a residual value insurance case, which involved pursuing coverage for nine-figure losses on a portfolio of several hundred-thousand leased vehicles. The case culminated in a five-week arbitration hearing, and resulted in a nine-figure settlement just before the end of trial—one of the largest known settlements of its kind.
- Representing an automotive industry company in pursuing Errors and Omissions coverage for a class action relating to the collection of deficiency balances on auto loans. The matter resolved successfully after the client’s insurer agreed to fund the vast majority of the underlying class action settlement.
- Representing a large company in pursuing Directors and Officers coverage for securities class actions arising from an Initial Public Offering. The matter resolved successfully when the client’s insurers agreed to fund the vast majority of a global settlement of the underlying securities litigation.
- Successfully representing a large company in pursuing Directors and Officers coverage for a prior global settlement of shareholder class actions arising from the client’s merger with a former competitor.

BARRY I. BUCHMAN (CONTINUED)

- Representing a post-bankruptcy successor trust in ongoing litigation over coverage for asbestos bodily injury claims that arise out of the use of certain automotive friction products.
- Representing a chemical company in pursuing coverage for lawsuits arising out of the historical use of lead pigment and lead-based paint. These claims included so-called “public nuisance” lawsuits brought by states and other governmental entities, which sought funding for the costs of removing lead-based paint from properties throughout the jurisdiction, and funding for medical monitoring programs for residents of the jurisdiction. The coverage case resulted in numerous favorable rulings for the client.
- Representing an automotive industry company in pursuing breach of contract, unfair trade practices, and other business tort claims against a company that attempted to interfere with the client’s ability to provide technology solutions to auto dealers. The case settled on favorable terms.

Professional Background

From May 1997 through January 2001, Mr. Buchman was an associate at Chaikin & Sherman, P.C., in Washington, DC. In February 2001, he joined Gilbert LLP, where he practiced for almost six years, first as an associate and later as a partner. He joined Dickstein Shapiro in December 2006, and returned to Gilbert LLP in August 2009.

Pro Bono Activities

Mr. Buchman maintains an active pro bono practice. He is a member of the Board of Directors of the Washington Lawyers’ Committee for Civil Rights and Urban Affairs, and he has served as co-chair of the pro bono committee at Gilbert LLP. He also has handled various pro bono cases, including the following:

- Representing a family of deaf individuals in pursuing federal civil rights claims against the operators of a hospital, based on allegations that the hospital failed to provide qualified sign language interpreter services during hospitalizations of certain of the family members.
- Representing a not-for-profit organization in pursuing federal civil rights claims against a developer of multifamily housing complexes; the matter involved allegations that the developer violated the Fair Housing Act and the Americans with Disabilities Act by failing to make its apartment complexes sufficiently accessible to disabled residents.
- Representing a terminally ill cancer patient in a collections suit brought by her doctor.

News

- *In Aftermath of Likely Record Maritime Loss, Next Piece of Insurance Puzzle Will be Liability Claims*, Insurance News Net, January 19, 2012
- *Tips For Recovering Business Loss Claims Post-Irene*, Law360, August 31, 2011
- *Special report: Irene wallops flood insurance program*, REUTERS, August 30, 2011
- *Gilbert LLP Obtains Significant Relief for Deaf Family In Pro Bono Suit*, April 5, 2011
- *Japan's earthquake could trigger contentious insurance disputes*, The National Law Journal, March 25, 2011

BARRY I. BUCHMAN (CONTINUED)

- *Insurers Fighting Claims Over Chinese Drywall*, Business Insurance, November 1, 2009
- *Gilbert LLP Welcomes Barry Buchman Back to Firm as Partner*, September 23, 2009

ARTICLES & PUBLICATIONS

- *Staying Afloat Through The Flood: Contingent Business Interruption Insurance May Pay For Losses Caused By Supply-Chain Disruptions Resulting From The Mississippi River Flooding*, The Corporate Counselor, July 2011
- *A Year of Unprecedented Tornadoes and Floods — And How Insurance Helps Companies Rebuild*, Risk Management Monitor, June 17, 2011
- *How Insurance Can Help Businesses Rebuild*, Law360, June 13, 2011
- *Covering the Ripple Effect: How Insurance Coverage Can Help Offset Auto Industry Losses from the Recent Earthquake and Tsunami in Japan*, May 16, 2011
- *Mississippi River Flooding: Insurance Can Help Cover Cost to Rebuild*, May 13, 2011
- *Plugging profit holes: Using insurance coverage to protect auto lender profitability*, Westlaw Journal - Automotive, Volume 30, Issue 21, April 12, 2011
- *Clearing the Air: Why the 'Absolute' Pollution Exclusion Should Not Bar Coverage for Chinese Drywall Claims*, HarrisMartin's Chinese Drywall Litigation Report, December 22, 2009
- *Insurance Official's Remarks Premature?*, Sarasota Herald Tribune, November 9, 2009
- *Legal, Insurance and other Strategic Considerations: Chinese Drywall*, Florida HomeBuilder, July 17, 2009
- *Putting the Brakes on Losses: Insurance Coverage for Auto Finance Companies Facing Stormy Market Conditions*, ABA's Professionals', Officers' and Directors' Liability Committee News, Spring 2009
- *Benzene-related Litigation's Increasing Impact on the Paint and Coatings Industry: Is Your Company Covered?*, Coatings Today, April 15, 2009
- *Insurance Coverage for Lawsuits Seeking Funding for Medical Monitoring Programs*, International Consumer Product Health and Safety Organization Newsletter, Spring 2008
- *Dig Deep to Win Pollution Claims Fights*, Business Insurance, February 18, 2008
- *Recent Decision Rejecting Coverage for Benzene Defendant Has Limited Application*, Litigation Watch: Benzene, December 1, 2007
- *Clearing the Air: Rebuffing Insurance Company Efforts to Extend the Scope of the Pollution Exclusion to Benzene-Related Product Liability Claims*, Mealey's Litigation Report: Benzene, June 1, 2007

SEMINARS & EVENTS

- *Fourth Advanced Forum on Defending and Managing Automotive Product Liability Litigation*, June 22, 2011
- *HB Teleconference, The Hot Buttons in Asbestos Insurance Litigation*, June 23, 2010
- *Chinese Drywall Litigation and Coverage Conference, On the Rise - Coverage Cases and the Claims Asserted*, May 18, 2010

BARRY I. BUCHMAN (CONTINUED)

- *Chinese Drywall Insurance Conference*, The Financial Impact of Drywall-Related Losses — Insurance and other Strategic Considerations, October 22, 2009
- *Florida Home Builders Association Southeast Building Conference*, Chinese Drywall Update: Minimizing The Financial Impact of The Problem, July 30, 2009
- *HB Benzene Litigation Conference*, Corporate and Insurance Perspectives: Minimizing the Financial Impact of Benzene Litigation, July 24, 2009
- *National Paint & Coatings Association Meeting*, Benzene Litigation and Other Noteworthy Insurance Coverage Trends, October 8, 2008
- *Mealey's Benzene Litigation Conference*, Important Insurance Considerations for Litigants in Benzene Cases And Their Attorneys, July 28, 2008
- *Mealey's Benzene Teleconference*, Insurance Updates and other Coverage Issues in Benzene Litigation, May 8, 2008
- *Mealey's Teleconference*, Insurance Coverage for Product Recalls – Business Interruption, Recall Exposures and Insurance Coverage, February 7, 2008
- *National Paint & Coatings Association Meeting*, Benzene Insurance Coverage Update, October 18, 2007
- *Mealey's Benzene Litigation Conference*, Proactive Resolution of Cases, June 5, 2007
- *PACE 2007 Paint and Coatings Expo*, Insurance Coverage for Lead Paint Claims, February 12, 2007