William M. Harter

Partner

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500 Virginia Street, East, Suite 1100
Charleston, WV 25301

Practice Areas

Litigation

Insurance Coverage & Bad Faith

Product, Tort & Insurance Litigation

Tort Defense

Trial Work

Bar Memberships

Ohio

West Virginia

Bill is a trial attorney whose practice after 25 years focuses on two areas: (1) the representation of insurance companies in insurance coverage and insurance bad faith claims; and (2) the defense of high-exposure personal injury and commercial suits.

Bill has represented insurers on approximately 1,000 bad faith cases and coverage referrals. He has taken such cases to jury verdict in state and federal courts throughout Ohio and West Virginia. He has also argued insurance-related issues before the Ohio Department of Insurance; the West Virginia Offices of the Insurance Commissioner; multiple Ohio Courts of Appeals; the West Virginia Supreme Court; and the United States Courts of Appeals for the Fourth and Sixth Circuits. After having been recognized eight times by *Ohio Super Lawyers®* magazine as a Rising Star in insurance coverage, Bill has more recently been selected for inclusion in the insurance law section of *The Best Lawyers in America©* for over a decade. Bill has also written and presented numerous times at CLEs, to trade associations, and in client gatherings on issues relating to coverage and claim handling.

Bill also actively defends and has first-chair trial experience on a wide range of non-insurance matters. These cases have involved trucking and transportation accidents, product liability suits, construction accidents and disputes, employment-related claims, and other high-exposure litigation. Many of these matters have involved catastrophic or fatality injuries or seven-figure-plus

commercial disputes. In addition to handling these matters throughout Ohio and West Virginia, Bill also acts as lead counsel and works with local counsel on such claims throughout the country.

Bill's Relevant Experience

Exemplar Insurance Coverage and Bad Faith Trial Experience

Southern District of Ohio breach of contract and bad faith suit involving $13,000,000 request to jury during closing arguments (defense verdict).

Northern District of West Virginia breach of contract and bad faith suit following significant auto accident and seven-figure request to jury (summary judgment on contract claim; defense verdict on bad faith).

West Virginia state court theft, conversion, and outrage claim (defense verdict on three of four claims; plaintiff's verdict on fourth claim remanded after successful appeal to West Virginia Supreme Court).

Ohio state court breach of contract and bad faith suit following residential fire (defense verdict affirmed on appeal).

Southern District of Ohio fraud and abuse of process claim following denial of theft claim (defense verdict).

Ohio state court negligent misrepresentation claim against insurer and sales agent with stipulated damages of $900,000 (after the Court of Appeals affirmed summary judgment on most claims, including breach of contract and bad faith, a favorable settlement was secured on the plaintiffs' only surviving claim after the close of evidence).

Northern District of Ohio arson and bad faith case (directed verdict on bad faith and punitive damages despite adverse jury verdict on fire loss contract claim).

West Virginia state court UM breach of contract and bad faith case (favorable verdict).

The foregoing are examples of Bill's cases taken to trial. Bill has tried many other cases over the past 25 years.

Exemplar Additional Trial Experience

Commercial driver and employer defended in Ohio state court suit stemming from the death of a minor skateboarder (favorable settlement during trial).

West Virginia state court construction dispute following retaining wall collapse (favorable settlement during trial).

Two-week disability discrimination suit defended in Ohio state court (defense verdict).

The foregoing are examples of Bill's cases taken to trial. Bill has tried many other cases over the past 25 years.

Significant Non-Trial Results

Successful resolution of eight-figure West Virginia coverage and bad faith action arising out of purported damage to coal plant and subsequent claim by owner against general contractor.

Summary judgment for CGL insurer in Ohio based on contractual liability exclusion in $2 million claim related to component part failure within insured's products.

Summary judgment for automobile insurer in Ohio on $2 million UIM coverage question.

Successful defense of sports franchise in breach of contract and injunction suit, leading to dismissal of claims and award of over $400,000 in sanctions against opposing party and counsel, as affirmed by Sixth Circuit Court of Appeals.

Summary judgment for homeowners' insurer in Ohio affirmed by Sixth Circuit Court of Appeals regarding allegations of bad faith and issues of what constitutes a total loss in Ohio.

Summary judgment for homeowners' insurer in Ohio affirmed by Court of Appeals with cert denied by Ohio Supreme Court on allegations of breach of contract, bad faith, and racially disparate

treatment of insured.

After beginning arbitration, successful resolution of seven-figure commercial dispute involving fabrication and transportation of ship unloader crane.

Judgment on the pleadings for CGL insurer in Ohio following $800,000 judgment against insured based on injury to temporary employee.

Summary judgment for homeowners' insurer in West Virginia on issue of first impression nationally regarding water loss exclusion.

Summary judgment for CGL insurer in Ohio on issue of first impression regarding employment intentional tort claims.

Summary judgment for homeowners' insurer in Ohio affirmed on appeal based on sexual molestation exclusion.

Summary judgment for homeowners' insurer in West Virginia on claim arising out of alleged non-disclosure of defects following sale of home.

Summary judgment for life insurer in Ohio on bad faith claim following initial denial and eventual payment of contract claim.

Successful resolution of spoliation claim following fatality residential fire.

Summary judgment for homeowners' insurer affirmed on appeal in West Virginia on spoliation claim following natural gas explosion.

The foregoing are examples of cases Bill has resolved short of trial. Bill has handled countless other cases through dispositive motion briefing, mediation, arbitration, and direct settlement discussion.

Other Info About Bill

Education

The Ohio State University Moritz College of Law, J.D., 1999

The Ohio State University, B.A., 1996

Courts

U.S. District Court for the Northern District of Ohio

U.S. District Court for the Southern District of Ohio

U.S. District Court for the Northern District of West Virginia

U.S. District Court for the Southern District of West Virginia

Court of Appeals, Sixth Circuit

Court of Appeals, Fourth Circuit

Recognition

The Best Lawyers in America®, Insurance, 2014-2027

Selected to *Columbus CEO*'s 2025 Top Lawyers list, Insurance

Selected for inclusion in *Ohio Super Lawyers® and Rising Stars®*, 2005, 2009-2015

Professional Affiliations

Ohio State Bar Association

American Bar Association

West Virginia Bar Association

Columbus Bar Association

Civic Activities

Columbus Bar Association, Professional Ethics Committee member

Ohio High School Mock Trial Association, volunteer & former coach

Ohio Board of Bar Examiners, former grader

Firm Committees

Partner Personnel Committee, former Member

Featured Articles

Ohio Supreme Court's Eddy v. Farmers Decision Clarifies Disclosure Standards in Bad Faith Litigation

Ohio Enacts New Liability Insurance Requirement for Vicious Dogs Under Avery's Law

Dueling Federal and State Actions: The 'Colorado River' Doctrine

WV Supreme Court Clarifies Role of Punitive Damages Statute

Ohio Supreme Court rules that employment intentional tort claims are excluded from coverage

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