

James S. Carter | Partner

Insurance Recovery

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James Carter is a partner in Blank Rome's policyholder-only insurance recovery practice, formerly the insurance practice of Dickstein Shapiro LLP. He exclusively litigates on behalf of corporate policyholders to preserve and maximize the value of their insurance assets, and has helped clients obtain millions of dollars in insurance recoveries. He also leverages his coverage litigation experience and his pro-policyholder perspective to help companies improve their cyber insurance, D&O, E&O and other policies and lay the foundation for successful claims.

James has led multiple phases of litigation in state and federal courts, including developing trial strategies, managing discovery, deposing experts, preparing trial witnesses, drafting and arguing dispositive motions, and handling appeals. He has successfully negotiated favorable settlements on behalf of clients.

His experience includes all manner of insurance policies, including:

- Cyber risk
- Commercial liability
- Directors & officers
- Employment practices liability
- First-party property
- Product recall and contamination
- Private mortgage insurance
- Product liability
- Credit insurance
- Representations and warranties
- Umbrella and excess policies

He also has extensive experience litigating insurance policies governed by foreign law.

James works closely with risk managers and in-house counsel and their brokers to make coverage-enhancing modifications to their companies' insurance policies so that they are well positioned if and when a claim arises. He has advised companies on emerging areas, including coverage for cybersecurity and drones.

James also advises companies on insurance issues arising from corporate transactions, including structuring indemnity obligations with insurance and conducting due diligence with respect to insurance coverage and claims.

He began his legal career as a law clerk to the Honorable Paul N. Brown, U.S. District Court for the Eastern District of Texas. He then practiced general commercial litigation as an associate at an international law firm with an emphasis on cases involving breach of contract, defamation, and securities fraud. In college, James was co-captain of the Columbia lightweight crew team.

Admissions

- District of Columbia
- Texas
- U.S. District Court - District of Columbia
- U.S. District Court - Eastern District of Texas
- U.S. District Court - Maryland

Memberships

- American Bar Association

Education

- Columbia University, BA
- University of Texas School of Law, JD

Recognitions

- 2022–2024, Insurance Law in Washington, D.C., listed in *Best Lawyers in America*©
- 2021–2022, listed in *The Legal 500 United States*
- 2020, listed in Capital Pro Bono Honor Roll
- 2018, listed in Euromoney's *Rising Stars Expert Guide*
- 2015, "LMG Rising Star," listed in *Expert Guide*
- 2013, Washington, D.C. "Rising Star," listed in *Super Lawyers*

Professional Activities

As part of his pro bono practice, James obtained asylum for political refugee after a two-day trial. He also advises non-profits on risk management practices. Recently, James has litigated a section 1983 action on behalf of an inmate assaulted by correctional officers.