

INSIGHTS

Tales From the Inside - Introducing Bracewell Colleague Suzanne Day

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By: [Vincent E. Morgan](#) and [Suzanne F. Day](#)

On this episode of Bracewell Covered, [Vince Morgan](#) welcomes [Suzanne Day](#), who recently joined the firm from The Lubrizol Corporation where she worked for more than 20 years in their legal division, eventually serving as chief legal and ethics officer.

Could you tell us a little bit about your career and how you ended up here as a policyholder lawyer?

One of my first jobs was at a law firm in Cleveland, where one of the things I got to do as a young litigator was represent a municipal self-insurance pool. I was working on the carrier side for the first few years of my career, where we represented on behalf of the pool. We represented municipalities, which was very interesting litigation work for a young lawyer. But the best job I ever had was as an in-house litigator for a multinational specialty chemical manufacturer called the Lubrizol Corporation. For eight or 10 years, I handled all of the company's litigation. That put me initially in the position, for the first time in my career, of being a policyholder lawyer. I found it initially to be a little scary, a little intimidating, but over the years grew to love it. It actually became my favorite kind of litigation that I did for the company. The reason it was such a great job is not only because I got to be a better coverage lawyer, but also because I got to know so much about all the different parts of the company.

What is the best way that the risk management folks and the legal team can best work together?

The thing that I think is key is lots of communication. Most companies I think do this, but it's valuable to actually reflect and take stock about when communication should happen and making sure that it does happen. Risk managers really need to be talking to the lawyers, and also folks in the business as well, about what the company's risk profile is. Having a series of regular meetings between someone in legal and someone in risk management, to have a regular meeting scheduled and to have regular processes that have to be followed, really enhances the company's ability to recover one of the most valuable assets it has, which are insurance policies.

Can you think of a scenario where either your company, or maybe back when you were an outside council before, where something had gone right because these different groups had been working together and communicating?

When you have a corporate crisis of any kind, there's often a corporate process that tells you who is on the team and how that team responds, who calls who, and how the meetings go and

who's in charge. It is really critical to have somebody from risk management or insurance or whatever it's called in your company, on the crisis management team so that they are aware as soon as possible of any event that is impacting the company. For many of those events, you may want to have an insurance company noticed. You may want to have other risk transfer mechanisms put into plays that you have. Having somebody who knows right away and can provide the appropriate notices to all the appropriate carriers is really important. That's where I have seen it work very well; when the insurance company gets involved sooner.

As you look back on your career, is there any claim that you've worked on that you thought, "I was really glad to be a part of that"?

I had been involved in a long bench trial that went on for years and years, as bench trial sometimes can. The client that I was representing had insurance coverage, and there was a deck action that was pending at the time. We'd had many discussions with the carriers about the fact that there were insurance limits that would apply, any exclusions, all these things. So, the insurers were very interested in the trial as it was going on and had attended most or all of it. And then this judge who decided that because this case had gone on so long and it had made such an impression on her and her family, that as a prelude to her judgment she would take the bench in her robes and read to all the lawyers, including the insurance counsel, a limerick that explained her views on the case that had been at least in part authored by her daughter. This case eventually went up to the Fifth Circuit. I think with that in the record, the judgment of the case, for which this insurance company ultimately ended up paying seven figures, was delivered in the form of limerick.

Contact [Suzanne](#) to learn more about her practice.

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