

R. Brandon McCullough

Director
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Practice Areas

Litigation
Insurance Coverage and Bad Faith Law

Brandon concentrates his practice primarily in the areas of insurance coverage and bad faith litigation, and complex commercial and business litigation. He represents international and domestic insurance companies in a wide array of coverage disputes in trial courts and on appeal in both state and federal courts. He has litigated and counseled insurers on issues involving numerous types of commercial and personal lines insurance policies, including commercial general liability, excess and umbrella liability, first-party property, builders' risk, healthcare liability, directors and officers liability, environmental liability, auto liability, trucking liability, homeowners insurance, life insurance, and other specialty insurance products. Brandon's coverage matters have included disputes over coverage for construction defects, environmental contamination, fires, explosions, equipment failures, latent and progressive injuries, sexual abuse claims, trucking accidents, and natural disasters. He also regularly represents insurers in high-exposure bad faith claims and has litigated and handled appeals in several of the most significant bad faith cases in Pennsylvania history. Brandon's coverage practice also includes regularly providing insurance coverage opinions and advice to insurers throughout the claims handling process.

In addition to his coverage work, Brandon has represented businesses and individuals in a wide variety of complex litigation matters, including cases involving restrictive covenants and trade secrets, securities fraud, breach of commercial contracts, professional liability of accountants, engineers and insurance brokers/agents, products liability, estates and trusts, civil rights, property damage and personal injury.

Brandon is currently Chair of the Insurance Law Committee of DRI – the largest bar association of civil defense attorneys and in-house counsel in North America. In that role, Brandon assists with leading the Insurance Law Committee, which serves as a key resource for professionals in insurance coverage and claims throughout North America. Brandon previously served as Program Chair for the 2023 DRI Insurance Bad Faith and Extra-Contractual Liability Seminar held in Charlotte, North Carolina. Brandon is also a member of the Association of Defense Trial Attorneys (ADTA), a private, invitation-only, international organization of top defense trial lawyers. He is also a member of the Federation of Defense & Corporate Counsel (FDCC), a nomination-only organization whose members have earned exemplary reputations. Locally, Brandon is an active member of the Allegheny County Bar Association, where he previously served a three-year term as a council member for its Federal Court Section.

Brandon is also as a Fellow in the prestigious American College of Coverage Counsel (ACCC). The ACCC is a national organization comprised of preeminent lawyers involved in coverage and extracontractual matters, with Fellows representing both policyholders and insurers and Honorary members from academia. As a member of the ACCC, Brandon joins an elite group of 400 distinguished lawyers from the United States and Canada, further

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solidifying his status as a leading authority in insurance coverage and bad faith law.

Brandon regularly publishes articles and speaks at national and state-wide programs on insurance law and bad faith topics. He is also a graduate of the International Association of Defense Counsel (IADC) Trial Academy, held at Stanford Law School. He was selected as a Pennsylvania Super Lawyer® in 2024, 2025, and 2026 and was selected as a Pennsylvania Super Lawyer® Rising Star each year from 2013 to 2023. He was also recognized as one of The Best Lawyers in America® in the area of Insurance Law for 2026 and 2027.

During law school, Brandon completed judicial internships with the Honorable Joy Flowers Conti of the United States District Court for the Western District of Pennsylvania and the Honorable John A. Zottola of the Court of Common Pleas of Allegheny County, Pennsylvania. He also served as a law clerk for the staff counsel for Travelers Insurance.

Bar Admissions

- Commonwealth of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Sixth Circuit

Education

- Duquesne University School of Law, J.D.
  Cum Laude
- University of Pittsburgh, B.S.
  Magna Cum Laude

Awards/Recognition

- Best Lawyers in America® – Insurance Law, 2025, 2026, 2027
- Pennsylvania Super Lawyer®, 2024, 2025, 2026
- Pennsylvania Super Lawyers®, Rising Star, 2013-2023
- Young Lawyer Fellow, Allegheny County Bar Foundation, 2017
- 10/10 Rating, AVVO

Professional Affiliations

- Member, Federation of Defense & Corporate Counsel (FDCC)
- Member, Association of Defense Trial Attorneys (ADTA)
- Fellow, American College of Coverage Counsel (ACCC)
- Member, DRI – The Voice of the Defense Bar
- Chair, Insurance Law Committee, DRI (2026-Present)
- Vice Chair, Insurance Law Committee, DRI (2024-2026)
- Program Chair, 2023 DRI Insurance Bad Faith and Extra-Contractual Liability Seminar (Charlotte, NC)
- Chair, Insurance Law Committee Compendium, DRI
- Vice Chair, Commercial General Liability Subcommittee, DRI
- Program Vice Chair, 2021 DRI Insurance Bad Faith and Extra-Contractual Liability Seminar (Chicago, IL)
- 2019 Annual Meeting Chair, Insurance Law Committee, DRI
- Former Chair, Young Lawyers Subcommittee of Insurance Law Committee, DRI

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- Member, Bad Faith and Amicus Curiae and Appellate Practice Committees, Pennsylvania Defense Institute
- Member, Pennsylvania Bar Association (Civil Litigation Section)
- Member, Allegheny County Bar Association
- Council Member, Federal Court Section, Allegheny County Bar Association (2021-2024)
- Former Member, Young Lawyers Division Council, Allegheny County Bar Association
- Former Co-Chair, Young Lawyers Division Membership Outreach Committee, Allegheny County Bar Association
- Former Co-Chair, Young Lawyers Division Communications Committee, Allegheny County Bar Association
- Former Co-Chair, Young Lawyers Division Education Committee, Allegheny County Bar Association

Publications and Speaking

- "Defending the Algorithm: Strategic Approaches to Defending Claims of AI-Related Bad Faith Insurance Practices," Pennsylvania Bar Association Webinar, December 9, 2025 (Speaker)
- "Bad Faith and Extracontractual Liability," Pennsylvania Bar Institute, Webcast on "Understanding the Basics of Insurance Law 2025," June 17, 2025 (Speaker)
- "Artificial Intelligence in Insurance: Risks, Rewards, & Regulations," For the Defense magazine, Vol. 67. No.5 | May 2025
- "Considerations for Drafting Reservation of Rights Letters," DRI Insurance Coverage and Claims Institute, March 14, 2025 | Chicago, IL (Speaker)
- "Coverage Issues Arising from Sexual Tort Claims," For the Defense magazine, Vol. 65, No. 10 | November & December 2023
- "Insurance Bad Faith in Pennsylvania," Pennsylvania Bar Institute, Webcast on "Understanding the Basics of Insurance Law 2023," July 20, 2023 (Speaker)
- "Bad Faith 2022," Pennsylvania Bar Institute, Webcast, August 30, 2022 (Panelist)
- "Perspectives from the Insurer-What Keeps Us up at Night?," DRI Insurance Coverage and Practice Symposium, December 10, 2021 | New York, NY (Moderator)
- "Pennsylvania Courts Continue to Grapple with the Extent to Which Damages Arising Out of Faulty Work Constitutes an 'Occurrence' Under CGL Policies," Pennsylvania Defense Institute, Counterpoint, January 2020
- "Auto Claims in Pennsylvania," DRI Webcast, May 24, 2019 (Speaker)
- "Unfair Claims Settlement Practices and the Related Ethical Ramifications," DRI Northeast Regional Claims Conference, September 27, 2018 | Hartford, CT (Speaker)
- "Now It's Personal: First-Party Bad Faith," DRI Insurance Coverage and Claims Institute, March 23, 2018 | Chicago, IL (Speaker)
- Editor in Chief and Co-Author of Pennsylvania Chapter, DRI Unfair Claims Settlement Practices Compendium (Published 2018)
- "Federal Jurisdiction in Declaratory Judgment Actions Involving Insurance," For the Defense magazine, Vol. 59, No. 10 | October 2017
- Regional Editor and Co-Author of Pennsylvania Chapter, DRI Duty to Defend Compendium (Published February 2016)
- Editor in Chief, "Point of Law" – the E-Newsletter of the Allegheny County Bar Association Young Lawyers Division (First Place Winner of American Bar Association Award for best Young Lawyer Division Newsletter), 2015 – 2016

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- Contributor, Business Litigation Update Section of Pennsylvania Bar Association Civil Litigation Newsletter, 2011 – 2015
- Allegheny County Bar Association, Insurance Law 101 Lunch and Learn, December 9, 2013 (Speaker)

Representative Cases

Insurance and Bad Faith Matters

- Representation of lawyer professional liability insurer in coverage action arising out of claims for the alleged fraudulent scheme to sell multi-millions of dollars in COVID-19 test kits. Reported decision: *National Liability & Fire Insurance Company v. Sternberg*, 2026 WL 949099 (E.D. Pa. April 8, 2026) (motion for judgment on the pleadings granted in favor of insurer).
- Representation of lawyer professional liability insurer in a coverage action involving an alleged fraudulent scheme to sell 10,000 Bitcoin for over $5.6 million. Reported decisions: Zaftr Inc. v. National Liability & Fire Insurance Company d/b/a Attorney Protective, 760 F.Supp.3d 275 (E.D. Pa. 2024) (motion to dismiss granted in favor of insurer); Zaftr Inc. v. National Liability & Fire Insurance Company d/b/a Attorney Protective, 808 F.Supp.3d 685 (E.D. Pa. 2025) (motion for judgment on the pleadings granted in favor of insurer).
- Representation of first-party property insurer in coverage and bad faith action involving multi-million dollar claim for property damage and business income loss arising out of vandalism and weather-related damage to a hotel.
- Representation of healthcare liability insurers in a coverage action involving coverage under multiple years of policies for over 100 sexual abuse claims by patients against a physician and medical groups. Reported decision: Medical Protective Co. v. Laurel Pediatric Associates, 2024 WL 4350335 (W.D. Pa. Sept. 30, 2024).
- Representation of insurer in claim for first-party property damage and business income loss in excess of $80 million arising from a fire at a 44-story office building.
- Representation of insurer and reinsurer in coverage and bad faith action involving claims under a first-party property policy arising from an explosion and fire involving equipment at a commercial greenhouse used to hydroponically grow crops. Motion to dismiss reinsurer granted; summary judgment in favor of insurer granted; affirmed on appeal. Three Rivers Hydroponics, LLC v. Florists' Mutual Ins. Co., 2021 WL 6133304 (W.D. Pa. Dec. 29, 2021), aff'd, 2023 WL 5554644 (3d Cir. Aug. 29, 2023).
- Representation of insurer in bad faith action arising from multi-million dollar claim for first-party property damage and business income coverage stemming from lighting strike at manufacturing facility. Reported decisions: Hydrojet Services, Inc. v. Sentry Insurance Company, 2022 WL 2168655 (E.D. Pa. June 16, 2022) & 2022 WL 2168438 (E.D. Pa. June 16, 2022).
- Representation of insurer in suit seeking coverage for claims arising from alleged exposure to welding fumes containing hexavalent chromium. Summary judgment granted to insurer; affirmed on appeal. Allegheny Ludlum, LLC v. Liberty Mutual Ins. Co. et al., 487 F. Supp.3d 350 (W.D. Pa. 2020), aff'd, 858 Fed. Appx. 49 (3d Cir. 2021).
- Representation of insurer in suit involving dispute over coverage for a product manufacturer for death claims arising from an airplane crash. Motion for judgment on the pleadings granted to insurer. The Charter Oak Fire Ins. Co. v. Interface Performance Materials, Inc., 340 F.Supp.3d 437 (E.D. Pa. 2018).
- Representation of insurer in suit seeking coverage for claims involving construct defects in planned residential development. Summary judgment

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granted to insurer. Northridge Village, L.P. v. The Travelers Indemnity Co., 2017 WL 3776621 (E.D. Pa. Aug. 31, 2017).

- Representation of insurer in coverage and bad faith action involving claims for coverage under a specified disease cancer insurance. Reported decision: Rancosky v. Washington National Insurance Company, 170 A.3d 364 (Pa. 2017).
- Representation of auto insurers in cases involving validity of uninsured and underinsured motorist coverage rejection forms. Reported decision, e.g.: Petty v. Federated Mutual Ins. Co., 152 A.3d 1020 (Pa. Super. 2017).
- Representation of insurer in bad faith action arising out of dispute for underinsured motorist coverage. Reported decision: Grossi v. Travelers Personal Ins. Co., 79 A.3d 1141 (Pa. Super. 2013).
- Representation of insurer in coverage and bad faith action involving claims for first-party property damage and business income coverage claimed to be in excess of $200 million arising from a fire at a glass manufacturing plant.
- Representation of domestic and international insurers in coverage and bad faith action arising from denial of coverage for business income claims arising from the COVID-19 pandemic.
- Representation of a healthcare liability insurer in a coverage and bad faith action arising from claims by insured and additional insured for primary and excess coverage arising from a medical incident resulting in death.
- Representation of insurer in coverage and bad faith action involving construction defects in an elementary school.
- Representation of risk pool in claims for coverage arising from wrongful conviction and prosecutorial misconduct against government officials.
- Representation of excess insurers in coverage and bad faith actions involving thousands of underlying claims arising out of exposure to asbestos, silica and coal dust.
- Representation of commercial auto insurer in coverage and bad faith action arising from cancellation of policy.
- Representation of insurer in suit seeking coverage arising from clean-up costs for environmental contamination as a result of a waste-water spill at an oil and gas drilling site.
- Representation of insurer in coverage and bad faith action involving dispute over liability coverage for equipment-servicing company arising from claims for property damage to a high-rise building.
- Representation of insurer in suit involving insurer's sales practices in selling life insurance, short-term care insurance, and annuities.
- Representation of insurer in suit involving rescission of long-term convalescent care insurance policy.
- Representation of insurer in suit involving dispute with broker over unpaid commissions.

Other Litigation Matters

- Representation of a trustee of a trust in complex dispute with beneficiaries involving intellectual property rights allegedly held by the trust. In re Dille Family Trust, 305 A.3d 998 (Pa. Super. 2023); In Re Dille Family Trust, 321 A.3d 959 (Pa. Super. 2024).
- Representation of a product manufacturer in products liability suit involving claimed severe head injuries. Summary judgment granted in favor of manufacturer. Hook v. Whiting Door Manufacturing Corp., 2019 WL 630324 (W.D. Pa. Feb. 14, 2019).
- Representation of business for claims involving trespass to land and property damage arising from oil and gas drilling operation.

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- Representation of national facility services/contract cleaning company in personal injury action. Summary judgment granted to facility services/contract cleaning company.
- Representation of residential property developer in claims against engineering professional for professional negligence and breach of contract.
- Representation of school administrators in civil rights claims stemming from termination of employment and challenging the constitutionality of provisions of the Pennsylvania Public School Code.
- Representation of accounting firm in suit for breach of contract and professional negligence.
- Representation of former employees in suit brought by their former employer asserting trade secret and civil conspiracy claims. Summary judgment granted for former employees.
- Representation of manufacturer in breach of contract dispute with transportation logistics provider.