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# HAS YOUR BUSINESS BEEN DENIED PAYMENT DESPITE MAINTAINING BUSINESS INTERRUPTION INSURANCE COVERAGE?

Our attorneys may be able to help.

**(212) 397-1000**

The insurance industry is attempting to push a deceptive narrative that the COVID-19 virus does not cause a dangerous condition to business property, which may affect your ability to receive due compensation for your business.

## **IT'S NO SECRET**

The COVID-19 virus is physically impacting public and private property, businesses, and physical spaces in cities around the world and the United States. As a result, many state and local municipalities have entered various "stay at home" orders, which have caused significant disruption to virtually every business, whether it is defined as essential or not.

## **BUSINESS INTERRUPTION POLICIES**

Many of these business interruption or business outage insurance policies include additional coverage, which expressly protects insureds from business interruption due to "Civil Authority."

Such "civil authority" coverage applies to

- (1) the actual loss of business income sustained; and
- (2) the actual, necessary and reasonable extra expenses incurred when access to the scheduled premises is specifically prohibited by order of civil authority, such as the "stay at home" orders that are in place in many counties and states.

## **"AT RISK" POLICIES**

Many business outage policies are defined as "all-risk" policies. This means that the policy covers causes of loss that include direct physical loss or direct physical damage, unless that form of physical loss or physical damage is expressly excluded by the policy. Physical loss or damage caused by virus is commonly included in such policies.

## **HOW WE CAN HELP**

Business interruption insurance seems like a simple concept on the surface but can be extraordinarily complex when the time comes to file a coverage claim. The experienced attorneys at Napoli Shkolnik PLLC can assist in navigating these complexities.

## **FIGHTING FOR YOUR COMPENSATION**

If you have faithfully paid policy premiums to your insurance carrier, specifically to provide coverage in the event of business closures, but have been denied coverage, you may be entitled to compensation and declarative relief.

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