

Rising Star: Covington & Burling's Heather Habes

By Emily Enfinger

Law360 (June 19, 2023, 5:31 PM EDT) -- With nearly a decade focused on insurance coverage matters, Heather Habes of Covington & Burling LLP has established herself as a trusted adviser for those seeking to get the most of their insurance protection and recovery, earning her a spot among the insurance law practitioners under age 40 honored by Law360 as Rising Stars.

HER BIGGEST CASE:

Habes has focused on insurance coverage work for nearly a decade, but a case that holds great significance to her is The Aerospace Corp.'s lawsuit against Factory Mutual Insurance Co., which was launched in November 2019.

The dispute concerned heat damage to computer equipment and whether that damage was covered under the property policy issued by Factory Mutual.

"What was really fascinating about this case was probably the timing, because this damage, this sort of invisible yet physical damage to the computer equipment, sort of foreshadowed some of the same arguments that the policyholders were making — that we as policyholder lawyers were making — about COVID," Habes said.

ANOTHER NOTABLE CASE:

Habes co-leads a team of Covington lawyers representing Whittaker Corp. as it litigates against dozens of its insurers seeking coverage for remediating environmental contamination at sites in California.

She has been involved with the case for roughly five years.

"It's a case that I've been able to take a lead role in, and we just have a lot of moving pieces in that case, and complexity, given the number of policies and insurers and different time periods at issue. So that's been a great matter to work on," Habes said.

WHY SHE IS AN INSURANCE ATTORNEY:

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Heather Habes
Covington & Burling

Age: 37

Home base: Los Angeles

Position: Special Counsel

Law school: University of Southern California's Gould School of Law

First job after law school: K&L Gates LLP in Los Angeles

While some attorneys may know what field they would like to specialize in as they begin their practice, insurance law is a field that finds you, Habes said.

She said she was about a third-year associate in litigation when she started working on insurance matters. Habes found insurance to be a fascinating area to practice in because of the ability to work with policies that cover different industries and risks.

"I think almost everyone that is in my practice field never thought they would be an insurance coverage lawyer growing up, and it's the type of thing that finds you only after you start practicing," she said.

Habes is an active member of the American Bar Association's Litigation Section, including the Women in Insurance Committee and Insurance Coverage Litigation Committee. She is a regular speaker at national conferences on insurance coverage issues.

HER PROUDEST MOMENT:

Habes estimates that about half of her work is litigation, while the other half is counseling and consulting with policyholders and clients who are navigating an insurance dispute.

Among her proudest moments as an insurance attorney is being able to assist the policyholder successfully resolve a dispute without having to file a lawsuit, or helping clients find coverage they didn't realize they had available.

"I think that those moments, when I have been able to identify a potential insurance coverage for a client, that wasn't even on their radar, and then you actually obtain settlement or insurance dollars for them — those are some of my proudest moments," Habes said.

She is counsel to several Fortune 500 companies on insurance matters, according to Covington.

HOW SHE THINKS THE INSURANCE INDUSTRY WILL CHANGE IN THE NEXT 10 YEARS:

Habes believes that artificial intelligence could be a potential development on the insurance realm's horizon, as it appears to have become more available or common in other aspects of life.

She explained that she has read articles on how AI could potentially be used to tailor policies to the policyholders who are purchasing coverage. Habes also noted there is speculation that insurers may use it for claims handling.

"I'm not clear how that would play out, or whether insurance companies could sort of train AI to handle claims. And again, you know, we would be here ensuring that insurers are doing what they need to do and responsibly handle claims, but I think that could be a very interesting development over the next few years," she said.

— *As told to Emily Enfinger. Editing by Adam LoBelia.*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2023 Rising Stars winners after reviewing more than 1,350 submissions. Attorneys had to be under 40 as of May 1, 2023, to be eligible for this year's award. This interview has been edited and condensed.
