

Wiley Rein Files *Amicus* Brief on Behalf of Insurers in Sony Hacking Case

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Washington, DC—Attorneys from Wiley Rein’s Insurance Practice filed an *amicus* brief this week on behalf of the Complex Insurance Claims Litigation Association (CICLA) and the American Insurance Association (AIA) in a case related to an April 2011 cyber attack against Sony Corp.

Laura A. Foggan, chair of Wiley Rein’s Insurance Appellate Group, and associate Matthew W. Beato filed an *amicus* brief in the case of *Zurich American Insurance Co. v. Sony Corp. of America et al.* before the New York Supreme Court’s Appellate Division, First Department. The brief, filed January 28, urges the court to uphold a February 2014 ruling which held that Zurich was not obligated to cover Sony’s cost of litigation related to a 2011 cyber attack. Sony is seeking coverage under its commercial general liability policy.

“Unlike cyber coverages, Coverage B of the CGL policy plainly does not reach exposures from third-party theft of information, which is at issue here,” read the brief. “It is absurd to stretch the policy’s coverage to situations where an insured is victimized by third parties. The data theft lawsuits do not allege the ‘oral or written publication of material, in any manner, that violates a person’s right of privacy’ arising out of Sony’s business.”

To read the full *amicus* brief, [click here](#).

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