



## Petter, Kelly E.

**Position:** Partner

### Contact

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P.O. Box 1060, Buffalo, New York 14201

### Location

New York, Rocky Hill

## Practice Areas

- [Construction](#)
- [Cyber, Technology, & Social Media Law](#)
- [General Litigation](#)
- [Insurance Solutions](#)
- [Municipal & Government](#)
- [Professional Liability](#)
- [Retail, Food, Beverage, & Hospitality](#)
- [Transportation](#)

## Admissions

Connecticut, Commonwealth of Massachusetts, New York, U.S. District Court for the Western District of New York, U.S. District Court for the Eastern District of New York, U.S. District Court for the Southern District of New York, U.S. District Court for the Northern District of New York, U.S. Court of Appeals, Second Circuit, U.S. District Court for the District of Connecticut, U.S. District Court for the District of Nebraska, U.S. District Court for the District of Massachusetts



## Biography

Kelly is a member of the Insurance Solutions Practice Group where she creates value for clients in the areas of specialized insurance programs, loss portfolio transfers, private equity group structures, reinsurance, regulatory issues, and transactional aspects of insurance and private equity risk-transfer transactions, such as mergers, acquisitions, run off portfolio and corporate liability transfers.

Kelly is responsible for all aspects of due diligence of insurance programs, corporate liabilities, insurance assets, reserving, including identification of risk and opportunities for improving profitability in all aspects of insurance and private liability programs. She assesses overall exposure, insurance and reinsurance assets, reserving, litigation management and portfolio strategy to identify factors impacting risk for deterioration and opportunity for value creation in indemnity and expense payments. She is engaged by clients to assist during the negotiation process, including liaising with other parties and their brokers to identify and resolve impediments to closing. Kelly assists with negotiation and drafting of transfers agreements and supporting documents. Kelly advises clients regarding management of legacy portfolios, run-off programs and large-scale settlement projects. She provides clients with cost-effective litigation management strategies for large books of business by expanding on the traditional attorney-client relationship. She advises on loss and expense reserves, loss analysis, application of insurance assets, subrogation and cost recovery, national litigation strategies to increase efficiency and profit opportunities, and overall run-off strategies.

Kelly's practice also includes complex insurance, reinsurance, and defense matters ranging from pre-suit investigation, coverage and liability analysis through litigation and trial. Kelly is often selected to represent large institutional clients in high-stakes litigation involving declaratory judgment, breach of contract, bad faith and class action matters. She defends pre-suit and litigation matters involving complex liability and damages defenses. The breadth of Kelly's practice includes, but is not limited to construction losses, and premises liability, contract dispute, liquor liability, product liability and professional liability matters in state and federal courts across Connecticut, New York, and Massachusetts and in the District of Massachusetts and the District of Nebraska. Kelly is regularly asked to serve as pro hac vice counsel across the country in complex coverage and defense matters. She also has experience litigating before the Commission on Human Rights and Opportunities (CHRO). She has accrued an impressive record of dispositive motion wins and favorable verdicts. Kelly has tried cases to verdict in state and federal courts in multiple jurisdictions.

Kelly has been named a Connecticut Super Lawyers Rising Star from 2018 to 2023. She is President of the Connecticut Defense Lawyers Association (CDLA). She is Vice President of the Connecticut Chapter of the Claims and Litigation Management Alliance (CLM). Kelly testified before the Judiciary Committee of the Connecticut legislature in support of amendments to Connecticut statute affecting the collateral source rule in Connecticut. She is a Member of the Federation of Defense & Corporate Counsel (FDCC), Claims and Litigation Management Alliance (CLM) and Defense Research Institute (DRI). Kelly regularly presents to clients, trade organizations and insurance companies regarding insurance coverage, extracontractual liability, and defense matters.



Kelly loves to travel and explore new areas of the world. When she is not traveling, Kelly spends most of her time exploring some of the best hiking New England has to offer with her dog Beau. She is also the Secretary for the Board of Directors of the Quinnipiac University School of Law Alumni Association.

## Education

- Quinnipiac University School of Law, J.D., cum laude
- Syracuse University, Maxwell School of Citizenship and Public Affairs, B.A., cum laude

## Honors

- Best Lawyers in America, 2026, Insurance Law and Personal Injury Litigation Defendants
- Named a 2023 "Phenom Under 40" by CLM Alliance (Claims and Litigation Management Alliance)
- Co-Recipient of the Andrew C. Heckner Award, Federation of Defense & Corporate Counsel (FDCC), 2023
- Connecticut Super Lawyers, Rising Star 2018-2025

## Professional Leadership

- Association of Defense Trial Attorneys (ADTA)
- Connecticut State Bar Association
- New York State Bar Association
- Connecticut Defense Lawyers Association (CDLA)
  - President, June 2025-Present
  - First Vice President, June 2024-2025
  - Second Vice President, October 2023– June 2024
  - Secretary, June 2023-October 2023
  - Treasurer, June 2022-2023
  - Member, Board of Directors, June 2020-June2022
  - Chair, Young Lawyers Committee, June 2020-June 2022



- Claims and Litigation Management Alliance (CLM)
  - Connecticut Chapter, Vice President, December 2024-Present
  - Connecticut Chapter, Director of Events, December 2023-2024
  - Connecticut Chapter, Secretary, December 2022-December 2023
- Defense Research Institute (DRI)
- Federation of Defense & Corporate Counsel (FDCC)
- Quinnipiac University School of Law Alumni Association

## **Representative Matters**

- Obtained summary judgment for insurer declaring no duty to defend or indemnify in relation to allegations of negligent assault
- Obtained directed verdict following plaintiff's case in chief in neighboring property claims for damages allegedly related to a home heating oil spill
- Obtained summary judgment in the District of Connecticut on behalf of insurer on the grounds of late notice and breach of policy conditions resulting in withdrawal of defense in the underlying suit involving construction loss claims
- Appeared pro hac vice on behalf of insurer in the District of Rhode Island and obtained summary judgment on the grounds of late notice and breach of policy conditions resulting in withdrawal of defense in the underlying suit involving construction loss claims
- Defended owner and keeper of dog in strict liability dog bite trial before a jury resulting in award substantially less than last offer, and Offer of Compromise strategically filed on behalf of clients prior to trial
- Obtained summary judgment on behalf of property owner in trip and fall action having established that the property was a "wholly-demised premises" rented to the doughnut shop tenant and the property owner owed no legal duty to plaintiff
- Defended insurer in the District of Connecticut against assigned benefits action asserting stipulated judgment pursuant to the direct action statute obtaining summary judgment on the grounds that there was no duty to defend or indemnify the underlying suit pursuant to the controlled substances exclusion in the homeowners insurance policy



- Obtained summary judgment on behalf of property owner in slip and fall action on the grounds that it did not have possession or control of the property, and had neither actual, nor constructive notice of the alleged defective condition

## Community

- Quinnipiac University School of Law Alumni Association
  - Secretary, May 2022-2025
- Member, Board of Directors, May 2019-May 2022

## Presentations

- Dean, "School of Extra-Contractual Claims," CLM Claims College, 2022-2024 (Faculty), 2025 (Faculty & Executive Council), 2026 (Faculty and Dean)
- Presenter, "Anchoring Coverage Litigation in the Rule of Law Within Ethical Mandates for Counsel and Claims Professionals," DRI Insurance Coverage and Practice Symposium, December 2025
- Presenter, "Failure to Cooperate and Late Notice: When to Assert Insured's Breach of ties as Defense to Coverage," IASIU Annual Meeting, August 2025
- Presenter, "Making Faster, Better, and Cheaper a Reality: Optimizing Claim-Handling with New Technologies," CLM Annual Meeting, April 2025
- Presenter, "Negligence and the Blurring of the Foreseeability Standard," ClaimsXChange, Education on Location, March 11, 2025
- Presenter, "Connecticut Uninsured and Underinsured Motorists Cases," CDLA Fall Meeting, November 15, 2024
- Presenter, "An Insured's Duties under the Policy: Policy Conditions and the Enforcement of the Insurer's Rights," Webinar, November 5, 2024
- Presenter, "The Importance of Pre-suit Investigation in Third Party Liability and First Party Coverage Matters," Webinar, September 17, 2024
- Presenter, "The Innocent Coinsured and the Intentional Act Exclusion," IASIU Annual Meeting, August 2024
- Presenter & Lead Instructor, Coverage Bootcamp, CLM Annual Meeting, April 2024



- Panelist, "[Phenoms Unleashed](#)," CLM 2024 Annual Conference, April 3, 2024
- Presenter, "Natural Tensions Within The Law Firm And Insurer Relationship And How To Dispel Them," CLM Focus, December 2023
- Presenter, "Effective Management of Panel Counsel," Webinar, November 7, 2023
- Presenter, "Preparing your Claim File for Trial," Webinar, September 28, 2023
- Presenter, "The Future of the Construction Industry," AIRROC Spring Meeting, March 15, 2023
- Presenter, "A Picture is Worth a Thousand Words...A Video's Worth Exponentially More," CLM Annual Meeting, March 2023
- Presenter, "Don't Call Them a Claims Manual!: The Role that Insurer Claims Guidelines and Best Practices Can Play in Extra-Contractual Claims and Litigation," CLMFocus, December 2022
- Presenter, "The Basics of Declination and Reservation of Rights Letters," Webinar, November 8, 2022
- Presenter, "Handling Claims in Good Faith and Effective File Documentation," Webinar, October 18, 2022
- Presenter, "Depositions of Claims Professionals and Corporate Representatives," Webinar, September 20, 2022
- Presenter, How Coverage Counsel Are Straying From Their Legal Lanes and Acting as Adjuster and Defense Counsel, NAMIC, August 17, 2022
- Co-host, "I Love Insurance Club" on Clubhouse, and "I Love Insurance Club Replays" on Apple Podcasts, Google Play, Spotify and Amazon Music, August 2021-August 2022
- Moderator/Presenter, "Next Generation CLE Series," Connecticut Defense Lawyers Association, 2020-2022
- Presenter, "Nobody Better Lay a Finger on My Claim File: How Insurers May Preserve Attorney-Client Privilege While Working With Insurance Coverage Counsel," CLM Focus, June 2022



- Presenter, “‘Don’t Ever Take Sides With Anyone Against The Family Again’: Effective Resolution of Additional Insured Disputes Between Insurance Companies,” CLM Annual Meeting, March 2022
- Presenter, “Get Outta My Dreams, Get Into My Car: And Other Insurance Coverage Considerations for Ride-Sharing and Delivery Drivers,” CLMFocus, December 2021
- Panelist, Cyber Security Panel, Housing Authority Risk Management Summit, November 17, 2020

## **Publications**

- Author, “Crowd-Struck: Testing Claims and Coverage, Analyzing the Impact of the Massive CrowdStrike Outage,” CLM Magazine, September/October 2024
- Author, “The Evolution of Litigation Immunity in the Context of Insurance Coverage and Bad Faith Litigation,” FDCC Insights Magazine, Fall 2022
- Author, “Layers of Liability: Bad Faith and the Interplay Between Primary, Excess, and Umbrella Coverages,” CLM Magazine, July 2022
- Author, “The Battle for the Supremes: Appellate Courts Prove Elusive in the Quest for Coverage for COVID-19-Related Claims,” CDLA’s The Defense, Spring 2022
- Quoted, “Memorial Day Kicks Off Summer’s Potential Insurance Risks,” Law360, May 27, 2022
- Quoted, “Mass. Virus Ruling Sounds Death Knell, Insurance Attys Say,” Law360, April 22, 2022
- Quoted, “New Year’s Eve Countdown Of Insurance Litigation,” Law360, December 22, 2021
- Quoted, “Turkeys, Corn, Fire: Insurance Suits For This Thanksgiving,” Law360, November 24, 2021
- Quoted, “Tales From The Claims Files: Halloween Insurance Cases,” Law360, October 29, 2021
- Author, “Business Interruption Coverage in a Covid-19 World,” CDLA’s The Defense, Spring 2021, MassDLA 2021 July/August Newsletter