SpencerFane®

Shirley Foster

Of Counsel

Contact

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Overview

Shirley Foster represents insurance carriers and corporate clientele in complex coverage disputes and high-stakes litigation, utilizing a practical, results-driven approach throughout all stages of a dispute. From early case evaluation through proactive discovery initiatives and motion practice, she strategizes and communicates legal recommendations for satisfactory case resolution. She advises clients on insurance coverage issues, regulatory compliance matters, and risk management strategies, focusing on protecting the client's key business interests.

Shirley regularly defends clients against allegations of bad faith and extra-contractual damages claims, handles declaratory judgment actions, and advises clients regarding their rights pertaining to contribution, rescission, and coverage disputes. She has successfully defended clients in a wide range of general liability matters, including premises liability, transportation and logistics, and significant property and casualty injury and damages claims.

Drawing on her diverse private practice and public sector insurance industry experience – including her position as litigation counsel for one of the nation's largest auto insurance companies and her former role as insurance counsel within the Nevada Division of Insurance – Shirley provides strategic, forward-thinking guidance on regulatory alignment. She strives to analyze potential risk exposure and communicate and execute pragmatic solutions before a presented dispute can escalate.

Education

- University of Connecticut School of Law (LL.M.)
- Willamette University College of Law (J.D.)
- Brigham Young University (B.A.)

Bar Admissions

- Nevada, 2002

Court Admissions

- Supreme Court of Nevada
- Nevada Court of Appeals
- U.S. District Court for the District of Nevada

Distinctions

- University of Connecticut School of Law, CALI Excellence Award – Liability Insurance

Memberships

- State Bar of Nevada
- *Willamette Journal of International Law & Dispute Resolution*, Former Managing Articles Editor
- *Willamette Law Review*, Former Associate Editor

Related Experience

- Accomplished reasonable, prompt and efficient resolution of premises liability allegations on behalf of local shopping centers, resorts and casinos, security companies, building maintenance providers, fitness centers, nail salons, and other Nevada businesses.
- Achieved early dispute resolution for an internationally acclaimed design professional group, preventing a threatened personal injury dispute from escalating into a formal lawsuit against the client.
- Successfully advocated for summary dismissal of multiple unfounded million-dollar medical malpractice allegations against Nevada physicians and hospitals.
- Successfully advocated for summary dismissal of unfounded premises liability allegations set forth against prominent construction traffic control services company.
- Negotiated and resolved high-stakes catastrophic injury claims on behalf of national insurance carriers.
- Provided insurance contract coverage analysis to national insurance carriers and members of Lloyd's of London marketplace syndicates.
- Second-chaired civil jury trial resulting in defense verdict while defending commercial shopping premises owner.
- Strategized aggressive discovery initiatives teamed with proactive motion practice to accomplish satisfactory and economical early case resolution for numerous business owner clients.
- Counseled the Nevada Commissioner of Insurance and her executive team regarding NRS Title 57 (Nevada Insurance Code) compliance, enforcement, and administrative issues.
- Prosecuted license revocation administrative proceedings arising from pervasive insurance fraud effected upon Nevada consumers.
- Advised Nevada Department of Transportation executives regarding eminent domain, inverse condemnation, as well as tenant and business relocation legal issues arising from acquiring and assembling real properties in Clark County, Nevada, to complete a $1.8 billion federal highway expansion project.

Judicial Externships

- Oregon Supreme Court