Tucker Ellis LLP



Kevin M. Young

Partner

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Kevin Young has 40 years of experience defending clients in complex insurance coverage cases, class actions, product liability defense, and contract disputes.

Kevin leads an active practice representing both large and small companies in extra-contractual matters and coverage issues. He has successfully resolved a myriad of coverage cases arising from issues such as the interpretation of commercial general liability policies, director and officer policies, professional liability policies, employment practices liability, and errors and omissions policies, as well as various specialty policies, including malicious product tampering/accidental product contamination, kidnap and ransom, and non-trucking liability.

Also experienced in defending class actions, Kevin has successfully resolved suits involving insurance issues and numerous claims arising from allegations of defective product manufacture. He has litigated construction and business contract claims involving Cleveland's sports stadiums and schools, as well as other public and private construction projects. Kevin also has tried or resolved a host of commercial contract issues, including his high-profile role in coordinating and managing the defense of more than 90 lawsuits arising from a concrete terrace collapse in Ohio.

Kevin has tried many cases to verdict, arbitrated numerous disputes, and successfully participated in other alternative dispute mechanisms that help our clients reach favorable resolution.

Born in Detroit, Michigan, Kevin has lived and worked in Connecticut, Washington, D.C., and Cleveland, Ohio. His practice has taken him to an international arbitration in Geneva, Switzerland, as well as coast to coast across the United States, including Ohio, California, Texas, Kentucky, Idaho, Indiana, Utah, Michigan, Wisconsin, Oklahoma, Pennsylvania, and New York.

In addition to his busy practice, Kevin has been an Adjunct Professor of Law at Case Western Reserve University School of Law for more than 15 years. He has taught classes in Trial Advocacy and, for the last several years, LLEAP I and II. In 2023, Kevin took on an additional

class teaching second- and third-year law students Pretrial Practice (Civil). He regularly volunteers to serve as a judge for the National Moot Court Team practice rounds and other oral advocacy programs at the law school, and he is always willing to volunteer his time to the Mock Trial competitions, the Dunmore Moot Court Competition at Case Western Reserve University School of Law, and other advocacy classes.

Kevin is also a regular faculty member at the National Institute for Trial Advocacy, where he lectures on topics including the taking and defending of depositions and general trial skills.

Kevin is Band 1-ranked in Chambers USA in the area of Insurance (Ohio), where clients comment that he is “a very knowledgeable, professional and effective advocate” with “an uncanny ability to understand how arguments will be received.” Another source attests, “I would hire Kevin and his team on any case in Ohio. He has the knowledge and relationships to move my cases forward to resolution in a thoughtful, thorough and pragmatic way.” Another source remarks that Kevin is “exactly who I want sitting next to me at the mediation table. His experience and knowledge make him a complete asset to my company.”

Insurance carriers rely on Kevin because he is not only an experienced coverage lawyer, he is a veteran trial lawyer who is unafraid to try a case.

On the personal side, Kevin is an avid golfer and can often be found on the weekend at one of our local courses when he is not traveling for work or pleasure.

Education

- Case Western Reserve University School of Law (J.D., cum laude, 1985); Order of the Barristers; National Moot Court Team
- Syracuse University (A.B., 1980); Pi Sigma Alpha

State Admissions

- Ohio, 1985

Federal Admissions

- International Trade Commission
- United States Court of Appeals, Sixth Circuit
- United States Court of Appeals, Federal Circuit
- United States District Court, Northern District of Ohio
- United States District Court, Southern District of Ohio
- United States District Court, Eastern District of Wisconsin

Service Areas

- Insurance
- Business Litigation
- Class Action Litigation
- Construction
- Consumer Product Safety
- Mass Tort & Product Liability
- Financial Services – Transactional
- Financial Services Litigation
- Fire Litigation
- Educational Institutions
- Financial Services
- Privacy, Data Security, and AI

Experience

- Currently representing a myriad of colleges and universities in a class action involving injuries sustained by college athletes
- Represents a large commercial insurance carrier in a claim for equitable contribution
- Regularly represents a large broker on complex issues arising from contracts, errors and omissions, and business counseling
- Represents a large carrier in a class action alleging illusory coverage arising from an automobile policy
- Successfully defended a large contractor and a hospital system against a wrongful death claim
- Successfully defended an insurance carrier in a complex class action matter in Ohio involving auto policies; obtained dismissal of case following dispositive briefing
- Represents a large insurance carrier on issues concerning rescission of the policy and the void/voidable distinctions
- Represents an insurance carrier in cases involving liability of public entities and public officials
- Represents a large commercial roofing company against claims of product defect and coverage issues arising from those claims
- Represents a large construction company in a case arising from the electrocution of a worker at a construction site
- Represented an insurance carrier in several cases concerning the interpretation and scope of coverage in product tampering, recall, and contamination policies and obtained favorable summary judgment rulings concerning issues in those policies
- Represented a Division I University in litigation concerning claims arising from its hiring of a basketball coach
- Successfully mediated a high-profile case involving coverage issues arising from a professional cyclist's claims on behalf of the United States against other cyclists and related entities
- Successfully managed, tried, and/or resolved over 90 cases in complex litigation following a concrete terrace collapse
- Successfully resolved claims of contractors arising from the construction of two sports stadiums and other well-known construction projects in Ohio
- Represents insurers in claims concerning the pollution exclusion, additional named insured, number of occurrences, and other complex issues arising from the interpretation of insurance contracts
- Defended an Italian corporation in trademark, trade secret, and breach of contract litigation in the United States District Courts, the International Trade Commission, and the International Chamber of Commerce Arbitration in Geneva, Switzerland
- Represented aviation insurers in helicopter and aircraft crash cases involving both commercial and private air carriers
- Represented a major concert promoter in litigation with a Rock and Roll Hall of Fame musician and insurance company; successfully obtained coverage for the promoter to resolve the case with the musician

Publications & Events

SPEAKING ENGAGEMENTS

- "Class Actions in Insurance," 2022 OACTA Annual Meeting, Cleveland, Ohio (November 2022)
- "Oh Schlitz, Another Insurance Hypothetical!", Assurex Global Loss Control & Claims Meeting (September 2022)
- "Insurance Needs," Cleveland Metropolitan Bar Association Pillars Program: Dealing with the Realities of Un/Underemployment and Career Transition, Cleveland, Ohio (October 2017)
- "Current Status of Ohio Employer Intentional Torts," Oswald Construction Risk Insight Breakfast Series, Cleveland, Ohio (October 2015)
- "Bad Faith Strategies and Tactics: Do Bad Faith Allegations Move the Needle?", CMBA Insurance Law Spring Seminar "The Good, the Bad, and the Ugly: Ohio Insurance Bad Faith Law 2015," Cleveland Metropolitan Bar Association, Cleveland, Ohio (May 2015)
- "Failure Analysis from the Legal Perspective," Case Western University Guest Lecture to EMSE 422 Graduate Failure Analysis Course (February 2012 and January 2015)
- "Strategies and Tips for Effective Direct Examination," Tucker Ellis Litigation Institute (October 2014)
- "Stuck Between a Rock and a Hard Place; Protecting Privilege in Bad Faith Litigation," presentation to major insurance carrier, Chicago, Illinois (September 2014)
- "Understanding Director and Officer Liability Insurance," presented at *Ohio Insurance Law Unmasked: Scary Coverage Concepts*, Cleveland Metropolitan Bar Association (October 2013)
- "The New Consumer Product Safety Commission Public Database" (2011)
- "Strategies for Testing Theories in Depositions," National Institute for Trial Advocacy (2007)
- "Ohio Insurance Law," Lorman Seminar (1999)
- "Enforceability of Arbitration Awards," Cleveland Metropolitan Bar Association (1998
- "Insurability of Prevailing Party Attorney Fee Awards," Mealey's Insurance Fees Seminar (1995)

PUBLICATIONS

- *Ohio Insurance Coverage* (2013–2025 Editions), Thomson Reuters
- "Voiding Voidability: Rethinking Rescission of Insurance Policies Under Ohio Law," *Cleveland Metropolitan Bar Journal* (February 2020)
- "It's Not Form Over Substance – Procedural Fundamentals of Making and Reviewing a Claim," *Cleveland Metropolitan Bar Association Journal* (February 2014)
- "Consumer Product Safety Update," Client Alert (May 2013)
- "Product Safety Dominoes," *Industrial Management* (July/August 2012)
- "Quality Scan: One Flaw Can Trigger Worldwide Reporting Obligations," *Manufacturing Engineering* (May 2012)
- "Consumer Groups Sue FDA For (Lack of) Nanotechnology Rulemaking," Client Alert (April 2012)
- "Unpeeling The Layers Of Recall, Contamination Policies," *Law360* (March 2012)
- "A New 'World Wide Web' – The Sticky Implications of Consumer Product Safety Regulations in Canada, Australia, the EU, and Japan," Client Alert (June 2011)

"The Continuing Validity of the 'Employer Stop-Gap' Endorsement in Ohio," Client Alert (June 2010)

- "Giving More Serious Consideration to Alternate Dispute Resolution," *The Alert* (Vol. 2, No. 1, 1996)

Honors

- Chambers USA
  - » Insurance (Ohio) (2020–2026)
  - » Litigation: General Commercial (Ohio) (2016–2019)
- Ohio Super Lawyers® (2008–2025)
- The Best Lawyers in America© (2006–2021)

In the Community

- National Institute for Trial Advocacy (NITA), Faculty Member
- Case Western Reserve University School of Law
  - » Society of Benchers
  - » Adjunct Professor
- Defense Research Institute
- Ohio Association of Civil Trial Lawyers