HEPLERBROOM LLC

JAMES P. DUCHATEAU

Partner | Chicago, IL

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(312) 205-7710

James P. DuChateau concentrates his practice exclusively on insurance coverage, with an emphasis on first-party property for both commercial and personal lines. For the last 15 years, he has counseled carriers throughout the country on high exposure claims and coverage issues including appraisal, arson, business interruption, collapse, coinsurance, intentional acts, ordinance and law, insurable interest, mortgagee and loss payee rights, assignment of benefits, vandalism, late notice, vacancy, and all manner of questions surrounding direct physical loss.

Mr. DuChateau also devotes a large portion of his practice to litigating these and other emerging insurance coverage issues in state and federal courts throughout the Midwest and Mountain West. He represents insurers in both declaratory matters for non-coverage as well as the defense of contractual and extracontractual liability matters. Clients regularly turn to him to conduct examinations under oath of their policyholders, generate coverage opinions, and provide legal counsel on both good faith claims handling and the resolution of complex coverage issues.

Practices:

- Banking & Financial Services
- Commercial Litigation
- First-Party Coverage
- Insurance Fraud Investigation
- Insurance Services
- Motor Vehicle Accidents
- Third-Party Coverage

Education:

- University of Illinois Chicago School of Law, J.D., 2008
- University of Wisconsin, B.S. in History and B.S. in Political Science, 2002

Bar Admissions:

- Illinois
- Supreme Court of Illinois
- U.S. Court of Appeals for the 7th Circuit
- U.S. District Courts for the
  - Northern, Central, and Southern Districts of Illinois
  - Eastern District of Missouri
  - Northern and Southern Districts of Indiana
  - Eastern District of Wisconsin
  - District of Colorado
- U.S. Bankruptcy Court for the Northern District of Illinois

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Results

- Obtained a judgment of non-coverage as to the named insured and certain corporate officers in an underlying commercial property insurance dispute stemming from a staged burglary, intentionally set fire, and ensuing fraudulent insurance claim at an Illinois firearm facility. *Tokio Marine Specialty Ins. Co. v. Springfield Shooting Ctr., Inc.,* 2024 WL 3888901, at *1 (C.D. Ill. Aug. 21, 2024); *see also U.S. v. Jackson,* 2019-CR-30023 (C.D. Ill) (concurrent federal criminal prosecution of insured arising out of at-issue insurance claim)
- Obtained a dismissal of an insured's counterclaims for breach of contract and Section 155 on an underlying declaratory proceeding seeking declaration of non-appraisability of amount of loss of commercial property insurance claim due to the presence of multiple questions of insurance coverage. *Philadelphia Indem. Ins. Co. v. Hometown Coop. Apartments, Inc.,* 2024 WL 342591, at *1 (N.D. Ill. Jan. 30, 2024).
- Successfully resisted and secured a denial of multiple contractors' petitions to intervene into declaratory proceeding between insurer and policyholder over appraisability of underlying commercial property insurance dispute. *Philadelphia Indem. Ins. Co. v. Hometown Coop. Apartments, Inc.*, 2023 WL 7126683, at *1 (N.D. Ill. Oct. 29, 2023)
- Secured a with-prejudice dismissal of commercial insured's claims for breach of contract, Section 155 relief and unjust enrichment arising out of denial of Chicago nightclub's claims for COVID-19 related business interruption damages. *Hubbard Steak, LLC d/b/a Joy District, et al v. Specialty Risk of America, et al,* 2020-L-008099 (Cook County, Ill. 2022) (appeal dismissed, Ill. App. 1st Dist. Case No. 1-22-1223)
- Obtained a declaratory judgment against policyholders, disqualifying their named appraiser due to pre-appraisal involvement in the claim process. *Milbank Ins. Co. v. Dennhardt,* 2021 WL 2434023, at *1 (C.D. Ill. June 15, 2021)

Honors & Awards

- Illinois Leading Lawyers
  - Emerging Lawyer (2015-2020)
- Illinois Super Lawyers (2021-2026)

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    - Rising Star (2014-2020)
- Illinois Association of Defense Trial Counsel
    - Distinguished Member Award (2025-2026)
    - Volunteer of the Year (2019)
- Legal Assistance Foundation Pro Bono Volunteer of the Year (2014)

Professional Associations

- American Bar Association
- Defense Research Institute
- Federation of Defense and Corporate Counsel
- Illinois Association of Defense Trial Counsel
    - Board of Directors (2017-2026)
    - *IDC Quarterly*
        - Editor-in-Chief (2021-2022)
        - Associate Editor (2016-2021)
    - *IDC Survey of Law*
        - Editor-in-Chief (2022-2024)
    - Young Lawyers' Committee
        - Chair (2016-2017)
        - Vice Chair (2015-2016)
- Illinois State Bar Association
- Legal Assistance Foundation of Greater Chicago