



## Kim Winter

### Partner

Kansas City

D 816.460.5720

[kim.winter@lathropgpm.com](mailto:kim.winter@lathropgpm.com)

**I care deeply about our clients and take the time to understand the nuances of their business and goals. Building solid connections is crucial to grasping their objectives and achieving the best results. Whether working with large industrial clients or smaller companies, I believe personal connections are essential for success in every case.**

Kim Winter's practice spans various insurance-related matters, helping policyholders navigate complex coverage disputes and insolvency issues. She regularly works in:

- Civil rights insurance recovery
- Class actions
- Environmental insurance analysis and recovery
- Insurance recovery and counseling
- Intellectual property
- Organizational misconduct

With over 20 years of experience, Kim provides strategic guidance to clients across virtually every industry, representing individuals, small businesses and industry giants alike. Known for her ability to resolve complex coverage disputes and navigate challenging insolvency proceedings, Kim is a valuable advocate for policyholders.

Much of her work involves pursuing claims on behalf of policyholders against insurers, whether through informal negotiation or litigation. She handles a wide variety of coverage disputes, including:

- Commercial litigation

## Areas of Focus

### Services

[Insurance Recovery & Counseling](#)

[Organizational Misconduct](#)

[ESG Guidance](#)

[Environmental Insurance Analysis & Recovery](#)

[Civil Rights Insurance Recovery](#)

[General Business & Complex Commercial Litigation](#)

- Cyber and data breach
- Employment practices
- Environmental
- Errors and omissions
- Fiduciary
- Fire
- First-party property policies
- General liability
- Pollution legal liability
- Product liability
- Professional liability
- Umbrella/excess
- Uninsured/underinsured motorist

Kim's practice focuses on understanding clients' unique needs and developing strategic, mindful solutions beyond financial factors. Her attention to detail, critical policy analysis and creative thinking make her a valuable resource for policyholders. Kim consistently delivers comprehensive support, whether recovering insurance funds after a catastrophe, ensuring clients receive the defense and indemnity they're entitled to, or assisting with insurance policy analysis and negotiations.

As counsel for the Director of the Missouri Department of Insurance in receivership proceedings involving insolvent insurance companies, Kim has deep experience in insurance regulation and insolvency. This, coupled with her nationwide practice, gives her rare insight into how best to represent policyholders in various insurance and insolvency proceedings.

Clients benefit from Kim's proactive approach to understanding their insurance needs and maximizing coverage for future claims. She is also a frequent speaker and author on insurance issues, continuously sharing her knowledge to benefit the broader community.

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## Experience

- Negotiated a full insurance-funded settlement for a small business in an asbestos case, securing complete defense from three carriers after one initially offered partial coverage.
- Represented a wrongfully convicted man, imprisoned for nearly 30 years, and secured a settlement against the city and district attorney's office despite significant legal challenges.

- Secured a \$27+ million verdict for a client in a federal jury trial after a two-alarm fire caused extensive property damage, including additional awards for vexatious refusal and attorney's fees.

## Reported Decisions

- Maxus Metropolitan, LLC v. Travelers Property Casualty Company of America, United States District Court, W.D. Missouri. 2024 WL 358232
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## Credentials

### Education

- University of Missouri-Kansas City School of Law, J.D., 1996, with distinction
- University of Nebraska - Lincoln, B.A., 1993, with highest distinction

### Bar Admissions

- Kansas
- Missouri

### Court Admissions

- U.S. District Court for the Western District of Missouri
- U.S. District Court for the District of Kansas
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit

### Recognition

- *Chambers USA: America's Leading Lawyers for Business*, Missouri Insurance, 2020-2025
- Selected among *The Best Lawyers in America*®, 2018-2025
- Kansas City Business Journal, named in "Twenty to Know in Insurance," 2021
- Elected as Fellow of the American College of Coverage Counsel (ACCC), 2020
- Central Exchange, Emerging Leaders, 2017-2018
- Phi Beta Kappa

- Order of the Bench and Robe
  - Member of the National Moot Court Team
  - BNA Award for Best Brief, Moot Court Competition
  - Law360 Insurance Editorial Advisory Board, 2018
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## **Presentations**

- Moderator, "Fourth Quarter: Lightning Round 2," Lathrop GPM 2023 State of Litigation: Draft Edition, April 12, 2023
- Moderator, "First Quarter: Lightning Round 1," Lathrop GPM 2023 State of Litigation: Draft Edition, April 12, 2023
- Co-presenter, "[Navigating Insurer Insolvency: When an Insurer's Insolvency Hands You a Lemon, Make Lemonade](#)," American College of Coverage Counsel 10th Annual Meeting, Chicago, Illinois, May 12, 2022
- Speaker, "[The Policyholders' Right to Choose Defense Counsel](#)," Lathrop GPM Webinar, February 11, 2021
- Speaker, "[Reopening your Business in the age of COVID-19](#)," Missouri Lawyers Weekly, June 17, 2020
- Panelist, "Straight Talk Series Session II: Business Interruption Insurance Coverage," Employment Law Alliance, May 12, 2020
- Panelist, "Minimizing Cyber Losses by Maximizing Insurance Recoveries: A Strategic Discussion," First Chair Awards Conference, Chicago, Illinois, August 2018
- Co-presenter, "Policyholder Recovery 101: Top 10 Mistakes Policymakers Make When Handling a Liability Claim," Kansas City Metropolitan Bar Association 30th Annual Corporate House Counsel Institute, Kansas City, Missouri, June 2017
- Speaker, "Finding Coverage for 'Personal and Advertising Injury' Claims When You Least Expect It: Looking Beyond the Labels," RIMS 2017 Annual Conference and Exhibition, Philadelphia, Pennsylvania, April 2017
- Speaker, "Top 10 Mistakes to Avoid When a Liability Claim Comes In," Association of Corporate Counsel – Mid-America Chapter, October 2016
- Speaker, "Avoiding Potential Minefields of Claims-Made Coverage," RIMS 2015 Annual Conference and Exhibition, New Orleans, Louisiana, April 2015
- Speaker, "10 Endorsements You Should Consider Adding to Your Standard Policy," RIMS 2014 Annual Conference and Exhibition, Denver, Colorado, April 2014
- Speaker, "10 Endorsements You Should Consider Adding to Your Standard Policy," ACC Small Law Department Committee, February 2014
- Speaker, "How to Get the Most Out of Your Liability Coverage After the Claim Comes In," Kansas City CPCU, October 2013

- Speaker, “How to Get the Most Out of Your Liability Coverage After the Claim Comes In,” Risk Insurance Management Society – Ozarks Chapter, May 2013
- Speaker, “How to Get the Most Out of Your Liability Coverage After the Claim Comes In,” Association of Corporate Counsel – Mid-America Chapter, April 2013
- Speaker, “Insurance Hot Topics: Practical Advice for Corporate Counsel,” January 14, 2009
- Speaker, “Tips on Handling Insolvent Claims,” Risk Insurance Management Society, Springfield, Missouri, 2006
- Speaker, “Environmental and Toxic Tort Insurance Recovery: Archaeology to Payment,” Association of Corporate Counsel – St. Louis Chapter, October 2004

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## Publications

- Author, “How Commercial General Liability Policies’ ‘Coverage B’ Can Help Mitigate IP Losses,” *IP Watchdog, Inc.*, October 21, 2024
- Author, “Best Insurance Practices to Consider During These Tumultuous Times of Mass Protests,” *CEOWorld Magazine*, June 9, 2020
- Author, “How to Maximize Coverage When Your Insurer Is Declared Insolvent,” *The John Liner Review*, Vol. 22, No. 4, Winter 2009
- Co-author, “Environmental Insurance,” *New Appleman on Insurance Law Library Edition*, Chapter 27, October 2010
- Co-author, “Marsh Clients Must Decide Whether to Accept Marsh Settlements by September 20, 2005,” *Lathrop Gage legal alert*, June 2005

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## Professional Activities

- American Bar Association
- Association of Women Lawyers
- Kansas Bar Association
- Kansas City Metropolitan Bar Association
- The Missouri Bar

## Community Involvement

- Kansas City Friends of Alvin Ailey, Board Member
- KC Pet Project, Finance Committee

- Central Exchange, Emerging Leaders Program, 2017-2018