

Buchman in PBN: Damages for Business Interruption Unlikely for Stores that Closed Due to Hurricane Lane

September 5, 2018 Barry Buchman

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In an article regarding insurance coverage for the business interruption losses caused by Hurricane Lane in Hawaii, *Pacific Business News* quoted Haynes Boone Partner [Barry Buchman](#) when noting the similarities between the current losses and the losses caused by the false missile alert sent by the Hawaii Emergency Management Agency earlier this year.

Here is an excerpt:

While the Big Island saw more than four feet of rain in some areas, Oahu was largely spared from the storm, leaving businesses to resume their normal operations after the two-day interruption.

Another incident that caused a similar interruption to Hawaii businesses was the false missile alert that was mistakenly sent out by the Hawaii Emergency Management Agency earlier this year. Like the warnings that caused some Oahu businesses to close in preparation for Hurricane Lane, the missile alert halted normal operations across the state for something that left no damages.

Following the missile scare, Barry Buchman, an attorney at international corporate law firm Haynes Boone told *PBN* some businesses could try to recoup losses through their civil authority coverage, which applies to business interruptions triggered by evacuations, airport or mass transit closures, curfews, or other restrictions on access to an owner's facility by customers or employees.

However, Buchman said some civil authority provisions require actual physical damage, while others provide coverage if the order is caused by the threat of physical damage.

To read the full article, click [here](#). (Subscription required)