Andrew P. Van Osselaer

Associate

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PRACTICES Litigation, Environmental Litigation, Environmental, Insurance Recovery, Construction Litigation, Chemical, Construction

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Andrew Van Osselaer is an insurance coverage and environmental litigator who represents clients in disputes with their insurers, environmental agencies, and other parties.

In his insurance coverage practice, Andrew represents policyholders across all lines of commercial insurance, including environmental liability, professional liability, property, and D&O. Andrew is not only practiced in litigating insurers' coverage and defense obligations; he routinely defends policyholders against accusations of misrepresentation, pursues insurers for deceptive claims-handling practices, and helps clients navigate difficult claims-handling processes, including where multiple insurers are involved.

In the environmental space, Andrew's practice runs the gamut from defending clients in enforcement actions based on alleged water, air, and waste violations, to litigating private causes of action, including under RCRA and CERCLA. In addition to being well versed in more-traditional environmental issues, like groundwater contamination, vapor intrusion, and issues arising from recycling and disposal operations, Andrew's repertoire is uniquely augmented by his insurance coverage experience. His double disciplinary approach makes him indispensable in environmental emergencies and disasters where coverage is critical to clean up, paying claims, and restoring operations.

Andrew is a frequent speaker and author on subjects pertaining to insurance coverage and environmental law, including matters related to per- and polyfluoroalkyl substances (PFAS) and other emerging contaminants. He is co-chair of the Environmental & Energy Subcommittee of the ABA Insurance Coverage Litigation Section and a planning committee member for the Texas Bar's Environmental Superconference. Andrew was also recognized as "One to Watch" by *Best Lawyers in America*, Woodward/White, Inc., in the areas of Insurance Coverage, Litigation - Construction and Commercial Litigation from 2023-2024, and is a member of the Robert W. Calvert American Inn of Court. He was recognized by *Texas Super Lawyers*, Thomson Reuters, as a "Rising Star" in 2024.

Before joining Haynes Boone, Andrew graduated from the University of Texas School of Law with High Honors, where he served as the Managing Editor of the *Texas Law Review* and was a member of the Chancellors and Order of the Coif honor societies. Prior to law school, Andrew worked in the music industry as an audio engineer and concert lighting designer.

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QUALIFICATIONS

EDUCATION

- J.D., The University of Texas School of Law, 2018, *with high honors*; Chancellor; Order of the Coif; Managing Editor, *Texas Law Review*
- B.A., The University of Texas at Austin, 2015, *with highest honors*

ADMISSIONS

- Texas
- Colorado

COURT ADMISSIONS

- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Southern District of Texas
- U.S. District Court for the Western District of Texas
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the District of Colorado

PUBLICATIONS AND SPEAKING ENGAGEMENTS

- "Product Liability – Hidden Defects and Chemical Exposures," moderator, Crisis Management Academy, Denver, March 2024.
- "Coverage for Supply Chain Disruptions," panelist, ABA Insurance Coverage Litigation Committee Conference, Tucson, March 2024.
- "Coverage Uncovered: Insurance Basics for Civil Litigators," moderator, Austin Bar Civil Litigation Section, February 2024.
- "Superfund Site Reopenings Carry Insured Risk, Opportunity," co-author, *Law360*, December 2023.
- "PFAS in Food Packaging, Is it Time to Consider a Change?" co-author, *Food Safety Magazine*, October 31, 2023.
- "Manufacturers and Importers Beware: EPA's New PFAS Reporting Rule Under TSCA," co-author, Haynes Boone client alert, October 19, 2023.
- "PFAS, The Forever Chemical," panelist, International Institute for Conflict Prevention & Resolution, July 13, 2023.
- "Making a Choice of Law: An Erie Self-Fulfilling Prophecy," author, ABA Insurance Litigation Section, June 26, 2023.
- "PFAS Coverage: Government Enforcement and Cleanup," speaker, 2023 ICLC Conference
- "PFAS Coverage: Government Enforcement and Cleanup," co-author, 2023 ICLC (2023)
- "Mitigating Exposure to PFAS Liability," co-author, *Mealey's Pollution Liability Report*, Vol. 35, #13, September 2022.
- "Readying Companies for PFAS Regulation and Liability", co-author, *Law360*, August 30, 2022.
- "Lessons from the Ever Given for an Increasingly Turbulent Global Supply Chain," co-author, *Global Trade*, April 12, 2021.
- "Superfund Ruling May Increase Landowners' Cleanup Liability," co-author, *Law360*, May 21, 2020.
- "Who Will Pay for the Freeze and Subsequent Meltdown in Texas?" co-author, *Insurance Journal*, March 16, 2021.
- "Renewable Energy Cos. Need New Risk Management Tools," co-author, Law360, March 3, 2021.

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- “Texas Environmental Law,” co-author, Volumes 45-46, Chapter 12 Storage Tanks, Chapter 34 Insurance, Thomson Reuters, 2020-2021.
- “Insurance Coverage for Businesses’ COVID-19-Related Losses,” co-presenter, Austin Bar Association Remote CLE, April 15, 2020.
- “Texas Environmental Law,” Volumes 45-46, co-author for chapters: PCBs, Medical Waste, Insurance, and Storage Tanks, Thomson Reuters, 2019-2022.
- “Ethics and the Environmental Lawyer,” presenter, Texas Environmental Superconference’s Walking a Tightrope, July 31, 2019.
- “Clean Water Act in 2019: What WOTUS and Maui Mean for Oil and Gas,” presenter, Tarrant County Bar Association Environmental Law Section Luncheon, April 25, 2019.
- "Texas Rules of Form Companion Report," author, Texas Law Review, 2018.
- "Texas Rules of Form," reporter, 14th ed., 2018.
- "Insider Trading Enforcement & Link Prediction," author, 96 TEXAS L. REV. 399, 2017.

PROFESSIONAL AFFILIATIONS AND ENGAGEMENTS

- Co-chair, Environmental & Energy Subcommittee, ABA ICLC
- Associate, Calvert Inn of Court

SELECTED CLIENT REPRESENTATIONS

- Represented chemical manufacturer against its insurers in the aftermath of a plant explosion, securing coverage for environmental enforcement actions, tort claims, first-party property and business interruption claims, cleanup costs, and an OSHA investigation.
- Defended and obtained favorable cleanup agreement and deferred prosecution for a landowner in an enforcement action under Texas’s Water Code, Solid Waste Disposal Act, and Natural Resources Code arising out of a tenant’s waste-recycling operations.
- Defended hazardous waste transporter in CERCLA lawsuit brought by PRP group, later representing same client against its recalcitrant insurer, obtaining defense and indemnity coverage for its losses associated with the Superfund site.
- Represented product manufacturer against its insurers spanning a decade of primary and excess policies, securing defense and indemnity coverage for numerous asbestos-related lawsuits.
- Defended design-builder in arbitration and bankruptcy adversary proceeding against allegations of over $100 million in design- and construction-related defects arising out of a public-private infrastructure project.
- Defended boutique and its owner against commercial landlord seeking to hold both liable for a sublessee’s breach, securing dismissal of all claims on summary judgment.
- Represented apartment complex against its recalcitrant insurers, securing settlement covering client’s multi-million-dollar hail loss.

AWARDS AND RECOGNITIONS

- Recognized as a "Rising Star" by *Texas Super Lawyers*, Thomson Reuters, 2024
- Included in the "Ones to Watch" category of *Best Lawyers in America,* Woodward/White, Inc., 2023-2024

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- Named as one of *Austin Monthly*'s Top Attorneys 2023

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