Cooley

Jacquelyn Burke

Special Counsel

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Boston

Insurance
Business Restructuring
Cyber/Data/Privacy
Commercial Litigation
Education
Emerging Companies
Post Acquisition Disputes and Advisory
Public Companies
Securities Litigation + Enforcement
Venture Capital Litigation and Dispute Counseling
White Collar Defense and Investigations

In her practice, Jacquelyn helps clients maximize the value of their insurance assets. She advises on insurance and risk management issues, helping clients navigate complex claims and coverage issues – including in the directors and officers, errors and omissions, cyber and media liability, representations and warranties, and general liability spaces. She works as a trusted adviser to companies and their boards, from coverage placement through to payment, often achieving results without the need for litigation.

Jacquelyn advises institutional clients on the scope of their insurance programs at all stages of company development: She guides them through availability and placement of coverage, through major events such as mergers and acquisitions and bankruptcy, and through the claims process. She also regularly works on securing coverage for complex securities claims, post-merger disputes, and investigations or suits from regulators.

For companies facing unique risks, Jacquelyn helps design bespoke coverage options. She has designed risk management programs and customized insurance policies in an eclectic range of areas, including, among many others, space travel, international sporting events, cryptocurrency, green energy and the for-profit education space.

Jacquelyn served as a law clerk for Connecticut Supreme Court Justice Richard N. Palmer. She also maintains an active pro bono practice in the area of immigration, including the representation of asylum-seekers and those seeking U nonimmigrant status visas and Special Immigrant Juvenile status.

Jacquelyn's representative matters and areas of practice

- Representing virtual meeting platform Zoom in a high-profile coverage dispute with its cyber insurance carriers seeking reimbursement of more than $90 million in defense and settlement costs incurred in connection with lawsuits and investigations arising from alleged data security and privacy issues
- Representing a defendant in a high-profile cryptocurrency criminal action and securing multiple millions of dollars in insurance coverage for defense fees
- Securing full insurance funding for an innovative tech company for a unique and unprecedented mass arbitration dispute
- Securing extensive coverage under a representations and warranties policy for a seller fraud claim on an accelerated time frame
- Securing "triple excess" coverage for a venture capital fund in a complex and unprecedented allocation dispute with a portfolio company and its purchaser

- Representing a major university involving the recovery of more than $100 million in insurance proceeds related to sexual misconduct
- Designing a wide variety of insurance policies and bespoke provisions addressing risks that cannot be fully covered through traditional insurance markets, including for innovative technologies such as manufacturing pharmaceuticals in space
- Developing comprehensive risk management plans and custom insurance programs for major events, including the upcoming Los Angeles Summer Olympics
- Regularly working to secure comprehensive insurance programs and/or coverage for claims under difficult scenarios, including for foreign public issuers, clients near or in bankruptcy proceedings, and clients with unique exposure to serious risks, such as sexual abuse or products liability
- Representing an international hedge fund in the recovery of more than $100 million in insurance proceeds related to multiple Foreign Corrupt Practices Act violations and related securities litigation
- Representing a third-party administrator (TPA) in connection with insurance coverage for a major dispute with its customer insurance carrier, ultimately securing full policy limits from the TPA's insurer

Jacquelyn's recent speaking engagements

- Presenter, "What Every In-House Counsel Should Know About Insurance," Cooley's CLE Speaker Series webinar (2021, 2023 – 2024)
- Guest speaker, "What the Legal Department Needs to Know About Insurance," "The Legal Department" podcast (January 23, 2024)
- Presenter, "Insurance Coverage for Emerging Companies and Technologies: An Essential Asset," Lawline webinar (November 8, 2022)

Education

Benjamin N. Cardozo School of Law, Yeshiva University
JD,

Columbia University
BA,

Admissions & Credentials

Massachusetts

New York

Court Admissions

US District Court for the District of Massachusetts

US District Court for the Eastern District of New York

US District Court for the Southern District of New York

Rankings & Accolades

Chambers USA: Up and Coming for Insurance – Massachusetts (2023 – 2024)

Political Asylum/Immigration Representation Project: Outstanding Service Award (2015)

Boston Bar Association: Public Interest Leadership Program (2013 – 2014)

Benjamin N. Cardozo School of Law: Felix Frankfurter Award (2007)