

Ashley L. Criss

Partner

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Ashley is a trial and appellate lawyer, primarily representing insurers in connection with coverage issues and disputes arising under professional liability, general liability, and D&O liability policies. She also serves as defense counsel for lawyers and other professionals in pending professional liability lawsuits, threatened claims, and in response to subpoenas. As a former educator, Ashley loves mentoring and teaching others, particularly litigation and legal writing skills.

Representative Matters

- Extensive experience providing counseling and litigating claims under general liability policies in mass tort sexual abuse context, including in landmark cases.
- Secured affirmance of summary judgment decision for insurer in Sixth Circuit addressing specific entity exclusion in investment advisor liability policy. *CapWealth Advisors, LLC v. Twin City Fire Ins. Co.*, No. 23-5359, 2024 WL 1134647 (6th Cir. Mar. 15, 2024).
- Secured summary judgment for insurer in Tennessee federal court on the grounds that a specific entity exclusion applied to lawsuit against insured alleging a conflict of interest based on its affiliation with the excluded entity. *Capwealth Advisors, LLC v. Twin City Fire Ins. Co.*, Case No. 21-cv-00036, 2023 WL 2700706 (M.D. Tenn. Mar. 29, 2023).
- Obtained summary judgment resolving all claims in favor of professional liability insurer in Cook County court, including a claim seeking coverage for \$3.2 million in alleged claim expenses and a bad faith claim. The court held that a court-ordered special master investigation into the insured law firm's

Practice Areas

Insurance
Litigation
Issues and Appeals

Credentials

Education
J.D., with high honors, The George Washington University Law School; Order of the Coif
B.A., magna cum laude, Furman University

Law Journals
Member, *Federal Circuit Bar Journal*

Bar and Court Memberships
District of Columbia Bar
Maryland Bar
U.S. Courts of Appeals for the Third, Fourth, Sixth, and Eleventh Circuits
U.S. District Court for the District of Maryland

fee request in an underlying foreign exchange transaction class action did not trigger the professional liability policy's insuring agreement because the investigation was not a claim by reason of provision of services "for others." The court also held, as a matter of first impression in Illinois state court, that the insurer had no independent duty to pay claim expenses where no potentially covered damages were sought from the insured. *Thornton Law Firm LLP v. Continental Cas. Co.*, Case No. 2020 CH 06970 (Ill. Cir. Ct., Jun 2, 2022).

- With the ACLU of Maryland, represented on a pro bono basis incarcerated individuals sentenced to life imprisonment as juveniles, resulting in a settlement reached in 2021 that mandates substantial reforms to the parole process in Maryland.
- Won motion to dismiss in favor of insurance adjuster on statute of limitations grounds on Florida negligence claim, which was affirmed on appeal by the Eleventh Circuit. *Evanston Ins. Co. v. William Kramer & Assocs., LLC*, 815 F. App'x 443 (11th Cir. 2020).
- Obtained a decision by the Connecticut Supreme Court (on certified question from the Second Circuit) that the statute of repose barred a claim against an insurance adjuster. The decision is an important precedent for professionals and other defendants regarding the continuing course of conduct and related wrongful act doctrines. *Essex Ins. Co. v. William Kramer & Assocs., LLC*, 205 A.3d 534 (Conn. 2019).
- Obtained ruling by California federal court granting management liability insurer's motion to dismiss lawsuit seeking coverage for securities class action based on prior acts exclusion barring coverage for claims arising out of wrongful acts before policy inception. *Jayhawk Private Equity Fund II LP v. Liberty Ins. Underwriters, Inc.*, No. 17-cv-5523, 2018 WL 11605692 (C.D. Cal. June 7, 2018).
- Obtained summary judgment in favor of insurer in federal Colorado court with briefing on summary judgment complete within 46 days of the filing of the lawsuit. The court held that a pre-policy letter was a "claim" prior to an EEOC charge and discrimination lawsuit, barring coverage as a result. *Scottsdale Indem. Co. v. Convercent, Inc.*, No. 17-CV-01236-RBJ, 2017 WL 5446093 (D. Colo. Nov. 14, 2017).
- Advises insurers on coverage issues, including applicability of various policy exclusions and conditions.
- Drafts pleadings addressing a wide variety of procedural and substantive issues for clients involved in complex insurance litigation.

Professional Experience

- Intern, Children's Defense Fund, Juvenile Justice Policy Group (2015)
- Intern, U.S. Department of Education, Office for Civil Rights, Program Legal Group (2014)
- Secondary Social Studies Teacher, Teach for America, Duval County Public Schools (2010-2012)
- Intern, Richard W. Riley Institute, Diversity Leaders Initiative (2009-2010)
- Intern, Law in Action, Office of Stephen J. Henry (2008)

Affiliations

- Pathfinder, Leadership Council on Legal Diversity (LCLD) 2021

Recognitions

- Named a "Rising Star" by *Law360* for Insurance (2025)
- Named one of DC's "Rising Stars" for Insurance Coverage by *Super Lawyers* magazine (2019-2020, 2022-2023)
- Included in *The Best Lawyers of America* directory of "Ones to Watch" for Insurance Law (2024-2026)