



Elizabeth Fisher

Associate



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Elizabeth represents insurers in connection with coverage issues and coverage litigation arising under a variety of insurance policies, including directors and officers, professional liability, and general liability. Elizabeth also serves as defense counsel for lawyers and other professionals in professional liability lawsuits and threatened claims, including providing legal ethics advice to law firms. In addition, she has an active appellate practice, briefing issues before state and federal appellate courts.

During the 2023-2024 academic year, Elizabeth served as an Adjunct Professor at the University of North Carolina School of Law, where she is co-teaching the Supreme Court Program. The program operates as a clinic in which students assist in preparing submissions to the United States Supreme Court.

Representative Matters

- Obtained grant of writ of certiorari by the United States Supreme Court, continued as counsel at the merits stage, and obtained a favorable 9-0 decision in a case raising important issues under the Double Jeopardy Clause. *McElrath v. Georgia*, 601 U.S. 87, 144 S.Ct. 651 (U.S. 2024).
- Obtained ruling by Nevada federal court granting liability insurer's motion for summary judgment, holding that the insurer is not obligated to provide coverage for liability arising out of a hotel fire because the policy at issue provided coverage only for designated premises or operations that are necessary or incidental to the ownership, maintenance, or use of the designated premises, not including the hotel where the fire occurred. *Las Vegas Dragon Hotel, LLC v. Allied World*

Practice Areas

Insurance
Issues and Appeals

Credentials

Education

J.D., with high honors, University of North Carolina School of Law; Order of the Coif
B.A., *magna cum laude*, North Carolina State University

Law Journals

Editor in Chief, Volume 97, *North Carolina Law Review*

Clerkships

Law Clerk for the Honorable David B. Sentelle, U.S. Court of Appeals for the District of Columbia Circuit (2019-2020)

Bar and Court Memberships

District of Columbia Bar
North Carolina Bar
U.S. Court of Appeals for the Fourth Circuit
U.S. District Courts for the District of Colorado and Western District of Wisconsin
North Carolina Supreme Court

Insurance Company, No. 23-cv-00687 (D. Nev. Aug. 13, 2024).

- Obtained a decision by the Maryland Court of Appeals (on certified question) holding that a law firm representing Homeowners Associations in connection with negotiating and documenting repayment plans with homeowners with delinquent dues is not subject to the Maryland Consumer Loan Law. The decision resolves an important issue of first impression that affects all businesses and professionals extending credit in Maryland as “an ancillary function” of their operations. *Nagle & Zaller, P.C. v. Delegall*, 480 Md. 274 (2022). Read more [here](#).
- Obtained summary judgment in the trial court and a decision by the Maryland Court of Special Appeals affirming the judgment, holding that a former client suing his attorneys for malpractice must prove that the attorneys proximately caused the alleged loss via the trial within the trial, even if the attorneys engaged in so-called bright line malpractice or allegedly guaranteed recovery of a sum certain. *Saunders v. Markey*, No. 24-C-19-003511 (Md. Ct. Spec. App. Nov. 3, 2021).
- Obtained ruling by California federal court granting liability insurer’s motion for summary judgment, holding that the insurer is not obligated to provide coverage for an individual under a corporate general liability policy because the individual was not sued in an insured capacity. *Obagi v. Valley Forge Insurance Company*, No. 20-cv-07059 (C.D. Cal. Oct. 1, 2021).

Professional Experience

- Law Clerk, U.S. Court of Appeals for the District of Columbia Circuit (2019-2020)
- Summer Associate, Private Law Practice (2018)
- Summer Associate, Private Law Practice (2017)
- Summer Associate, Private Law Practice (2017)

Affiliations

- American Bar Association (ABA)
 - Young Lawyers Program (YYP) Chair, Spring 2025 National Legal Malpractice Conference, Standing Committee on Lawyer’s Professional Liability (2024-Present)