



The New York State Restaurant Association and the NYC Hospitality Alliance Join the Restaurant Law Center in Filing an *Amici* Brief in a Business Interruption Insurance Denial Case

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FOR IMMEDIATE RELEASE

NEW YORK, N.Y. (April 9, 2021) – Today, the [New York State Restaurant Association](#) and [NYC Hospitality Alliance](#) joined the [Restaurant Law Center](#) in filing an *amici* brief in the United States Court of Appeals for the Second Circuit. The brief in *10012 Holdings Inc. v. Sentinel Insurance Co., et al.*, argues that insurers have wrongfully denied restaurants' Business Interruption Insurance (BII) claims under "all risk" policies during the COVID-19 pandemic.

Throughout the pandemic, many insurers have refused to cover losses that restaurants suffered as a result of executive orders that forced them to severely alter or restrict their operations. For years, restaurants in New York and elsewhere have paid significant premiums for BII believing it would cover income lost as a result of physical "loss or damage" to their property. Yet, when policymakers issued executive orders that caused significant losses to restaurants—insurers denied coverage without legitimate justification.

"Restaurants are critical to New York's economy and culture. After years of paying premiums for business interruption insurance to help survive a hardship, the restaurant industry has been wrongfully denied coverage and caused unprecedented hardship," said **Melissa Fleischut, President and CEO of New York State Restaurant Association.**

"At a time when restaurants across the country continue to struggle toward recovery, insurers need to be held accountable and respect the industry's legitimate insurance claims," said **Angelo Amador, Executive Director of the Restaurant Law Center.** "It's important that restaurants fight insurers' attempts to forgo their responsibilities and strive for the best outcomes for the industry hardest hit by the pandemic."

"It's important that we work to right the wrongs restaurants have endured over the past year—wronges that have been exacerbated due to insurers' malfeasance," added **Andrew Rigie, Executive Director of NYC Hospitality Alliance.** "We're glad to join the Restaurant Law Center in its efforts to hold insurers accountable and compel them

to provide restaurants with the business interruption insurance benefits they are rightfully due.”

[Click here](#) to read the joint amicus brief. Gabriel K. Gillett of Jenner & Block, LLP, and Angelo I. Amador of the Restaurant Law Center served as co-counsel.

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The New York State Restaurant Association

The New York State Restaurant Association has been giving restaurateurs the power to succeed since 1935. The Association provides a platform for statewide cooperation and leadership on advocacy issues, along with valuable support services to members. For more information, visit <https://www.nysra.org/>.

The Restaurant Law Center

The Restaurant Law Center is an independent public policy organization affiliated with the National Restaurant Association. It was established to enhance the industry’s voice in the judicial system. Through its initiatives, the Restaurant Law Center works to protect and advance the restaurant industry and promote pro-business laws and regulations that allow restaurants to continue to grow, create jobs and contribute to a robust American economy. The Law Center offers courts and regulatory agencies with the industry’s perspective on legal and regulatory issues significantly impacting it. For more information, visit RestaurantLawCenter.org and follow us on Twitter [@Restaurant_Law](#) and [YouTube](#).

NYC Hospitality Alliance

NYC Hospitality Alliance is a not-for-profit association founded in 2012 to represent and serve restaurant and nightlife establishments throughout the five boroughs. Home to more than 24,000 eating and drinking establishments, employing more than a quarter of a million people, our industry is vital to the economic footprint and social fabric of New York City. NYC Hospitality Alliance bridges the gap between the hospitality industry, government and the press. For more information, visit <https://thenycalliance.org/>.