



Beverly Aloisio DeLaune

Partner

504.593.0759

bdelaune@deutschkerrigan.com

Practices

Commercial Litigation

Professional Liability of
Attorneys, Accountants,
Agents & Brokers

Industries

Insurance

Bar Admissions

Louisiana

Education

J.D., Louisiana State
University, 2000

B.A., Louisiana State
University, 1996

Louisiana School for Math,
Sciences and the Arts, 1992

Beverly DeLaune handles professional liability matters for accountants, lawyers, insurance agents and brokers. Beverly assists her clients in responding to disciplinary complaints and professional liability lawsuits, as well as addressing pre-litigation concerns.

Having good people skills allows Beverly to better understand her clients' needs and concerns and have a good working relationship with opposing counsel. Beverly's extensive knowledge of her practice area, combined with a good, professional relationship with opposing counsel, is a benefit to her clients.

For over 20 years, she has obtained favorable results in professional liability actions, including multiple dismissals on dispositive motions. Ms. DeLaune has also handled matters before the Louisiana Office of Disciplinary Counsel, the Louisiana State Board of Certified Public Accountants and FINRA.

Prior to attending law school, Ms. DeLaune was involved with the Louisiana State Legislature for a number of years and has worked with the House of Representatives Rural Caucus, the House of Representatives Acadiana Delegation and the Legislative Research Library.

Professional Associations

- American Bar Association
- Federal Bar Association
- New Orleans Bar Association

Community Involvement

- St. Charles Parish Library, Board of Control; Vice-President

Accolades

- *The Best Lawyers in America*®, 2021
- *Martindale-Hubbell AV*® Preeminent™ Peer Review Rated Lawyer
- *Thomson Reuters* "Louisiana Rising Stars", 2012-2014

Representative Successes

- **Insurance Coverage**
Obtained a dismissal of claims against an insurance company, successfully arguing that the plaintiff's claims did not fall within the coverage provided by an attorney's errors and omissions policy. *J.K. v. Scott Hawkins and Hawkins & Villemantte, LLC*, 15th Judicial District Court for the Parish of Lafayette, No. 2008-1158.

- **Insurance Agent Liability**
Obtained a summary dismissal of a claim that the insurance agent did not obtain the requested builder's risk insurance coverage. Ms. DeLaune successfully established, via dispositive motion that the plaintiff could not prevail on the malpractice claims if the issues were presented at trial. *Lifetime Building Materials, Inc. v. Assurance Company of America, et al.*, Civil District Court for the Parish of Orleans, No. 2006-9403.
- **Insurance Agent Liability**
Obtained a decision upholding the dismissal of an insurance agent malpractice claim as untimely. *Sharon B. Mumford, et al. v. Jackson National Life Insurance Company, et al.*, 2006-CA-1412 (La. 4th Cir. 2007), 968 So.2d 357.
- **Commercial Litigation**
Obtained a summary dismissal of a third-party demand wherein a bank sought reimbursement from an account holder for payments made by the bank on fraudulent checks issued on the account. *Capital One, N.A. v. PNC Bank, N.A., United States District Court for the Eastern District of Louisiana*, No. 06-4135, Section D(5), 2008 WL 619157.
- **Commercial Litigation**
Represented minority shareholders in a shareholder derivative action, resulting in a favorable trial verdict. This verdict was upheld on appeal. *Peter R. Harey, et al. v. Roland J. Joyce*, 280 F3d. Appx. 340 (U.S. 5th Cir. 2008).
- **Attorney Liability/Discipline**
Ms. DeLaune and Mr. Wright obtained a summary dismissal, upheld on appeal, of a legal malpractice claim wherein the court found the attorney was not negligent in the handling of the underlying file. *Jeune Turner v. Associates Commercial Corp., et al.*, 03-CA-0224 (La. App. 5th Cir. 2003), 860 So.2d 244.

Obtained dismissals via dispositive motions of legal malpractice claims based upon peremption, failure to assert causation and failure to establish a breach on the standard of care.

Successfully obtained dismissals of bar matters involving trust account violations and other alleged violations of the Louisiana Rules of Professional Conduct.
- **Accountant Liability/Discipline**
Obtained a favorable ruling from the Louisiana Accountant Review Panel in a matter involving an alleged failure to properly perform audit work.

Obtained a favorable ruling limiting the scope of fraud claims in accounting malpractice matters.

Obtained voluntary dismissals of accountant malpractice claims that were untimely and/or without merit.

Obtained dismissals of complaints pending before the Louisiana State Board of CPA's.
- **Insurer Liquidation - Reciprocity - Appeal**
Handled this case where the Supreme Court held that Pennsylvania was a "reciprocal state" under Louisiana's Uniform Insurer Liquidation Act and that a Pennsylvania liquidation order deprived Louisiana courts of subject matter jurisdiction over all claims at law or equity against an insolvent Pennsylvania insurance company. *All Star Advertising Agency v. Reliance Ins. Co.*, 04-C-1544 (La. 4/12/05), 898 So. 2d 369.

Presentations

- "Case Law Updates," ABA Fall 2020 National Legal Malpractice Conference, September 2020
- "Ethical Areas of Concern From the Perspective of a Legal Malpractice Attorney," Tulane End-of-Year CLE Program, December, 2019

- “Law School 101 for Accountants,” co-presented with Melissa Lessell, La CPA Society New Orleans Chapter, May 2019
- “Legal Side of Accounting,” La CPA Society New Orleans Chapter, November 2018
- "Law office Practice Management and Top Ten Legal Malpractice Pitfalls and Ethical Quandaries," co-presented with Melissa Lessell, Terrebonne Bar Association, October 2018
- “How Many Lawyers Does it Take to Change a Light Bulb?” Legal Malpractice and Professionalism, Terrebonne, Bar Association CLE Program, December 2015
- “Professionalism in an Adversarial Process,” CLE hosted by Loyola University, New Orleans, LA, 2011 and 2015
- “Professionalism in an Adversarial Process,” CLE hosted by the Terrebonne Bar Associations, 2015 and 2016

Publications

- “Arbitration of Employment Disputes Before and After Circuit City,” co-author, *The Labor Lawyer*, Fall 2001