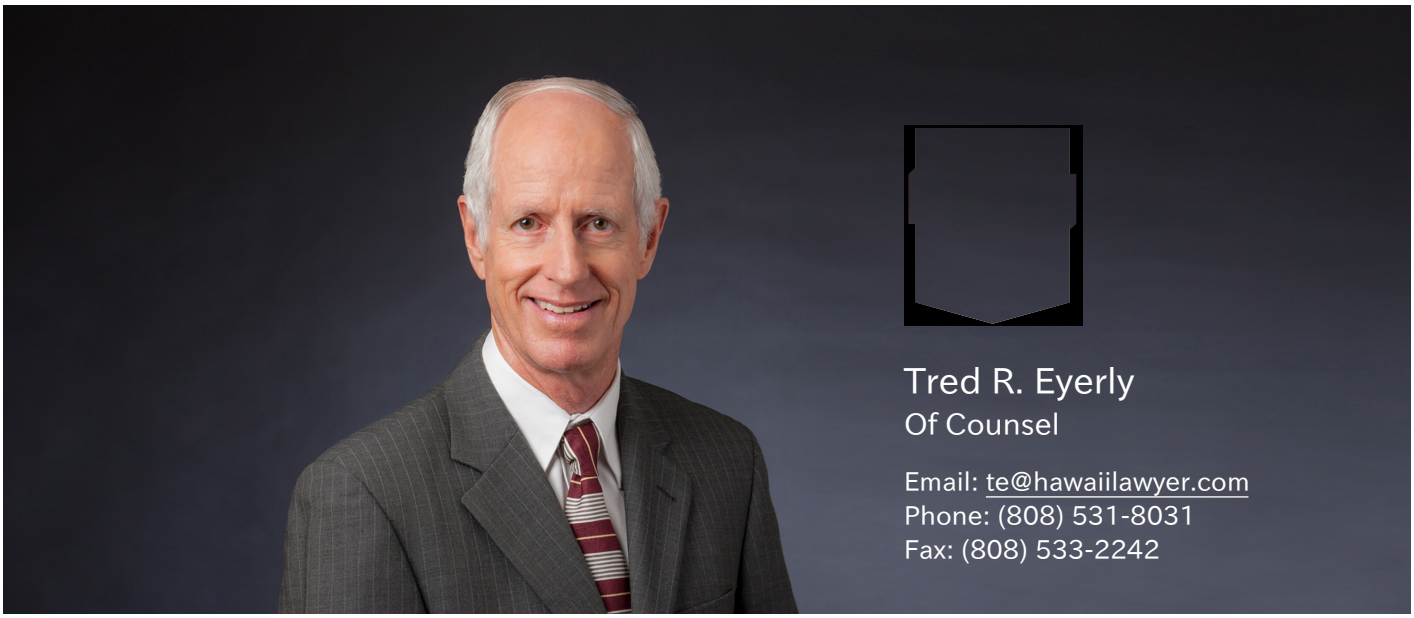


Tred R. Eyerly
Of Counsel

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Practice

Appeals

Insurance

Litigation & Dispute Resolution

Education

San Francisco Law School (J.D. 1979)

University of the Pacific (B.S. 1973)

Blog

www.insurancelawhawaii.com

Tred was named the Best Lawyers® 2026 Litigation-Insurance "Lawyer of the Year" in Honolulu. A designation given to a single attorney in each practice group by metropolitan area. Receiving this designation reflects the high level of respect a lawyer has earned among their peers for their abilities, their professionalism, and their integrity. He was also named the 2022 Best Lawyers® Litigation-Insurance Lawyer of the Year.

Tred once again was selected by his peers for inclusion in the 2027 Edition of The Best Lawyers in America® for his work in Commercial Litigation, Insurance Law and Litigation-Insurance. Tred is also recognized by Super Lawyers in the area of Insurance Coverage. He is A/V rated by his peers and clients under Martindale-Hubbel.

Tred has accumulated a wide variety of litigation skills, having practiced in Alaska, the Commonwealth of the Northern Mariana Islands, and Hawaii. Tred started his career working for Alaska Legal Services in bush Alaska before moving to Anchorage, working primarily with Alaska Natives on subsistence, sovereignty, and land entitlement issues throughout the state. He then worked for Micronesian Legal Services on Saipan, representing under-privileged clients confronted with a variety of legal problems.

For several years, Tred has been in private practice in Honolulu, concentrating on Insurance coverage and commercial litigation. Examples of his work include:

- Insurance Coverage: Represents both insurers and insureds on a variety of insurance coverage and bad faith issues. Clients include insurance companies, businesses, corporations, contractors, individuals, and condominium associations.
- Writes and publishes an award-winning insurance coverage blog.
- Past Chair of Hawaii Bar Association's Insurance Coverage Section. Co-editor of ABA's Insurance Coverage Litigation Committee's website.
- Business and Commercial Disputes: Handles a wide variety of commercial disputes regarding leases, patents, contracts, etc., through litigation, arbitration and mediation.
- Personal Injury:Successfully works on numerous types of personal injury suits representing both plaintiffs and defendants in wrongful death, toxic tort, product defects, and general negligence matters.
- Employment: Represents employers and employees in Title VII matters, wrongful termination, and employee discipline.

- Appellate Practice: Has handled appeals before the United States Court of Appeals for the Ninth Circuit, Hawaii Supreme Court, Alaska Supreme Court, and Commonwealth of the Northern Mariana Islands Supreme Court.
- Class Actions: Involved in numerous class action suits involving the Voting Rights Act, unlawful termination of service by utility service, employment discrimination, and pursuit of land, subsistence, and sovereignty rights by Alaska Natives.

For a list of reported cases in which Tred has been involved, go here.

He is a long-time runner, international traveler, and avid reader.

Admitted to Practice: California (1979); Alaska (1979); Commonwealth of the Northern Mariana Islands (1990); Hawaii (1992); United States District Court in Alaska (1985), Hawaii (2001), Northern Mariana Islands (1994); Ninth Circuit Court of Appeals (1983); United States Supreme Court (1985).

Professional and Community Affiliations

- American Bar Association
  - Construction Law Forum
  - Litigation Section
    - Co-Editor Insurance Coverage Litigation Committee's Website, Case Notes and Articles (2012-present); Co-Chair Additional Insureds Subcommittee (2010-2012)
  - Senior Lawyers Division
  - Tort Trial & Insurance Practice
- American Arbitration Association, Arbitrator
- Hawaii State Bar Association
  - Appellate Section
  - Insurance Coverage Litigation Section, Chair (2011-2013)
  - Litigation Section
- National Oceanic and Atmospheric Administration Whale Count
- Sierra Club's Sandy Beach Cleanups (Coordinator)
- State Bar of California
- Volunteer Legal Services Hawaii (Board Member)
- Judiciary Administrative Committee, co-chair of Civil Law Subcommittee
- American Judicature Society
- Publication Committee – Hawaii State Bar Journal
- Eagle Scout

Bar Admission

- State of Hawaii
- U.S. District Court (District of Hawaii)

Publications

- Author, "Insurance Coverage for Construction Defect Claims Remains Questionable in Hawaii," Hawaii Bar Journal (January 2026)
- Author, "Cyber Heist Excluded From Coverage," ABA Cybersecurity and Data Privacy Committee News (Winter 2023)
- Co-Author, "When Insurer's and the Insured's Interests Diverge on Whether to Settle the Underlying Claim," ABA's Coverage Journal (Fall 2022)
- Author, "All is Not Lost for Policyholders Seeking Coverage for COVID-19 Losses" (Damon Key Legal Alert Spring/Summer 2021)

- Co-Author, “Procedural Bad Faith – Recent Trends and Developments,” ABA’s Coverage Journal (Spring 2021)
- Author, “Is the Presence of Coronavirus ‘Direct Physical Loss or Damage’ Under a Property Policy?” (Hawaii Bar Journal – July 2020)
- Author, “Insurance Coverage and Coronavirus” (Damon Key Legal Alert Special Coronavirus 2020)
- Co-Author,”Coverage Issues for Climate Change Claims,” ABA’s Coverage Journal (Fall 2019)
- Author, “Insurance Companies and Climate Change,” (Damon Key Legal Alert Spring/Summer 2019)
- Associate Editor, The Urban Lawyer (2019)
- Author, “Insurance Coverage for Property Damage Caused by the Big Islands’ Volcanic Eruptions,” (Damon Key Legal Alert Spring/Summer 2018)
- Author, “Adequate Coverage for Condominium Associations Requires Anticipation of Risk,” Community Association Institute Newsletter, Vol 33, Issue 4 (August 2018)
- Co-author, “Seeing Around the Cyber Corner: What’s Next for Cyber Liability Policies?,” ABA’s Coverage Journal (Spring 2018)
- Co-author, “To Settle or Not to Settle? Bad-Faith Implications in Resolving Underlying Actions,” ABA’s Coverage Journal (Summer 2017)
- Co-author, “Determining Whether and When the Duty to Defend Ends,” ABA’s Coverage Journal (Summer 2016)
- Co-author, “Determining the Number of Occurrences and Its Effect on Coverage,” ABA’s Coverage Journal (Winter 2016)
- Author, Construction Defect Coverage in Hawaii – A Window to the Nationwide Debate, ABA’s Coverage Journal (Sep./Oct. 2013)
- Author, Group Builders Update – Divergence Between Federal and State Court Interpretations Regarding Coverage for Construction Defects (Damon Key Legal Alert Winter/Spring 2013)
- Author, Owner Controlled Insurance Programs – A Help or Hindrance (Damon Key Legal Alert Spring/Summer 2013)
- Co-author, Key Issues in Hawaii Insurance Law Answered by the Moon Court, 33 U. Haw. L. Rev. 779 (2011)
- Co-author, Hawaii Appellate Practice Manual (Hawaii State Bar Ass’n, 2012)
- Author, “The Battle Over Coverage For Construction Defects” (Hawaii Bar Journal – March 2012)
- Author, “Exclusions Got You Down? Consider Coverage for Ensuing Losses” (Coverage – Jan./Feb. 2011)
- Author, Group Builders Update – The Legislature Stirs the Pot (Damon Key Legal Alert Summer 2011)
- Author, When is Coverage in Your Homeowner’s Policy Triggered (Damon Key Legal Alert Spring 2010)
- Of Woodchucks and Prune Yards: A View of Judicial Takings From the Trenches, 35 Vt. L. Rev. 437 (2010) (with Robert H. Thomas and Mark M. Murakami)
- Co-author, “Getting Around LHWCA’s Exclusive Remedy Roadblock – Employee’s Claims Against Employer and Insurer for Intentional Torts” (Coverage – July/August 2010)
- Co-author, Hawaii Real Estate Law Manual (Vol. II, Hawaii State Bar Association, 2010)
- Co-author, The Annotated Construction Law Glossary (ABA Publishing 2010)
- Author, “Breadth of the Flood Exclusion: A Flood is a Flood, Including, Storm Surge” (ABA Insurance Coverage Litigation Committee Hot Topics Website June 2009)
- Co-author, Bad Faith Insurance Claims (Sterling Education Services,

Inc. Jan. 2009)
- Contributor, A State-by-State guide to Construction and Design law (2d. Ed. ABA Publishing 2009)
- Co-author, Top Nine Issues in Insurance Coverage (Lorman Education Services Nov. 2008)
- Co-author, 2007-2008 Construction Law Update: Case Law & Legislation Affecting the Construction Industry (ABA Forum on the Construction Industry, Division 10 2008)
- Contributor – Hawaii Legislative and Case Law Update for Construction Lawyer, 2006, 2007, 2008, 2009, 2010, 2011
- Co-author, Insurance Law: Third Party Coverage in Hawaii (NBI Aug. 2004)
- Co-author, Development of the Tort of Bad Faith (Lorman Education Services Feb. 2005)
- Co-author, Development of the Tort of Bad Faith (NBI July 2005)
- Co-author, Development of the Tort of Bad Faith (Lorman Education Services Feb. 2006)
- Co-author, Emerging Insurance Issues (Hawaii State Bar Journal Feb. 2007)
- Author, Insurance Blog – http://insurancelawhawaii.com
- Guest blogger, LexisNexis Insurance Law Center, Top 50 Blogger Series, http://law.lexisnexis.com/practiceareas/Insurance-Law
- Contributor, "Are You Covered," online publication of ABA Section of Litigation, Insurance Coverage Litigation Committee

Conferences and Seminars

- Speaker – "Appraisals – What's My Loss?" (ABA's Section of Litigation, Insurance Coverage Litigation Committee Seminar, March 8, 2024)
- Speaker -"Coverage Issues after Dobbs v. Jackson Women's Health Organization" (ABA's Section of Litigation, Insurance Coverage Litigation Committee Seminar, March 3, 2023)
- Speaker – "Insurance-Related COVID-19 Issues – Where We Are; Where We Are Going," (Hawaii Judicial Administrative Committee Sept. 9, 2022)
- Speaker -"Why Can't We Settle?- Consequences When Insurer and Insured Disagree on the Value of the Underlying Claim" (ABA's Section of Litigation, Insurance Coverage Litigation Committee Seminar, March 4, 2022) (co-author of paper presented)
- Speaker – "Procedural Bad Faith Claims Against Insurers: Understanding and Avoiding the Risks; Defenses; Evidentiary Issues" (Strafford Webinar, Jan. 18, 2022)
- Speaker – "The Future of Directors & Officers Insurance Coverage" (ABA's Section of Litigation, Insurance Coverage Litigation Virtual Committee Seminar, March 5, 2021)
- Speaker – "Procedural Bad Faith: The Latest Trends" (ABA's Section of Litigation, Insurance Coverage Litigation Committee Seminar, March 6, 2020) (co-author of paper presented)
- Speaker – "Floods, Volcanoes and Climate Change," (HSBA Bar Convention, Oct. 22, 2019)
- Speaker – "Erosion of the Direct Physical Loss Requirement" (ABA's Section of Litigation, Trial Tort Insurance Practice Section, Property Insurance Law CLE Conference, May 10, 2019) (co-author of paper presented)
- Speaker – "Changing Climate: Changing Risks and Policies" (ABA's Section of Litigation, Insurance Coverage Litigation Committee Seminar, March 1, 2019) (co-author of paper presented)
- Speaker – "Cyber Policies – The Next Waive" (ABA's Section of Litigation, Insurance Coverage Litigation Committee Seminar, March 1,

2018 (co-author of paper presented)
- Speaker – “Insurance Coverage for Environmental Claims” (Hawaii State Bar Association Convention, Oct. 18, 2017)
- Speaker – “When Insurer and Insured Differ on Whether to Settle: Bad Faith Implications” (ABA’s Section of Litigation, Insurance Coverage Litigation Committee Seminar, March 2, 2017) (co-author of paper presented)
- Speaker – “Coverage for Construction Defects: Hawaii Departs from Emerging Trend” (Honolulu Association of Insurance Professional, Sept. 13, 2016)
- Speaker – “Is There Any End to the Duty to Defend” (ABA’s Section of Litigation, Insurance Coverage Litigation Committee Seminar, March 5, 2016) (co-author of paper presented)
- Speaker – “Number of Occurrences” (HSBA Bar Convention, Oct. 24, 2014)
- Speaker – “Other Insurance Clauses” – Nautilus Ins. Co. v. Nautilus Ins. Co.” (HSBA Sections of Litigation and Insurance Coverage Litigation – July 22, 2014)
- Speaker, Caught in the Cross-Fire: Coverage, Defense and Legislation for Gun Claims (ABA’s Section of Litigation, Insurance Coverage Litigation Seminar – March 7, 2014, (co-authored paper submitted)
- Speaker, Construction Defect Update (HSBA Bar Convention, Sept. 27, 2013)
- Speaker – “Group Builders Update – Dispute Over Insurance Coverage for Construction Defects” (HSBA Section of LItigation – May 21, 2013)
- Speaker – “Bad Faith – Crossing the Line” (ABA Section of Litigation, Insurance Coverage Litigation Committee Seminar – March 1, 2013 (co-authored paper submitted))
- Speaker – “Insurance Coverage and Bad Faith Litigation: A Primer and 2012 Update” (HSBA Bar Convention, Sep. 21, 2012)
- Speaker – Webinar – “Triggering Coverage of Progressive First-Party Property Loss – Applying Manifestation or Injury-in-Fact Triggers in Continuous Damage Suits” (Strafford Publications – June 13, 2012)
- Speaker – “Do Lower Premiums Pay? Issues in High Deductibles/SIR and Retrospectively Rated Policies” (ABA, Section of Litigation, Insurance Coverage Litigation Committee Seminar – March 2, 2012)
- Speaker – “Insurance Bad Faith Claims” (Sterling Education Services, Inc., August 18, 2011); Co-Author on Written Materials for Seminar
- Speaker – “Ensuing Loss: Deny My Claim If You Must, But Cover My Resulting Loss” (ABA, Section of Litigation, Insurance Coverage Litigation Committee Seminar – March 4&5, 2011)
- Speaker – “Transfer of Coverage Under the Predecessor’s Liability Policies or Corporate Transactions – What Happened to the Insurance Policy?”(ABA, Section of Litigation, Insurance Coverage Litigation Committee seminar – March 6, 2009)
- Speaker – Bad Faith Insurance Claims (Sterling Education Services, Inc., Jan. 22, 2009)
- Speaker – Top 9 Issues in Insurance Coverage (Lorman Education Services, Nov. 6, 2008)
- Speaker – Development of Tort of Bad Faith (Lorman Education Services, Feb. 28, 2006)
- Speaker – “Pro Bono Litigation,” Federal District Bar Conference (Feb. 1996)


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