

Related Services

- Corporate
- Litigation

Insurance / Reinsurance: Dispute Resolution and Counseling

Recognized by *Chambers USA* for our “deep subject matter knowledge,” we represent national and multinational insurers and reinsurers in a wide range of matters, including high-exposure reinsurance matters, complex coverage and bad faith disputes, consumer class actions and routine coverage litigation where practical.

Reinsurance

We represent parties in some of the largest reinsurance disputes, both domestic and international, with billions of dollars in aggregate risk. Our experience includes disputes at the forefront of the industry, including those related to life reinsurance, catastrophes and natural disasters, asbestos and environmental, workers’ compensation and MGA programs.

Insurance

We represent insurers in direct litigation with insureds over issues of coverage and bad faith involving underlying claims for environmental, toxic tort, financial guarantee, advertising, directors and officers, E&O, fidelity and professional liability. We litigate first- and third-party issues under primary and excess policies in the commercial and personal lines, property/casualty and life insurance markets. Our cutting edge litigation work has created new law and established leading precedent favorable to insurers.

Experience

Reinsurance

- **Catastrophes/Natural Disasters:** We represent cedents and reinsurers in reinsurance disputes relating to losses from catastrophic events, including the World Trade Center, natural disasters, including Hurricane Katrina and California wildfires, and financial disasters. We also counsel on catastrophe losses ceded under whole account treaties and property-specific and ocean marine treaties.
- **Asbestos and Environmental:** We represent cedents and reinsurers in losses emanating from asbestos and other toxic torts and environmental pollutants, handling matters involving allocation and application of trigger, the application of asbestos exclusions and

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alleged failure to provide adequate loss information.

- Life: Numerous dislocations in the life insurance industry have led to disagreements about underwriting practices, agent and broker behavior and the sale of life insurance to parties with no perceptible insurable interest. The separate reinsurance pipelines for components of universal life, including, most particularly, yearly renewable term contracts, have created other controversies. We have been continuously active in these disputes in recent years.
- Workers' Compensation: We handle disputes arising out of reinsurance of workers' compensation, including statutory workers' compensation and excess workers' compensation, accident and health, and workers' compensation carve-out, and advise on scope of coverage, the allocation of losses and sunset and commutation provisions.
- Program Manager/MGA: We handle disputes arising out of insurance and reinsurance business written by Managing General Agents (MGA) and Program Managers, including those involving failure to properly monitor and supervise the conduct of MGAs, misrepresentation by MGAs and wrongful termination.

Insurance

- Representation of national insurers in personal lines and commercial claims arising out of catastrophes
- Prosecution of conspiracy, fraud, breach of duty and RICO actions against insureds and third parties selling phony workers' compensation insurance to purported insureds
- Representation of insurers in construction defect coverage litigation
- Representation of insurers in defending claims asserted in connection with bankruptcy court proceedings
- Providing advice and counsel to insurers with respect to the investigation of claims and coverage decisions
- Providing advice to national and international insurers and brokers regarding policy construction and wording
- Representation of insurance agents and brokers in errors and omissions claims
- Providing advice and counsel to insurers with respect to takeovers and contests for control
- Providing advice to insurers with respect to Medicare Secondary Payment Act