

Reinsurance Dispute Resolution Experience

JORDEN BURT attorneys have years of experience representing industry clients in the resolution of reinsurance disputes, including arbitrations, litigation, mediation and settlements. The depth of our knowledge regarding insurance company operations, accounting principles, and insurance industry products, provide a unique and informed perspective, allowing us to more effectively address the kinds of business issues that become central to such disputes.

JORDEN BURT's reinsurance dispute resolution experience encompasses both life/health and property/casualty business, domestically and in London, and many of the different participants in the reinsurance markets. A few examples of our experience:

- *Life/Health Reinsurance* - JORDEN BURT represented a participant in hundreds of reinsurance treaties in the London Personal Accident reinsurance market, involving a series of arbitrations in the UK, and the defense of a major US arbitration in New York City involving claims exceeding \$100 million. Our representation included advising on a strategic plan for managing and defending multiple arbitrations and lawsuits in this market, and representing the client in the U.S. arbitration and a related lawsuit
- *Property/Casualty* - JORDEN BURT has represented parties in the reinsurance of major catastrophic losses caused by hurricanes in the Southeastern United States.
- *Reinsurance Intermediaries* - The Firm has represented a reinsurance intermediary in litigation concerning the placement of reinsurance coverage for workers' compensation risks, and has represented companies asserting claims against reinsurance brokers.
- *Reinsurance Fraud* - The Firm has provided counseling, litigation and arbitration services with respect to fraud in reinsurance programs involving D&O and E&O coverages.
- *Lloyd's of London* - JORDEN BURT represented the Society of Lloyd's in litigation in United States federal courts, in which the claimants unsuccessfully sought to have the litigation managed by the Judicial Panel on Multidistrict Litigation.
- *Producer Owned Reinsurance Companies* - We are very familiar with the structure and operation of producer owned reinsurance companies and other "captive" reinsurers, and have litigated various issues relating to such entities, including issues arising as a result of the bankruptcy of the owner of such reinsurers. Some of these reinsurers have been domiciled in non-United States jurisdictions, such as the Turks and Caicos.
- *Reinsurance Claims* - The Firm has represented cedents seeking to recover on reinsurance claims and has represented a reinsurer against attempts by insureds to assert claims directly against the reinsurer.

We have been involved in a broad array of reinsurance disputes, having prosecuted and defended claims ranging from the validity of a single loss under a facultative certificate, to fraud and misrepresentation claims involving the potential rescission of a complex array of reinsurance

agreements covering an entire book of business, to the allocation of bad faith responsibility between a cedent and its reinsurer.

Our sophisticated litigation practice for insurance companies greatly contributes to our capabilities in the reinsurance area, enabling JORDEN BURT to provide high quality services on a cost-effective basis. For example:

- JORDEN BURT has broad experience in litigating and arbitrating issues with respect to insurance company products, operations, actuarial issues, accounting and the acquisition of entire books of business.
- We have experience as counsel of record in over 300 class actions, which routinely present complex procedural, insurance, and evidentiary issues.
- We have had experience in cases involving hundreds of thousands or even millions of pages of documents and electronic data, for which we have developed a range of in-house and vendor assisted computerized litigation support. Each matter is unique, and requires a customized approach in order to provide high quality, cost-effective services to our clients.
- Our trial lawyers include experts on the subject of electronic discovery. Several of our attorneys have written on e-discovery issues, and have moderated and lectured at continuing legal education programs addressing e-discovery issues.

For more information on our Reinsurance Dispute Resolution Group, contact:

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