

## Insurance

C&G's Insurance group has extensive experience litigating complex and high-value insurance and reinsurance claims, including in disputes involving antitrust issues, asbestos claims, bankruptcy issues, bid protests, class actions, contract issues, construction claims, coverage claims, D&O liability claims, employment litigation, environmental claims, fraudulent and deceptive insurance sales practices, libel claims, Medicaid disputes, general liability and product liability claims, and shareholder disputes.

Our practice is both wide-ranging and national in scope: we represent policyholders, insurers, reinsurers, and insurance brokers in litigation, arbitration, negotiations and mediations throughout the United States and internationally. Our attorneys have significant substantive experience in the litigation and arbitration practice areas that most often give rise to insurance disputes, including antitrust, securities, mass torts, and bankruptcy, and are equally comfortable negotiating a favorable commercial resolution of a dispute or taking it to trial. Additionally, our understanding of the industry makes us a good choice to represent companies and individuals in insurance-related regulatory investigations.

### Insurance Coverage Disputes

Representing a private equity firm in a dispute with an insurer that issued representations and a warranties policy in connection with the acquisition of a consumer products company, seeking to recover losses caused by the inaccuracy of target company's audited financial statements.

Represented a travel technology company in connection with major insurance coverage litigation related to the company's antitrust litigation with a major airline.

Successfully represented insurers in numerous insurance coverage disputes relating to hazardous waste and products liability class actions.

Obtained a defense verdict on behalf of a health insurance company in a lawsuit brought by a policyholder alleging failure to pay.

Advising on the scope and interpretation of English-law governing insurance policies.

Represented a director's and officer's liability insurance carrier in an action for declaratory relief and rescission relating to a policy, including in the multiday mediation for settlement.

Represented a monoline insurance company in litigation relating to the valuation of derivative contracts connected to the bankruptcy of a global financial services firm.

Represented a terminated Medicare Part D provider in appeal before Centers for Medicare and Medicaid Services challenging the calculation of the amount owed following its termination.

Represented an insurance company in an environmental disaster insurance dispute.

Represented a major insurance broker in a contract dispute with policyholders over construction coverage.

Represented, in England and the U.S., a global gaming company in proceedings to pursue insurance recoveries following the malfunction of recently acquired gaming hardware.

Represented a professional sports league in a negligence claim against its insurance broker alleging failure to properly maintain insurance policies and notify carriers of a covered event.

Represented defendants in an action asserting claims for fraud and rescission arising from the purchase of life insurance policies with a face amount of \$20 million, and argued successfully for dismissal on appeal of the rescission claim.

Represented a brewery in litigation with its insurers for liabilities arising out of an ice beer dispute.

Represented a medical device company in an insurance contract dispute.

## **Reinsurance Disputes**

Successfully represented a reinsurer in litigation arising out of an asbestos settlement.

Represented a hedge fund and reinsurance company in a RICO class action alleging deceptive sales practices relating to certain annuity products and accounting improprieties involving reinsurance transactions.

Represented the reinsurance business of a multinational conglomerate in a federal appeal relating to a reinsurance coverage dispute.

Represented reinsurers in a dispute regarding their obligation to “follow the fortunes” of primary carriers who had settled a large multi-decade asbestos liability claim.

Represented a Japanese financial institution in an array of disputes relating to complex reinsurance products, including securities fraud, common law fraud, and state regulatory violations.

## **Insurance and Reinsurance Investigations and Regulatory Proceedings**

Represent the former CFO of a multinational insurance provider in an SEC investigation relating to the company’s accounting practices.

Represented an insurance agency and several of its employees in an investigation in the U.S. Attorney’s Office for the SDNY involving allegations of a fraud scheme regarding stranger-owned life insurance (STOLI) policies.

Served as pool counsel for an insurance agency and several of its employees in an investigation by the U.S. Attorney’s Office for the Southern District of New York.

Represented a leading reinsurer in internal and regulatory investigations of large complex finite reinsurance transactions.

Represented a French holding company in connection with a federal criminal investigation and California Department of Insurance regulatory investigation, both arising out of the statutory rehabilitation of a large U.S. life insurance company, and in subsequent related class action lawsuits.

Represented a leading insurer in a number of federal and state regulatory investigations regarding broker compensation and price-fixing.

Represented an American finance and insurance corporation and its board in internal and regulatory investigations relating to reinsurance practices.

Represented an insurance company in an internal investigation and in regards to inquiries from the New York Attorney General’s office related to its brokerage practices.

## **Insurance Industry Disputes**

Represented a major financial institution in a securities fraud action filed by a mutual life insurance company regarding investments in mortgage-backed securities offered and sold to investors.

Defending an investment management company in a suit alleging securities and professional malpractice claims in connection with investments of deferred compensation in an estate enhancement product funded by split-dollar variable life insurance.

Represented a financial institution in AAA arbitration brought by a group of three affiliated insurance companies alleging that client induced them to purchase residential mortgage-backed securities by misrepresenting the associated credit risk.

Defended a financial institution in a FINRA arbitration matter initiated by an insurance company alleging material misrepresentations in connection with the sale of RMBS certificates, obtaining mutual walkaway on behalf of client.

Represented a hedge fund and life insurance company in responding to non-party subpoenas in a litigation dispute over the valuation of portfolios of life insurance policies.

Represented a state healthcare agency in connection with its bid protest against an insurance program’s award of a job to a competing bidder in a response to a public Request for Proposal on claims relating to both the scoring and underlying terms of the RFP.

Represented a financial services company in connection with multi-forum shareholder litigation challenging its merger with a large, publicly traded insurance company.

Represented a major insurance company in a series of statewide and nationwide class action claims alleging fraudulent and deceptive insurance sales practices.

Represented a ratings agency and insurer in relation to potential libel claims.

Represented an insurance company in litigation over a complex employee compensation issue.

Represented an insurance company in arbitration with its former managing general agent concerning the agent's transfer of the carrier's municipal business to a competitor.

Represented a significant U.S. financial advisory and insurance company in its opposition to a series of expedited actions for preliminary injunction challenging the board's decision to accept a proposal from a French majority shareholder to take the client private.

Represented an insurance company in pursuing fraud and breach of contract claims regarding a bank's securitization of residential mortgage-backed loans.

Produced documents as a third party for claims between a construction insurance company and its former employees.