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### **WELCOME FROM THE CO-CHAIRS**

Dear Colleagues,

Welcome to the ARIAS·U.S. 2025 Spring Conference!

We are fortunate to begin our program with a fireside chat with the Honorable Federico A. Moreno, United States District Court Judge, Southern District of Florida. Judge Moreno will draw upon his years on the bench to share insights on effective advocacy, his advice for young lawyers and testifying witnesses, his experience as an undergrad at Notre Dame (including whether Rudy is an accurate depiction), and presiding over many criminal and civil matters ranging from the Falcon and Magluta "Cocaine Cowboys" trial to the HMO MDL involving patients, doctors, and insurers.

This Spring's program addresses a varied group of subjects designed to give participants an opportunity to reflect on various insurance and reinsurance issues and issues concerning the arbitration process.

For at least the last several years, our conference faculty has pulled the laboring oar for these conferences, and this conference is no different in that respect. Our hard-working and creative faculty have put together terrific programming that will include dynamic and interactive discussions of:

- California Wildfires Insurance and Reinsurance Issues
- The Science of Settlement: Psychology and Mediation
- The Same but Different: Preparing and Presenting Your Case in Arbitration Versus Litigation
- Insureds' Direct Claims Against Reinsurers: Intentional, Unintentional, and Surprise Direct Liability
- Alternatives to the Advocate Arbitration System
- ARIAS·U.S. Law Committee's Key Case Presentations
- Ethics

We also have exciting breakout sessions to choose from:

- How to Proactively Avoid TPA or MGA-Related Disputes
- Retrospective Reinsurance Agreements Market Interest, Execution, and Industry Implications
- Emerging Risks
- Making Sense Out of War and Terrorism
- A Member Services Committee Targeted Networking Breakout Session

As always, the conference will provide a unique opportunity to learn from and interact with in-house counsel, outside counsel, arbitrators, and other participants in the arbitration process.

All program materials will be provided electronically before the conference.

Finally, the conference will be conducted in accordance with the ARIAS·U.S. Antitrust Policy, which is available in the "About ARIAS" section of the website, at www.arias-us.org.

We hope you enjoy the beautiful Biltmore Hotel and surrounding area!

Sincerely,

Jeanne KohlerErika Lopes-McLemanSeema A. MisraStacey SchwartzCarlton Fields, P.A.DentonsArch Insurance Group Inc.Swiss Re



**ATTIRE:** The general dress code for the conference is "business casual." This means that while speakers and panel members may be in business professional attire with a tie or suit jacket, it is not a requirement for attendees. Usually at these conferences, attendees will dress up a bit more for the evening reception.

**BADGES:** Conference badges will be issued to all attendees. Please wear your badge at all times to access all conference functions.

**SESSION MATERIALS:** For conference attendees, session materials are available on the ARIAS·U.S. website

**BREAKOUT SESSION ROOM ASSIGNMENTS:** Room assignments for the Breakout Sessions are included in the program on pages 8 - 11. Please refer to the list for the assigned session room. Be sure to attend your assigned session. Breakout Session Room Assignments can be located on the back of your badge.

**CONTINUING LEGAL EDUCATION:** Continuing legal education credits will be awarded for the State of New York and Pennsylvania and are pending for Illinois. Sign-in and sign-out sheets are only for attorneys who wish to receive CLE Credit. Certificates of attendance will be based upon these sheets and the attestation form that you will receive via email with the survey after the end of the conference. You must sign in and out of each conference day (you do not have to sign in and out for each session). The sign in and out sheets will be on the tables inside the General Session room each day. The maximum number of CLE credits anticipated to be available is 8 General Practice credits and 1 Ethics credit.

**ARIAS.U.S. CERTIFICATION:** Anyone receiving credit for ARIAS.U.S. Certification does not have to sign in and out and will not be provided with a certificate of completion for the training.

**OBTAINING CREDIT FOR THE CONFERENCE:** You will not receive full credit for a session if you are standing in the hallways or arrive late or leave early. The training is taking place in the session rooms; you must be inside. This is true both for CLE training and for ARIAS·U.S. Certification credit. To be clear, anyone who is attending for ARIAS·U.S. certification renewal or for initial certification and who is not in the session rooms will be considered as not completing the attendance requirement for certification/recertification.

**OPINIONS AND COMMENTS:** Opinions and comments expressed in the enclosed materials and during the conference sessions are not necessarily those of ARIAS·U.S., the firms or companies with which the speakers are associated, or even the speakers themselves. Some arguments are made in the context of fictitious disputes to illustrate methods of handling issues; others are individual opinions about the handling of an issue. Every dispute or matter presents its own circumstances that provide the context for decisions.

We hope you enjoy the conference!

## ARIAS·U.S. Spring Conference 2025 Agenda

Coral Gables, Florida

### Wednesday, April 30, 2025

9:00 a.m. – 6:00 p.m. Registration

Country Club Ballroom Foyer

10:00 a.m. – 12:00 p.m. Women's Resource Committee Networking Event

Brickell, Lower Level

Sponsored by: CHAFFETZ Steptoe

The WRC will be preparing care boxes for LGBTQIA+ youth and victims of domestic violence. After the activity there will be time to connect with other attendees. (Pre-registration was required)

registration was required)

11:30 a.m. – 1:00 p.m. Opening Lunch

Alhambra Ballroom

Including the MSC AMBASSADORS LUNCH – The arbitrators and assigned MSC Ambassadors will meet for lunch. Please arrive at 11:15 am. The FUTURE LEADERS COMMITTEE will also meet during this lunch. Please look for designated tables.

1:15 p.m. – 1:25 p.m. Welcome

Country Club Ballroom

**Larry P. Schiffer**, Executive Director, ARIAS·U.S. **2025 Spring Conference Co-Chairs** 

1:30 p.m. – 2:00 p.m. Keynote Speaker

Country Club Ballroom

A fireside chat with **The Honorable Federico A. Moreno**, *United States District Court Judge*, *Southern District of Florida*, and *ARIAS·U.S. Chair*, **Joshua Schwartz** 

2:05 p.m. – 3:05 p.m. General Session 1: California Wildfires Insurance and Reinsurance Issues

Country Club Ballroom

**Jeff Rubin**, JM Rubin Consulting **Teresa Snider**, Porter Wright Morris & Arthur LLP

Spencer Kook, Hinshaw

Elliott R. Feldman, Cozen O'Connor

The recent California wildfires will undoubtedly present numerous insurance and reinsurance coverage issues. In this Industry Talk, the panel will draw upon their experience with respect to past California wildfires and the Santa Ana winds to discuss the insurance and reinsurance coverage issues that may arise and applicable legal authorities. The panel will also address issues implicated by potential transfers of subrogation claims (such as claims against utility companies) from insurers to hedge funds. Finally, the panel will discuss the impact of the most recent California wildfires on the California market, including the residual market/FAIR Plan, and resulting implications for the insurance and reinsurance industry.

3:05 p.m. – 3:35 p.m.

**Refreshment Break** 

3:35 p.m. – 4:35 p.m.

## General Session 2: Psychology of Settlement: Psychology and Settlement

Country Club Ballroom

Katherine Koener, Kelley Kronenberg Anne Kevlin, Kevlin Mediation Nora Deveau, Arch Insurance Group Inc Daniel Hargraves, AmTrust Financial Services, Inc.

Emotions often derail settlement negotiations. In this session, attorney Katie Koener, mediator and arbitrator Anne Kevlin, and company executives Nora Deveau and Daniel Hargraves will explore how certain psychology concepts help "lower the temperature" to optimize settlement negotiations whether through mediation or otherwise. Learn what causes emotions like anger, hostility, and "shutting down" in the settlement context, and learn responses and actions that help bring parties back to the table with mindsets primed for successful resolution. This session will discuss some leading mediation and negotiation texts such as: Holding the Calm, The Art of Persuasion, Getting to Yes, and Never Split the Difference.

4:45 p.m. - 5:45 p.m.

## General Session 3: The Same But Different: Preparing and Presenting Your Case in Arbitration Versus Litigation

Country Club Ballroom

Thomas Cunningham, Sidley Austin LLP Sarah D. Gordon, Steptoe LLP Jonathan Rosen, Arbitrator Frank Papalia, FDP Advisory, LLC

Depending on contract language, disputes can be resolved by arbitration or litigation. That distinction holds profound evidentiary, strategic, and tactical implications for resolution of complex reinsurance disputes. This panel will explore evidentiary rules that all arbitrators should know. It will also discuss principles for parties and counsel to bear in mind in preparing and presenting witness testimony and documentary evidence, conducting cross-examinations, and making openings and closings to arbitrators on the one hand and judges and juries on the other.

6:30 p.m. – 8:00 p.m.

### **Cocktail Reception**

Country Club Courtyard

The arbitrators and assigned MSC Ambassadors will regroup and then enter the cocktail reception together maximizing the arbitrators' opportunity to expand their network. Please arrive at 6:15 p.m.

### **Thursday, May 1, 2025**

7:00 a.m. – 5:00 p.m. Registration

Country Club Ballroom Foyer

7:00 a.m. – 8:30 a.m. Breakfast

Granada Ballroom

Sponsored by:

**TransRe** 

8:35 a.m. - 9:35 a.m.

General Session 4: Insureds' Direct Claims Against Reinsurers: Intentional, Unintentional, and Surprise Direct Liability

Country Club Ballroom

Elizabeth Kniffen (Moderator), Zelle LLP Jonathan Bank, Arbitrator Keith Kaplan, Anselma Capital Ellen Kennedy, United Educators John Glowacki, Riverstone Resources, LLC

This session will explore reinsurance clauses that may or may not expose a reinsurer to direct liability, including cut through clauses, claims control clauses, and cooperation clauses, as well as what actions on the part of a ceding company and reinsurer may open the door to direct claims by insureds. Although sometimes intentional, as in the case of cut through provisions, other involvement by reinsurers may also create a path for direct claims by an insured – leading to "surprise" direct liability.

9:40 a.m. - 10:40 a.m.

### **Breakout Sessions A**

Sponsored by: Kennedys ZURICH O'Melveny Munich RE

Retrospective Reinsurance Agreements - Market Interest, Execution, and Industry Implications

Bowman, Lower Level

Andy Rothseid (Moderator), Gallagher Re
Paul Brockman, Enstar US
Adriana Cotter, Norton Rose Fulbright
Michael Halsband, McDermott, Will & Emery

Retrospective reinsurance agreements – commonly and perhaps now, inaccurately, referred to as "legacy deals," continue to develop. Once a novel solution for companies experiencing adverse loss development, they are now used more frequently as a capital relief tool effecting company rating and shareholder value. The implications of these transactions are far reaching and affect many touch points including: Diligence requirements; Non-disclosure agreements; Contract negotiation and drafting; Disputes relating to the level and adequacy of disclosure. This panel – consisting of representatives of companies that purchase these covers, provide these covers, and those who document these types of transactions – will explore the development of the market and the types of issues that practitioners should understand when addressing their clients' concerns.

### **Emerging Risks**

Stoneman Douglas, Lower Level

Jack Vales, Dentons US LLP Jim Dolan, Enstar US Frank DeMento, Transatlantic Re Lisa Simon, Swiss Re

This emerging risks panel will explore a range of emerging risks, including 1) alcohol, 2) highly processed foods, 3) microplastics, 4) climate-related legislation, 5) psychedelics, and 6) PFAS. The panel will explore the potential legal grounds for such claims, the extent to which such claims are likely to gain traction in the current climate, and insurance and reinsurance considerations related to such claims.

### Making Sense Out of War and Terrorism

Merrick, Lower Level

Marnie Hunt, Aon Elizabeth Mazzocco, Foley & Lardner LLP

Within the last five years, the world has witnessed civil unrest and war in Chile, Ukraine, France, the US and other countries. Sometimes this "civil unrest and war" categorization may actually be a combination of war, civil war, riot, terrorism, and/or cyber events, which cannot neatly fit into one definition. On this panel, we will explore the various events and potentially relevant language. For example, we will look at War vs Conflict / Protests; Terror vs Riot / Mischief; Cyber War vs Terror vs Mischief.

### How to Proactively Avoid TPA or MGA-Related Disputes

Tuttle, Lower Level

Peter Steffen, Smith Gambrell Russell Joe Loggia, Buxbaum Loggia David Bradford, Zurich North America

Relationships between insurance and reinsurance companies and TPAs/MGAs/MGUs can be a profitable win-win business tool or, if not managed properly, end with finger-pointing and potential disputes. A recent AM Best report even cited MGA relationships as a cause behind certain insurance company insolvencies. In this presentation, we will guide the audience as to how best to manage these relationships and prevent the issues that sometimes arise when the insurance company authorizes a TPA, MGA, or MGU to act on its behalf.

### **Member Services Committee Networking Event**

Country Club Ballroom

**Leslie Davis,** Troutman Pepper Locke, LLP **Michael Robles,** Husch Blackwell

Member Services Committee (MSC) Targeted Networking Breakout Session - New company representatives, lawyers, and arbitrators are always joining ARIAS·U.S. Developing connections with those new members can be challenging. This is your opportunity to build and diversify your network by engaging with ARIAS·U.S.' newest members in a fun and relaxed but organized format, which will be customized to the group registering for this session.

10:45 a.m. - 11:15 a.m.

**Refreshment Break** 

Sponsored by:



11:20 a.m. – 12:20 p.m.

**Breakout Sessions B** 

Sponsored by: Kennedys ZURICH O'Melveny Munich RE

Retrospective Reinsurance Agreements - Market Interest, Execution, and Industry Implications

Bowman, Lower Level

Andy Rothseid (Moderator), Gallagher Re
Paul Brockman, Enstar US
Adriana Cotter, Norton Rose Fulbright
Michael Halsband, McDermott, Will & Emery

Retrospective reinsurance agreements – commonly and perhaps now, inaccurately, referred to as "legacy deals," continue to develop. Once a novel solution for companies experiencing adverse loss development, they are now used more frequently as a capital relief tool effecting company rating and shareholder value. The implications of these transactions are far reaching and affect many touch points including: Diligence requirements; Non-disclosure agreements; Contract negotiation and drafting; Disputes relating to the level and adequacy of disclosure. This panel – consisting of representatives of companies that purchase these covers, provide these covers, and those who document these types of transactions – will explore the development of the market and the types of issues that practitioners should understand when addressing their clients' concerns.

### **Emerging Risks**

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### How to Proactively Avoid TPA or MGA-Related Disputes

Tuttle, Lower Level

Peter Steffen, Smith Gambrell Russell Joe Loggia, Buxbaum Loggia David Bradford, Zurich North America

Relationships between insurance and reinsurance companies and TPAs/MGAs/MGUs can be a profitable win-win business tool or, if not managed properly, end with finger-pointing and potential disputes. A recent AM Best report even cited MGA relationships as a cause behind certain insurance company insolvencies. In this presentation, we will guide the audience as to how best to manage these relationships and prevent the issues that sometimes arise when the insurance company authorizes a TPA, MGA, or MGU to act on its behalf.

12:20 p.m. – 1:30 p.m.

### Lunch

Granada Ballroom

1:30 p.m. – 6:00 p.m.

### **Social Activities**

**Golf:** Pre-registered golfers should arrive at the Golf Pro Shop no later than 30 minutes before their starting tee time.

**Tennis:** Contact the concierge to reserve a tennis court and get 2 hours of free playing time.

6:00 p.m. – 7:30 p.m.

### **Cocktail Reception**

Granada Center Terrace

### Friday, May 2, 2025

7:00 a.m. – 12:30 p.m. Registration

Country Club Ballroom Foyer

7:00 a.m. – 8:30 a.m. Breakfast (includes Newer Arbitrator/Mediator Breakfast)

Granada Ballroom

7:00 a.m. – 8:30 a.m. ARIAS·U.S. Committee Meetings

**Arbitrator Service Committee** 

Bowman, Lower Level

8:35 a.m. – 9:35 a.m. General Session 5: Alternatives to the Advocate Arbitration System

Country Club Ballroom

Joshua Schwartz, Premia Cia Moss, Chaffetz Lindsey Mark Chudleigh, Kennedys

Tim Curley, Allianz Reinsurance America

Jennifer Cavill, Chubb

How did we arrive at an arbitration system where the arbitrators advocate and ex parte communication is the norm? While the ARIAS·U.S. community has considered neutral arbitration as an alternative to the advocate system, the ARIAS·U.S. neutral rules have not taken off. This general session is designed to analyze the current state of play in ARIAS·U.S. arbitrations and to consider non-advocate options for ARIAS·U.S. arbitration tribunals. The panel will explore the utility of arbitrator advocacy and ex parte communications, along with ethical considerations that the system presents; the panel will also consider the potential benefits of non-advocate tribunals and whether ARIAS·U.S. should provide a non-advocate offering. The ARIAS·U.S. Board has established a Task Force to evaluate these issues and generate recommendations. This session will provide the ARIAS·U.S. community with an opportunity to ask questions and share their experiences as we collectively consider these important questions.

9:35 a.m. – 10:05 a.m. Refreshment Break

Sponsored by: O'Melveny

10:05 a.m. - 11:05 a.m.

## General Session 6: ARIAS·U.S. Law Committee - Key Case Presentations

Country Club Ballroom

Michael Carolan (Moderator), Troutman Pepper Locke Tricia Duffy, Saul Ewing Gabby Siskind, Zelle Maggie Burnside, Troutman Pepper Locke Josh Shettle, Enstar US Stephen Turner, Dentons US LLP

Back by popular demand, in this session our panelists will discuss recent key insurance or reinsurance cases and make the case for why their case is the most important, with conference attendees ultimately deciding which of these cases is the most significant for the insurance or reinsurance industry.

11:10 a.m. – 12:10 p.m.

### **Ethics Session**

Country Club Ballroom

### **Members of the Ethics Committee**

Following on the enforcement discussions from the last two conferences and at the Ethics Town Halls, members of the Ethics Committee will present the new enforcement procedures, which will be launched after the Spring Conference.

12:10 p.m. – 12:25 p.m.

### **Closing Remarks**

Joshua Schwartz, Premia

### **KEYNOTE SPEAKER**



### **JUDGE FEDERICO A. MORENO**

United States District Court Judge, Southern District of Florida

Judge Moreno has served as a United States District Judge since August 15, 1990. In July 2007, he became Chief Judge of the Southern District of Florida, serving until June 2014, and later that year was elected to the Judicial Conference of the United States where he has served as a member of the Executive Committee.

Judge Moreno was born in Caracas, Venezuela, in 1952. His family comes from Spain and France, and he is fluent in both Spanish and French. He moved to the US at the age of 12, settling in Indiana. Judge Moreno graduated from the University of Notre Dame and the University of Miami School of Law.

After private practice with William A. Meadows, Judge Moreno became an assistant federal public defender in 1979. After obtaining significant trial experience, Judge Moreno returned to private practice and joined Thornton, Rothman and Moreno.

In 1986 at 34 years of age, Judge Moreno was appointed to Miami-Dade County Court by Governor Graham. Two years later, he was elevated to the Eleventh Judicial Circuit in Miami-Dade County, where he served until 1990 when President George H.W. Bush appointed him to the federal bench. At the time, Judge Moreno was the youngest sitting district judge in the country and the first Latin American-born judge to serve in the Southern District of Florida.

Judge Moreno has been the recipient of the Catholic Charities Outstanding Immigrant Award, the Greater Miami Jewish Federation Lifetime Achievement Award, the Cuban American Bar PAVER Award, the Kogan Award from the Florida Association of Criminal Defense Attorneys, the University of Miami Alumni Achievement Award, and only one of three recipients to have ever received the Notre Dame Law Alumni St. Thomas More Award.

### **BIOGRAPHIES**



### **JONATHAN F. BANK**

Jonathan Bank's 50 years of practice focused on reinsurance/insurance, insurance company restructuring and regulatory related matters (credit for reinsurance/collateral) for both the domestic and foreign/alien insurers/ reinsurers as well as captive insurance markets. He spent three years employed by UK market participants, including PwC UK, working on several of the UK major liquidations. He spent 17 years with Lord Bissell & Brook (Locke Lord), retiring last year from Norton Rose Fulbright. He has consulted for the CA CLO (Conservation & Liquidation Bureau) and is involved in reinsurance arbitrations as both an Umpire/Arbitrator. He has authored over 25 articles on reinsurance published in, among others, Business Insurance, ReActions, and Reinsurance Magazine.



**DAVID BRADFORD** *Zurich North America* 

David Bradford is Associate General Counsel for Zurich North America and is responsible for its U.S. National Accounts, Middle Markets and Specialties Business Units. David joined Zurich in 2006 and has held a variety of senior legal positions during his 19 years at the company. This included serving as Senior Associate General Counsel where he was responsible for ZNA's many reinsurance involvements, including loss portfolio transactions, ILS vehicles, treaties, facultative certificates, and captive arrangements. Throughout his tenure at Zurich, David has overseen reinsurance arbitrations and litigation.

Outside of Zurich, David serves as an ARIAS·U.S. Certified Umpire and Arbitrator.

Prior to joining Zurich, David specialized in reinsurance and insurance coverage disputes at the law firm of Lord, Bissell & Brook where he counseled and represented domestic and international insurers and reinsurers.

David is a member of the Illinois bar, as well as the federal district court in Illinois.



**PAUL BROCKMAN** *Enstar US* 

Paul Brockman was appointed Group Chief Commercial Officer in October 2024. Mr. Brockman joined Enstar in 2012 and has held several senior positions during this time, including Group Chief Operating Officer from March 2023 to October 2024, whilst also serving as Interim CEO of Enstar EU from January 2024 to July 2024 and Group Chief Claims Officer from September 2020 to January 2024. Prior to this he served as President & Chief Executive Officer of Enstar (US) Inc. from July 2016 to September 2020, President & Chief Operating Officer of Enstar (US) Inc. from 2014 to 2016, and Senior Vice President, Head of Commutations from 2012 to 2014. Mr. Brockman began his career in the Lloyd's and London market in 1992, spending 20 years in senior roles at Resolute Management Services and Equitas.



**MAGGIE BURNSIDE** Troutman Pepper Locke

As an attorney with Troutman Pepper Locke, Maggie's practice involves litigation, arbitration, and counseling on a wide range of commercial disputes, with an emphasis on complex insurance and reinsurance disputes. In addition to insurance and reinsurance disputes, she has experience with general commercial business litigation, defending against class action claims, intellectual property disputes, and advising on sexual misconduct claims. Maggie has represented clients in both domestic and international reinsurance disputes involving yearly renewable term life reinsurance premiums, increase in retention and recapture provisions, policy recission, underwriting and claims-handling practices, and general coverage. In addition to her litigation and dispute work, Maggie is also involved in a variety of probono matters including immigration and general litigation.



**MICHAEL CAROLAN** Troutman Pepper Locke

Michael is a Partner in Troutman Pepper Locke's Insurance & Reinsurance Litigation Practice Group. Over his career, Michael has represented company and intermediary clients across the life, health, and property/casualty markets in a wide range of reinsurance, insurance, and commercial disputes involving issues such as yearly renewable term reinsurance premiums, catastrophe reinsurance, aggregation of losses, underwriting practices and claims management, recapture, allocation, follow the fortunes and follow the settlements, rescission, fraud, misrepresentation, and sunset and commutation clauses. These matters relate to a variety of underlying exposures and business lines, including 9/11, sexual abuse/molestation, COVID-19, mass torts, construction defects, hurricanes, wildfire, variable annuities, individual life, long-term care, and more. Michael's experience includes mediation and litigation in both state and federal courts and arbitration in a variety of U.S. and international settings.



**JENNIFER CAVILL**Chubb

Jennifer Cavill is Senior Counsel with Chubb's Global Reinsurance Litigation Department. She manages reinsurance litigation and arbitration and consults on legal issues relating to reinsurance. Prior to her current role, Jennifer held technical and management positions in Chubb's Financial Lines Claims Department for over 20 years. There she managed complex D&O and Professional Liability claims across various lines of business with a focus on Financial Institutions and Transactional Risk (aka Representations & Warranties) insurance.

Before joining Chubb, Jennifer practiced with the litigation department at the Pittsburgh law firm of Thorp, Reed and Armstrong. She graduated from the Georgetown University Law Center and Phillips University in her native Oklahoma. She now resides in Park City, Utah. She currently is Co-Chair of the ARIAS·U.S. Forms and Procedures Committee.



**MARK CHUDLEIGH** *Kennedys* 

Mark has over three decades' experience of commercial litigation and arbitration, including in England, the United States and Bermuda. He practiced in London before returning to his native Bermuda where he is managing partner of Kennedys' Bermuda office.

Mark maintains an international practice and frequently acts on multijurisdictional (re)insurance matters, particularly matters involving the United States, having been admitted to the California Bar. He is well known for his work in relation to (re)insurance arbitrations having represented clients in arbitration proceedings in the United States, the United Kingdom, Switzerland, Canada and Bermuda and under institutional rules including ARIAS·U.S., UNCITRAL, CIArb, LCIA, Lloyd's, JAMS and AAA. He has particular expertise in English and Bermuda arbitrations under the so-called "Bermuda Form".

Mark acts as an expert witness on arbitration issues and has been appointed as an arbitrator in eight references, three the subject of a final hearing/award, including a complex, high-value dispute in which Mark was appointed as chair of a three-arbitrator panel.

Mark is recognised as a leading lawyer by several directories, including *Chambers Global* and *The Legal 500* and is head of the Appointments Committee of the Chartered Institute of Arbitrators, Bermuda Branch.



**ADRIANA COTTER**Norton Rose Fulbright

Adriana Cotter is a corporate and regulatory insurance lawyer based in the London office of Norton Rose Fulbright LLP. She focuses on regulatory, commercial, and transactional work (including M&A and portfolio transfers) for UK and international (re)insurers and intermediaries in both the Company and the Lloyd's market. She has a strong focus on the legacy sector and has advised on complex reinsurance arrangements, both as standalone deals and as a precursor to an exit solution. Her practice covers the full range of the insurance life cycle from start-ups to run-off. Chambers UK has ranked her in its non-contentious insurance category with a client stating "Her strong commercial awareness combined with attention to detail ensures the best outcome for her clients. She is thorough, knowledgeable and reliable, balancing risks and rewards appropriately, which she communicates clearly and succinctly" and another stating "Her regulatory knowledge is great".



**THOMAS CUNNINGHAM**Sidley Austin LLP

TOM CUNNINGHAM is head of Sidley's insurance and reinsurance dispute practice. For over 25 years, he has represented insurers, brokers, agents, and others in complex litigation, arbitration and regulatory investigations. Tom has repeatedly been asked to replace prior counsel, sometimes after discovery has closed, to prepare high stakes cases for trial.

He regularly represents parties in both property/casualty and life/health matters. He has represented clients in state insurance department investigations and market conduct examinations respecting insurer sales practices, annuity suitability and costs of insurance issues, MGU and TPA agency contracts and disputes, and unclaimed property practices. Tom has handled disputes involving allocation and aggregation of losses, asbestos, bad faith, COVID-19, cybersecurity, late notice, long-term care, follow-the-fortunes, pollution, utmost good faith, ownership of expiration rights, consolidation of arbitration, commutations and loss portfolio transfers. Tom is ranked by *Chambers USA* and included in the *Best Lawyers in America*.



TIMOTHY CURLEY
Allianz Reinsurance America

Tim Curley is the Assistant General Counsel, Head of Reinsurance and Claims Litigation at Allianz Reinsurance America, where his practice includes ceded and assumed reinsurance issues, including arbitrated and litigated disputes. Prior to joining Allianz in 2017, Tim represented cedents and reinsurers as a counsel in private practice. Tim's legal career has spanned over 29 years and has included periods outside of reinsurance in government service at the Commercial Litigation Branch of the U.S. Department of Justice, the Navy Office of General Counsel and the Navy Judge Advocate General's Corps.



**LESLIE DAVIS**Troutman Pepper Locke

Leslie is a partner in the Insurance/Reinsurance practice at Troutman Pepper Locke LLP with over two decades of experience litigating complex commercial cases in federal and state courts throughout the United States, as well as in domestic and international arbitrations. Leslie's practice focuses on representing insurers and reinsurers in a broad spectrum of disputes, including life/health and property/casualty matters, as well as working alongside clients to develop strategies for addressing significant business issues. Throughout her career, Leslie also has represented insurers in complex mass tort-related bankruptcy cases and follow-on coverage litigation, including cases involving asbestos, talc, and abuse claims.



**FRANK DEMENTO** *Transatlantic Re* 

Frank DeMento is Senior Vice President and Claims Manager at TransRe. Before joining TransRe, he held senior positions, including Senior Counsel at Crowell and Moring LLP, Vice President at XL Reinsurance America, Inc., and partner at Mendes and Mount, LLP. Frank has been involved in industry associations, serving on the Education and Claims Committee, the Association Governance Committee of the Intermediaries & Reinsurance Underwriters Association (IRUA), and the Board of Directors of ROM Reinsurance Management Co. and the Association of Insurance and Reinsurance Runoff Companies. He is an ARIAS·U.S. certified arbitrator and holds industry designations such as Associate in Reinsurance, Chartered Property Casualty Underwriter, and Certified Legacy Insurance Professional. Frank earned his undergraduate degree from Washington and Lee University and his Juris Doctor from St. John's University School of Law.



**NORA DEVEAU** Arch Insurance Group Inc

Nora is Deputy Chief Claims Officer for Arch Insurance Group Inc. She was promoted from Executive Vice President of Claims in December 2022. Nora has technical claims responsibility for all business lines in the portfolio. She joined Arch's Casualty claim department in January 2005 and has held various roles of increasing responsibility, including as Senior Vice President and Chief Technical Claim Officer. Prior to joining Arch, she practiced as an associate attorney at Mendes & Mount, LPP, an insurance defense firm. Nora has a Juris Doctor from St. John's University School of Law and a Bachelor of Science with honors from the University of Scranton. She is a licensed attorney in New York.



JIM DOLAN Enstar US

Jim Dolan has provided legal counsel and strategic advice to insurers for over thirty years, both as outside counsel and in senior in-house legal roles. He currently serves as Senior Vice President and Group Coverage Counsel at Enstar (US) Inc., where he sets strategy for the handling and resolution of insurance coverage disputes across all lines of business written by insurers owned or managed by Enstar across the globe. Prior to his tenure at Enstar, Jim acted as chief counsel to a super-regional mutual insurance company, and he spent nearly 20 years representing international insurers in first- and third-party coverage actions at Cozen O'Connor in Philadelphia and New York. Jim received his undergraduate degree from Duke University and his J.D. from Widener University School of Law.



**TRICIA DUFFY**Saul Ewing

Tricia Duffy is a litigator who handles high-stakes commercial matters and complex insurance coverage disputes in both state and federal courts. Her experience includes defending corporate clients in breach of contract matters, class actions, and trade secret disputes. Tricia also represents major insurers with matters involving general liability and environmental liability insurance policies, including PFAS-related claims and cases relating to historical contamination. She also has experience serving as local counsel in the Eastern District of Pennsylvania to several insurers relating to coverage disputes.



**ELLIOTT R. FELDMAN**Cozen O'Connor

Elliott R. Feldman serves as co-chair of the Subrogation & Recovery Department, which has been his principal area of practice for the past 40-plus years. Elliott joined Cozen O'Connor in 1982, and has litigated and tried numerous complex and substantial cases on behalf of the firm's insurance and commercial clients. Elliott is a member of Cozen O'Connor's board of directors, and also serves on the firm's Management Committee.

Elliott received his Bachelor of Arts, summa cum laude, in 1975 from Temple University and, after doing graduate work at Harvard University, earned his law degree, cum laude, from Temple University School of Law in 1980.

On a personal basis, Elliott and his family are highly engaged in supporting efforts of the Juvenile Diabetes Research Foundation to find a cure for Type 1 diabetes. Elliott is a former member of the board of directors of the JDRF's Philadelphia Chapter.



**JOHN GLOWACKI** *Riverstone Resources, LLC* 

John holds the position of Litigation and Reinsurance Attorney with RiverStone Resources, LLC, supporting the Assumed and Ceded Reinsurance departments. Prior to joining RiverStone, John served as Vice-President, Assumed Reinsurance and Vice President — Assistant General Counsel, at R&Q Solutions in Philadelphia. John began his career in insurance as outside coverage counsel for the CIGNA Companies and later served in legal and claims roles at Chubb. John holds a Juris Doctorate degree from the Notre Dame Law School and an M.B.A. in Risk Management and Insurance from Temple University, as well as industry designations, including C.P.C.U. and ARe.



**SARAH D. GORDON**Steptoe LLP

Sarah Gordon leads Steptoe's top-tier Insurance & Reinsurance practice and maintains a multifaceted litigation practice that encompasses insurance and reinsurance, commercial litigation, and professional liability. Clients appreciate her practical approach and ability to translate complex matters into concise, persuasive arguments.

In the insurance and reinsurance realm, Sarah represents clients in complex litigation before federal and state courts and arbitration panels. She represents insurance companies involved in a wide range of coverage disputes, including latent health coverage claims, long-tail environmental coverage claims, and claims against directors and officers. Most recently, she has been centrally involved on behalf of insurers in coverage disputes over COVID-19 claims, sports-related brain injury claims (concussions), PFAS, cyber coverage claims, and abuse claims. On the reinsurance side, Sarah's work routinely involves the duty of utmost good faith, the interpretation of treaty language, claims management, premium disputes, and underwriting practices. Sarah has extensive arbitration experience.



MICHAEL HALSBAND McDermott, Will & Emery

Michael R. Halsband has more than 25 years of leadership experience in the insurance and reinsurance industry, including in investment banking and capital markets. He is the global leader of the Firm's Insurance Transactions and Regulation Group. His wide-ranging experience includes insurance broker and carrier M&A, new company formation, capital raises and new product development (principally for InsurTech startups); complex structured (re) insurance transactions; insurance-linked securities (ILS); distressed portfolio run-off administration and general corporate insurance regulatory matters. His broad industry knowledge comes from his experience as an executive and investment banker spearheading key business initiatives at Sirius Group, Goldman Sachs, Deutsche Bank and Alea Group. Over the course of his career, Michael has built an innovative transactional practice and is valued by clients as much for his guidance on legal issues as his pragmatic and effective business acumen.



**DANIEL HARGRAVES**AmTrust Financial Services, Inc.

Daniel Hargraves serves as Executive Vice President and Global Head of Litigation at AmTrust Financial Services, Inc., where he has led high-stakes litigation and strategic legal initiatives since 2019. Prior to joining AmTrust, he was Managing Partner of the New York office of Freeborn & Peters, LLP, where he was recognized as a national authority in insurance and reinsurance dispute resolution. Earlier in his career, Daniel was a founding partner of Hargraves McConnell & Costigan, P.C., a boutique reinsurance dispute practice in New York. He also worked at Clifford Chance LLP, in London and at Quinlan, Miller & Treston in Brisbane Australia. Daniel has over 4 decades of experience and is admitted to practice law in Australia, England and Wales and New York.



**MARNIE HUNT**Aon

Marnie Hunt is the Executive Managing Director for Contracts for Aon Reinsurance Solutions. She is the Global Head of Contracts, and she reviews reinsurance contracts prepared in the department. In addition, Marnie is the chairperson of the U.S. Contracts Committee and the Global Clients Contracts Practice Group.

Marnie has over 32 years of experience in the insurance and reinsurance industry having first worked at a primary insurance company for two years. She is the former chairperson of the Contracts Committee at BRMA and a member of the joint Law and Broker Committee at the RAA. Marnie received a B.A. degree in English from Vassar College and her J.D., magna cum laude, from William Mitchell College of Law. She is also licensed to practice law in the State of Minnesota. Marnie holds a CPCU designation, an ARe designation, an AIAF designation, and has been a speaker at numerous industry seminars.



**KEITH KAPLAN**Anselma Capital

Keith Kaplan is the Managing Principal of Anselma Capital, overseeing \$3.75 billion in liabilities as Chief Liquidation Officer for Bedivere Insurance Company and R&Q Reinsurance Company. Previously, he served as Chief Liquidation Officer of Excalibur Re and Chief Reinsurance Officer for Reliance Insurance Company. He has consulted on acquisitions, captives, claims, new ventures, reinsurance, and restructuring for various clients. Overall, Keith has over 40 years of experience in managing insurance and reinsurance portfolios globally and holds degrees from Temple University School of Law and the Wharton School of the University of Pennsylvania.



**ELLEN KENNEDY**United Educators

Ellen ("Ellie") Kennedy is the Vice President of Resolutions Management (Claims) and General Counsel at United Educators, one of the country's largest risk retention groups. UE provides liability insurance and reinsurance products to educational institutions, including colleges, universities, independent schools, community colleges, and public K-12 institutions. Ellie joined UE in November 2019 after spending 21 years — including 12 years as a partner — at Hogan Lovells in Washington D.C., where she was a trial litigator and with a specialty in insurance defense. She earned a JD from the University of Virginia School of Law, Order of the Coif, where she was also a member of the Virginia Law Review. She earned a BA from Duke University, graduating magna cum laude and as a member of Phi Beta Kappa. She is also a member of National Association of College and University Attorneys (NACUA).



**ANNE KEVLIN** *Kevlin Mediation* 

Experienced mediator and arbitrator with proficiency in civil litigation or pre-litigation disputes including contracts, commercial, insurance coverage, personal injury, employment, product liability, negligence, wrongful death, professional liability, HOA and condo association, nursing home. Attorney licensed in Florida (1992) and Massachusetts (2009). American Arbitration Association Panel Arbitrator. Certified Arbitrator, ARIAS·U.S. Member, National Academy of Distinguished Neutrals (www.nadn.org). Florida Supreme Court certified county and circuit mediator and Florida Qualified Arbitrator. Certificate from the Harvard Law School Program on Negotiation in Mediation and Conflict Management. Certificate from the Pepperdine Law School Strauss Institute for Dispute Resolution on Mediating the Litigated Case. Master's degree in Management (Harvard Extension); CII Award in London Market Insurance. Background in nationwide insurance coverage and litigation including legal research and analysis, pleadings and motion practice, discovery, oral and written argument and advocacy, trial, and appellate strategy. More than 30 years of litigation, mediation, arbitration and negotiation experience.



**ELIZABETH KNIFFEN**Zelle LLP

Liz is a partner in the firm's Minneapolis office where her practice is focused on complex commercial litigation, and insurance and reinsurance disputes. She is also the firm's Managing Partner and a member of its Executive Committee. Liz handles first-party property coverage disputes in a variety of contexts and has dealt extensively with issues relating to policy interpretation, as well as the application of a wide variety of coverage exclusions and policy endorsements. Liz also handles liability coverage matters and matters involving structured insurance programs. She has also represented cedents, reinsurers, and retrocessionaires in confidential arbitrations concerning a wide range of matters including rescission, coverage reinstatements, ex gratia payments, claims control, punitive/exemplary damages, and global property/ casualty programs.



**KATHERINE KOENER** *Kelley Kronenberg* 

Katherine Koener is a Partner and Business Unit Leader focusing her practice on first-party property insurance defense, including coverage and bad faith litigation. Katherine also handles the defense of a wide array of third-party insurance defense claims.

Katherine defends property insurers throughout Florida in first-party coverage matters, where many of the claims involve sinkholes, windstorms, fire, molds, theft, and water losses. She also has experience in handling complex civil and commercial matters, including the defense of personal injury, premises liability, construction defect cases, and admiralty law.

Katherine earned her Bachelor of Arts degrees in Political Science and Linguistics from the University of Florida. She then went on to earn her Juris Doctor degree from Stetson University College of Law.



**SPENCER KOOK**Hinshaw & Culbertson LLP

Spencer Kook is an insurance regulatory and commercial litigation partner at Hinshaw & Culbertson LLP. He regularly provides advice on issues of insurance regulatory compliance, including but not limited to licensing, rating, underwriting, and form issues. In addition to assisting in connection with market conduct examinations and enforcement actions, he also manages a wide variety of insurance litigation and business dispute matters and has a long-established track record of defending clients against class and representative actions. Spencer is the Partner-in-Charge of Hinshaw's Los Angeles office and former member of the firm's Management Committee. Prior to joining Hinshaw, Spencer was a partner at Barger & Wolen LLP, a leading California insurance regulatory and litigation firm that merged with Hinshaw in 2014.



**JOSEPH LOGGIA**Buxbaum Loggia

Joseph Loggia co-founded Buxbaum, Loggia & Associates, Inc. in 2000, and Buxbaum Loggia Ltd., its British company, to provide a comprehensive source of senior technical expertise to the insurance and reinsurance industry.

Joe's experience of more than 50 years includes management of ceded and assumed reinsurance portfolios, audit assignments for major domestic and international reinsurers, and expert witness testimony. He has served in senior executive positions for insurance, reinsurance and managing general agencies.

He is highly regarded for his expert opinions and testimony, having been deposed as a fact and expert witness on more than 100 occasions in civil litigation and reinsurance arbitrations since 1986. Joe has provided expert services in cases involving Workers' Compensation, Construction Defect, Property, and Industry Customs and Practice.

After graduating from the University of California, Los Angeles, Joe served as a Captain in the U.S. Military and attended the University of LaVerne, College of Law.



**ELIZABETH MAZZOCCO**Foley & Lardner LLP

Elizabeth Mazzocco is an associate and trial lawyer with Foley & Lardner LLP. She has litigated a variety of complex commercial disputes in federal and state courts across the country, and she has notable experience representing insurance and reinsurance companies in arbitrations involving life insurance and property/casualty insurance contracts. Elizabeth is a member of the firm's Insurance and Reinsurance Practice Group as well as its Business Litigation and Dispute Resolution Department.



**CIA MOSS** Chaffetz Lindsey

A Founding Partner of Chaffetz Lindsey and a member of the firm's management committee, Cia Moss has focused on insurance and reinsurance disputes for most of her nearly 30-year career. Cia is ranked in *Chambers*, *Legal 500*, and *Who's Who Legal* for her re/insurance expertise.

Cia has first chaired insurance and reinsurance-related disputes in state and federal court and in domestic and international arbitration, which have touched all of the major controversies to hit the industry. In addition, Cia's insurance clients regularly ask her to advise on current issues and industry wide events. Cia also has extensive experience in disputes over arbitrability and enforcement of arbitral awards as well as an active international arbitration practice.

Cia serves as a member of the ARIAS·U.S. board of directors, and she cochairs the Strategic Planning Committee and the Women's Networking Committee. She also co-chairs a Fordham Law School Dean's Advisory Council.



### FRANK PAPALIA

Frank Papalia's career in the insurance industry has spanned four decades. Most recently, as Chief Legal Officer and Head of Claims at ProSight Global, an international publicly traded specialty P&C group, Frank led the legal, claims and internal audit teams and served on the board of US and UK based entities.

Prior to ProSight, Frank spent ten years in Paris and was EVP and member of the Management Board of PARIS Re, an international publicly traded reinsurance group, where he led the legal, claims, and technical accounting teams.

Frank serves as Chairman of Indigo Risk Retention Group, Inc., and Harmony Re, Inc. He is an advisor to insurance and reinsurance companies, an expert witness and certified ARIAS·U.S. arbitrator.

Frank received his JD from Fordham Law School, where he served on the Fordham Law Review, and his B.S. from Manhattan College. He began his career as a CPA with KPMG.



MICHAEL ROBLES
Husch Blackwell

For the past 26+ years, Mike's practice has been dedicated to litigating and arbitrating high-stakes, high-profile insurance and reinsurance disputes. Mike has been lead counsel for insurers (including captives), reinsurers, and brokers in arbitrations, litigations, negotiations, and mediations, and been at the forefront of the issues confronting the insurance/reinsurance industries over the past few decades.



### **JONATHAN ROSEN**

Jonathan Rosen is an ARIAS·U.S. certified arbitrator and umpire who has been appointed to serve in over 350 arbitrations. Jonathan was formerly Chief Operating Officer of The Home Insurance Company in Liquidation. Prior to that he was Executive Vice President and Reinsurance Counsel of Home, responsible for the reinsurance operations of the various Home entities. An attorney by profession, Jonathan is admitted to the bars of New York, Massachusetts, New Hampshire and South Africa and is the holder of Bachelor of Commerce and Bachelor of Laws degrees and a Higher Diploma in Taxlaw from the University of Witwatersrand in South Africa. He has depth of experience in all aspects of property/casualty insurance and reinsurance and has served on NAIC advisory committees and working groups, as well as having been designated a Special Representative of the New Hampshire Insurance Department for certain regulatory purposes. He is a past Director of ARIAS·U.S. and a past Chairman and Director of AIRROC.



**ANDREW ROTHSEID**Gallagher Re

Andrew (Andy) Rothseid is the Global Chairman, Retrospective Solutions, at Gallagher Re.

Andy has 40 years of experience in the global insurance and reinsurance industries; 30 years of which have been dedicated to the retrospective market as a private practice lawyer, carrier general counsel (US and BDA), UK legacy carrier managing director, partner in a global consulting firm, principal of a global turnaround and restructuring specialist, and expert witness. Andy is an ARIAS UK and certified ARIAS·U.S. arbitrator and a former independent director of a US carrier in run off and of an active managing general agent.



**JEFF RUBIN** *JM Rubin Consulting* 

Jeff Rubin provides insurance, reinsurance, and commercial arbitration, mediation and consulting services and serves as an Umpire, Arbitrator, Mediator, and Expert Witness in industry proceedings. Jeff is an ARIAS·U.S. certified arbitrator and mediator, FINRA (Financial Services Industry) arbitrator, and NFA (National Futures Association) arbitrator.

Formerly Jeff served as Senior Vice President, Director of Global Claims, of Odyssey Reinsurance Company (Odyssey Re) for eighteen years and as Senior Vice President, Senior Claims Counsel, of Odyssey Re for three years. Before joining Odyssey Re, Jeff was General Counsel, Member of the Board of Directors, Director of Litigation, and Reinsurance Work-Out Specialist at The Resolution Group (TRG), now known as Riverstone Resources. Prior to joining TRG, Mr. Rubin practiced law in Chicago for sixteen years where he was a partner at Phelan Pope & John, Ltd., Of Counsel at Lovell's, and an Associate at Abramson & Fox.



**JOSHUA SCHWARTZ** *Premia* 

Josh is General Counsel for the Premia Group where he provides legal counsel to Premia's (re)insurance operations in the U.S., Bermuda, London and Europe. Previously, Josh served as Global Director of Reinsurance Litigation for Chubb. His responsibilities included pre-dispute counseling and management of reinsurance disputes involving Chubb's global ceded reinsurance, Chubb Tempest Re, Chubb Tempest Life Re and Brandywine. Prior to this role, Josh served as General Counsel and Regional Compliance Officer for Chubb Bermuda. His responsibilities included providing counsel on professional lines, excess liability, property and reinsurance claims; participating in mediations, arbitrations, litigation; counseling underwriters on policy and reinsurance wordings; assisting with product development; and advising ERM. Josh joined ACE (now Chubb) in 2006 as Associate General Counsel (Litigation) in New York. Before ACE, Josh worked as Counsel at O'Melveny & Myers, Associate at Fried Frank and Law Clerk to the Hon. Federico A. Moreno, Southern District of Florida.



**STACEY SCHWARTZ**Swiss Re

Stacey Schwartz is a Senior Vice President and Senior Counsel with Swiss Re. As a member of Swiss Re's Global Disputes & Financial Crime Team, Stacey focuses on advising her clients on various complex, ceded and assumed matters, including the strategic management of reinsurance litigations and arbitrations.

Stacey is a member of the ARIAS·U.S. Board, a Co-Chair of the ARIAS·U.S. Member Services Committee, and a member of the Women's Resource Committee.



**JOSH SHETTLE**Litigation Legal Counsel at Enstar US

Josh Shettle is a Vice President, Litigation Counsel at Enstar (US) Inc. He provides legal advice to Enstar's portfolio of client companies on ceded and assumed reinsurance issues, including disputes and commutations. In addition to his reinsurance work, he provides advice on direct insurance and non-ordinary course matters. Prior to joining Enstar in 2014, Josh worked as a staff attorney for the City of Baltimore. Josh attended the University of Maryland School of Law and Fairfield University.



**LISA SIMON** Swiss Re

Lisa Simon is a Vice President and Claims Expert at Swiss Re, where she manages the resolution of legacy claims involving asbestos, pollution, and toxic tort exposures. Lisa also researches, analyzes and writes about emerging risks and trends, including marijuana, concussions, chemicals, climate change, biometrics, and Al. Lisa has a J.D. from Brooklyn Law School and the CPCU, ARe, and RPLU designations.



**GABRIELLE SISKIND** *Zelle LLP* 

Gabby is a seventh-year associate at Zelle LLP in the New York office. She joined Zelle in 2018 after working as a summer associate and law clerk for the firm while attending Fordham Law School.

Gabby's practice focuses on providing a broad range of legal services as a coverage advisor and litigator to many of the world's largest insurance companies, regarding complex commercial, insurance, and reinsurance disputes. She specializes in matters concerning first-party property, builder's risk, directors and officers, and errors and omissions policies, particularly related to property damage, faulty workmanship, business interruption loss, delay in completion, and bad faith claims. In addition to providing coverage advice, Gabby has litigated numerous substantial matters in both state and federal courts, as well as in alternative dispute resolution proceedings, across the country.



**TERESA SNIDER**Porter Wright Morris & Arthur LLP

Teresa Snider is a partner at Porter Wright Morris & Arthur LLP and Co-Chair of the firm's Reinsurance Litigation and Arbitration Practice Group. She concentrates her practice in insurance and reinsurance arbitration, litigation, and related insolvency issues. She joined Butler Rubin in 1994 after a clerkship with Hon. Harry D. Leinenweber, U.S. District Court, Northern District of Illinois. Butler Rubin merged with Porter Wright in February 2019. Teresa was recognized by Business Insurance as a 2017 Women to Watch, and named to Intelligent Insurer's list of the Most Influential Women in Re/Insurance 2017. In 2018, Lawdragon named Teresa one of America's Leading 500 Lawyers. Teresa has written for various reinsurance publications and has spoken on reinsurance issues at ARIAS·U.S., AIRROC, Mealey's/HB Litigation, IAIR, INSOL and ACI's International Forum on Run-Off and Commutations. She co-chairs Porter Wright's annual Women in Reinsurance program and is the chair of the Editorial Board of the ARIAS·U.S. Quarterly.



**PETER STEFFEN**Smith Gambrell Russell

For more than 23 years, Peter Steffen has represented clients in a wide array of both life and P&C reinsurance disputes, including on such topics as contract interpretation, fraud, misrepresentation, late notice, and insolvency. He has advised clients on specific contract wording issues and the handling of claims, including with regard to California wildfire and COVID-19 liabilities. He has also led internal investigations and coordinated litigation in foreign jurisdictions. He is a frequent speaker at industry meetings and events.



**STEPHEN TURNER** *Dentons US LLP* 

Stephen Turner is a commercial litigator and trial attorney with Dentons US LLP. Stephen is a senior managing associate of the firm and represents clients in the insurance industry in a broad range of matters. These matters include reinsurance arbitrations, commercial litigations, and complex insurance coverage and bad faith actions. He has also been called upon to advise insurers and reinsurers on business and regulatory matters as part of his practice. Stephen earned his undergraduate degree from Princeton University and Juris Doctor degree from the University of Notre Dame.



**JACK VALES**Dentons US LLP

Jack Vales is a commercial litigator and trial attorney with Dentons US LLP. A partner of the Firm, Jack began his legal career more than twenty-six years ago as a trial counsel with the US Army. Jack represents clients in the insurance industry in a broad range of matters, including reinsurance arbitrations, commercial litigations, and complex insurance coverage and bad faith actions. He also advises insurers and reinsurers on business and regulatory matters. Jack often speaks on issues impacting the insurance industry and serves as co-leader of the Firm's reinsurance practice in the US. Jack earned his undergraduate and Juris Doctor degrees from the University of Notre Dame.



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## THE ARIAS. U.S. 2025 SPRING CONFERENCE AND ANNUAL MEETING WILL BE CONDUCTED UNDER THE ARIAS. U.S. ANTITRUST POLICY

### POLICY STATEMENT AND GUIDELINES CONCERNING ANTITRUST COMPLIANCE

ARIAS·U.S. is a not-for-profit corporation that promotes improvement of the insurance and reinsurance arbitration process for the international and domestic markets. ARIAS·U.S. provides initial training, continuing in-depth conferences and workshops in the skills necessary to serve effectively on an insurance/reinsurance arbitration panel. In addition, ARIAS·U.S. certifies a pool of qualified arbitrators and serves as a resource for parties involved in a dispute to find the appropriate persons to resolve the matter in a professional, knowledgeable and cost effective manner.

ARIAS·U.S. members include representatives of insurance companies, reinsurance companies, law firms and independent contractors with experience in the field. Some of the participants in ARIAS·U.S. meetings may be in competition with one another. For this reason, ARIAS·U.S. wishes to state unequivocal support for the policy of competition served by the antitrust laws.

ARIAS·U.S. is firmly committed to free competition. In particular, ARIAS·U.S. stresses that members have and retain full and exclusive authority for making their own decisions in arbitrations or litigations in which they are involved, as well as in all of their business activities. ARIAS·U.S. does not in any way serve to facilitate agreements among competitors to coordinate their activities with respect to billing practices, collections, underwriting, or

The Policy of ARIAS·U.S. Requires Full Compliance with the Antitrust Laws

in any way serve to facilitate agreements among competitors to coordinate their activities with respect to billing practices, collections, underwriting, or any other competitively sensitive activity of insurers or reinsurers. Rather, ARIAS-U.S. exists solely in order to provide educational and informational assistance in connection with the dispute-resolution process of arbitration or litigation.

Although the activities of ARIAS·U.S. are not intended to restrain competition in any manner, it is always possible that meetings involving competitors could be seen by some as an opportunity to engage in anti-competitive conduct. Good business judgment requires making substantial efforts to safeguard against any appearance of an antitrust violation -- both because ARIAS-U.S. has a firm commitment to the principle of free competition, and because the penalties for antitrust violations are severe. Certain violations of the Sherman Act, such as price fixing, are felony crimes for which individuals may be imprisoned or fined. In recent years, corporations have paid hundreds of millions of dollars in fines for these antitrust offenses. In addition, class actions and other treble damage claims by private parties are very expensive to litigate and can result in large judgments. Penalties might be imposed upon ARIAS·U.S., its individual and corporate members, and their individual representatives if they were adjudged to have violated the antitrust laws in connection with their ARIAS·U.S. activities. Members should not count on an antitrust immunity simply because insurance is a highly regulated industry.

It is the responsibility of every member of ARIAS-U.S. fully to comply with the antitrust laws in all ARIAS-U.S. activities. In order to assist members in recognizing situations that may raise the appearance of an antitrust problem, the meeting chair shall furnish at each meeting a copy of this Policy Statement and the following Guidelines.

### **Guidelines to Ensure Antitrust Compliance**

Many ARIAS·U.S. members are skilled in the legal process and may be expected to understand their responsibility under the antitrust laws. Nonetheless, it is useful to state, as a reminder, some basic guidelines that will minimize potential antitrust risk.

 ARIAS-U.S. members may freely discuss matters that are not competitively sensitive, such as legal developments, ethical principles, procedures, laws that affect the industry, ways to make proceedings more efficient, and technical problems involved in arbitration or litigation. It is permissible, for example, to draft sample arbitration clauses that parties may select on a voluntary basis.

- 2. ARIAS·U.S. meetings and activities shall not be used as an occasion to reach or attempt to reach any understanding or agreement among competitors -- whether written or oral, formal or informal, express or implied -- to coordinate their activities with regard to billing, collections, premiums, terms or conditions of contracts, territories or customers. Thus, for example, competing cedents (or competing reinsurers) should not agree with one another that they will require use of a particular arbitration clause, and especially should not agree that they will boycott parties that reject the clause.
- 3. The best way to guard against the appearance of such an agreement is to avoid any discussion of subjects that might raise concern as a restraint on competition. Accordingly, ARIAS·U.S. meetings and activities shall not be used as the occasion for competitors to exchange information on any competitively sensitive subjects, including the following:
  - (a) ARIAS·U.S. activities and communications shall not include discussion among competitors to coordinate their activities with respect to billing practices, collection activities, premium setting, reserves, costs, or allocation of territories or customers.
  - **(b)** ARIAS·U.S. members shall not use the occasion of any ARIAS·U.S. activities to discuss coordinated actions involving other competitors, suppliers or customers. Such discussions could be misconstrued as an agreement to boycott third parties. For example, if a member decides it will decline to pay certain types of billings from a customer, the member should not discuss this decision with a competitor, because a common plan on such a subject could be considered an unlawful conspiracy or boycott. Accordingly, ARIAS·U.S. members should not discuss any proposal: to coordinate policies or practices in, billings or collections; to prevent any person or business entity from gaining access to any market or customer; to prevent any business entity from obtaining insurance or reinsurance services or legal or consulting services freely in the market; or to influence the availability, terms, provisions, premiums or other aspects of any reinsurance policy or line of insurance.
- **4.** A written agenda shall be prepared in advance for every formal ARIAS·U.S. meeting. Where practical, the agenda shall be reviewed in advance by counsel. The written agenda shall be followed throughout the meeting. Where minutes are kept, the minutes of all meetings shall be reviewed by counsel (if possible) and, after such review, shall be distributed to all members of the body holding the meeting. Approval of the minutes shall be obtained after review at the next meeting.
- 5. Members are expected to observe the standards of conduct stated above in all informal discussions that take place at the site of ARIAS·U.S. meetings, and in all communications concerning ARIAS·U.S. business.
- If a member suspects that any unlawful agreements are being discussed, the member should leave the discussion immediately and should consult counsel.
- 7. Questions concerning these Guidelines may be directed to the Chairman of the Law Committee of ARIAS·U.S.



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