

Reinsurance

Overview

Carlton Fields has a long-standing reputation for its knowledge of the insurance, reinsurance and financial markets, and the regulatory landscapes in which they operate. We apply that knowledge in high-risk reinsurance-related litigation and arbitration, the structuring of both routine and innovative reinsurance transactions, and general counseling on a wide variety of issues. In the reinsurance arena, our experience with many kinds of insurance and financial products strengthens our ability to serve the needs of our clients in reinsurance dispute resolution, reinsurance transactions, reinsurance counseling, and regulatory matters.

Our broad litigation practice for insurance companies contributes to our capabilities in the reinsurance area, enabling Carlton Fields to provide services on a cost-effective basis. For example:

- Carlton Fields has experience litigating and arbitrating issues with respect to insurance company products, operations issues, actuarial issues, accounting practices, the acquisition of entire books of business, sales practices, bad faith, breach of contract, and other claims issues.
- We have experience as counsel of record in hundreds of class actions, which routinely present complex procedural, insurance, and evidentiary issues.
- We handle 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.
- Several of our lawyers have written articles on electronic discovery issues, and have moderated and lectured at continuing legal education programs addressing e-discovery issues.

The following factors distinguish Carlton Fields' reinsurance practice from that of other law firms:

- Because our lawyers have been at the forefront of the creation and regulation of many of the innovative insurance products on the market, we understand these products and how they work. Such knowledge makes it easier to understand how to reinsure those risks effectively and efficiently, and how to devise realistic strategies for resolving disputes relating to such products that will accomplish the business goals of our clients.
- The breadth of our practical experience permits us to structure reinsurance agreements or programs effectively, and to advise clients on the best alternatives for reinsuring risks, either through traditional reinsurance or through other facilities or structures. For example: one of our lawyers formerly served on the board of a Bermuda reinsurer; another is a former CPA with deep knowledge of regulatory accounting; others follow the NAIC's activities relating to reinsurance and monitor legislative and regulatory activities.
- We are on the front lines of alternative risk transfer mechanisms, having represented a ceding insurer in the creation of an innovative catastrophe bond series.
- Our experience in handling high-stakes financial services litigation translates into cost-effective arbitration and litigation capabilities and results.
- Our reinsurance lawyers provide clients additional value through our award-winning reinsurance and arbitration blog, *Reinsurance Focus*. The blog provides updates on a broad range of reinsurance matters, including significant reinsurance and alternative risk transfer transactions, reinsurance legislation and regulations, trade associations, educational programs, and scholarly articles about reinsurance, as well as important court opinions addressing reinsurance issues and the arbitration process.
- Our lawyers have worked at major insurance companies and a trade association, and have served on the boards of directors of insurance companies.
- Carlton Fields monitors the activities of the NAIC, and our lawyers actively follow, among other matters, the activities of the NAIC's Reinsurance Task Force. The firm's lawyers have training and experience with generally accepted accounting principles (GAAP) and regulatory accounting principles (RAP).

Reinsurance Dispute Resolution Experience

Carlton Fields lawyers represent industry clients in the resolution of reinsurance disputes, including arbitrations, litigation, mediation, and settlements. The depth of our knowledge regarding insurance products, insurance company operations, and governing accounting principles provides a unique and informed perspective, allowing us in the course of our legal representation to understand and address the business issues central to such disputes.

Our reinsurance dispute resolution experience encompasses both life/health and property/casualty business, domestically and internationally. 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 or reinsurance treaty, to fraud and misrepresentation claims involving the potential rescission of an entire book of business. Our matters have addressed all commonly recurring issues, as well as many unique points of contract interpretation. For example, we have represented clients in cases addressing issues such as allocation, aggregation, number of occurrences, loss adjustment expenses, follow-the-fortunes/settlements, late notice, utmost good faith, claims cooperation, salvage and subrogation recoveries, inuring insurance and/or reinsurance, warranties, rescission, commutations, access to records, offset, reserving methodology and calculation disputes, reinsurance collateral, premium issues, the scope of ECO and XPL clauses, insolvency issues, and disputes involving captive-related issues, underwriting guidelines/standards, bad faith, claims handling, and other coverage issues.

Reinsurance Transactional and Counseling Experience

Carlton Fields' knowledge with respect to insurance company operations, actuarial and accounting principles, and insurance products contributes to our advice to clients on contractual and regulatory issues. Our representation of clients in litigation and arbitrations involving many of the kinds of issues that arise on the transactional side of our practice adds a valuable perspective to our transactional counseling. Carlton Fields' reinsurance transactional experience includes engagements in the following areas:

Counseling – Our lawyers provide counseling with respect to purchases and sales of reinsurers, loss portfolio transfers, sales of reinsurance books of business, purchases and sales of reinsurance underwriting management companies, jumbo reinsurance issues, termination of reinsurance relationships, relationships with brokers, and the formation and operation of reinsurance auditing and runoff companies.

Contract Structuring, Drafting, Negotiation – We negotiate and draft reinsurance agreements and trusts for quota share, excess of loss, facultative and retrocessional arrangements, covering general lines (e.g., life, health, annuity, and property) and specialized lines (e.g., workers' compensation, occupational accident, financial guaranty, and residual value). Our work with clients on matters involving intermediaries and other industry participants, such as managing general agency, reinsurance intermediary, and general underwriter agreements, rounds out our contractual counseling experience.

Alternative Risk Transfer Mechanisms – We have extensive experience in documenting and interpreting sidecars, traditional reinsurance, fully collateralized reinsurance and catastrophe bonds, in isolation and in combination as part of an integrated risk transfer program. We have represented a ceding insurer in the creation and issuance of three large fully collateralized catastrophe bonds, including two that were the largest in the history of the market when they were issued. We also have substantial experience in the formation and operation of offshore captive insurers.

Assumption Reinsurance – Carlton Fields lawyers have handled numerous assumption transactions, including, for example, drafting agreements to position companies in advance of their sale. We have also drafted and obtained New York Insurance Department approval for an alien surplus lines insurer that transferred its business to a licensed insurer through assumption reinsurance to release its NAIC Surplus Lines Trust Fund.

Run-Offs and Commutations – Our lawyers have represented a number of reinsurers in runoff and have helped design programs to commute or otherwise minimize exposure to cedents while protecting retrocession recoverables in a number of different lines.

Reinsurance Company Insolvencies – Carlton Fields lawyers have counseled both reinsurers and liquidators with respect to their rights and obligations in the insolvency and pre-insolvency contexts.

Due Diligence – Our lawyers have performed due diligence on reinsurance matters in mergers and acquisitions of insurance companies.

We also routinely counsel insurance and reinsurance clients on regulatory matters and represent them before state insurance departments. We have been retained as special counsel to state insurance departments on various matters. For example, a Department of Insurance retained Carlton Fields in connection with the Department's consideration of a controversial acquisition involving its largest domestic medical malpractice carrier.

Experience

Life/Health Reinsurance

We currently act or have acted as lead counsel in a number of significant life, long-term care and annuity reinsurance matters, on behalf of cedents, reinsurers, retrocedents and retrocessionaires, involving the following:

- Various engagements concerning a reinsurer's ability to enforce rate change provisions in YRT reinsurance agreements, which has been an emerging issue in the reinsurance sector in recent years.
- A cedent's duty to disclose issues pertaining to internal replacement life insurance policies, and a reinsurer's facultative underwriting obligations with respect to the same.
- The application of errors and omissions clauses to the policy issuance and underwriting process, and impact on a reinsurer's indemnity obligations.
- Represented a participant in hundreds of reinsurance treaties in the London Personal Accident reinsurance market involving a series of arbitrations in the U.K., and the defense of a major U.S. arbitration 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.
- The scope of a reinsurer's indemnity obligations, and applicability of the follow-the-fortunes/settlements doctrine, to administrative errors in the policy issuance process.
- Agent/broker misconduct, follow-the-fortunes/settlements as it pertains to agent/broker misconduct/errors, and the interplay between E&O coverage and reinsurance cover;
- Fraud in the inducement (actuarial or underwriting misrepresentations).
- The duties of a cedent and reinsurer in the facultative submission process.
- Violations of treaty underwriting standards and guidelines.
- The rights of a reinsurer to contest claims ceded on an automatic basis.
- Recapture.
- The duty of utmost good faith.
- The scope of ECO/XPL provisions.
- Claims handling issues.
- Other contract interpretation issues or disputes concerning industry custom and practice in the life, LTC, and annuity reinsurance context.

Property/Casualty

Some representative matters in which our attorneys have recently acted in the property/casualty area include the following:

- Acted for cedents and retrocedents in numerous disputes with reinsurers and retrocessionaires regarding the collection of reinsurance recoverables.
- Represented a client in arbitration related to the aggregation of claims under the event wording of a catastrophe treaty.
- Secured a multimillion-dollar award for client with respect to asbestos billings, where the issues involved aggregation and follow-the-fortunes.
- Represented a client in an arbitration involving late notice and bad faith claims handling.
- Represented clients in arbitrations concerning the number of occurrences, allocation, annualization and aggregation issues related to clergy abuse, toxic tort, asbestos, pollution, and construction defect claims.
- Represented a cedent in an arbitration involving the scope of ECO and UNL provisions.
- Represented a major insurer of windstorm risks in resolving issues with its reinsurer.
- Represented cedents in disputes regarding the recoverability of commutation-related payments and follow-the-fortune/settlements implications.
- Represented a client in a dispute concerning the recovery of declaratory judgment and bankruptcy-related expenses.
- Represent insurer in dispute with their managing general agent concerning various underwriting violations.
- Represent an insurer in various disputes with its agents concerning contingent commissions.
- Represent clients in matters regarding salvage and/or subrogation recoveries, including one in which the panel granted summary judgment on behalf of our client.
- Represented various clients in matters relating to insolvencies.
- Represented a leading aviation insurance pool in litigations to secure increases in LOCs, necessitated by 9/11 and other large aviation losses.
- Represented clients in multiple arbitrations involving surety bond claims.
- Prevailed in matters for insurers in disputes with their managing general agents regarding a variety of issues, including profit commissions.

- Devising and implementing a strategy for a global insurer to resolve a major reinsurance dispute with the reinsurance market.
- Obtained summary judgment in an arbitration on behalf of a client, which was also awarded the fees and costs of the panel in addition to compensatory damages.
- Acted in matters involving disputes between captive insurers and their reinsurers, as well as a dispute between an insurer and a captive acting as its reinsurer.

Pre-Dispute Counseling

In addition to litigating or arbitrating disputes, we are routinely engaged to assist cedents, reinsurers, retrocedents, and retrocessionaires in the pre-dispute process, whether by providing coverage opinions or counseling clients on contentious issues with their counterparties to resolve matters in advance of litigation or arbitration.

Drafting

Apart from contentious matters, we also represent or have represented clients in the drafting of reinsurance agreements, the review and preparation of treaty amendments, and the development or review of treaty wordings and guidelines.

Brokers and Agents

We have also handled many arbitrations and litigations between insurers and brokers and agents involving numerous issues, including underwriting violations, commissions, and agent misconduct.

Producer Owned Reinsurance Companies

We are also very familiar with the structure and operation of producer-owned reinsurance companies and other “captive” reinsurers, including tax issues relating to such entities, and have litigated various issues relating to such entities, including issues arising as a result of the bankruptcy of the owner of such entities. Some of these reinsurers have been domiciled in non-U.S. jurisdictions, such as Bermuda and the Turks and Caicos.

Reinsurance Transactional and Counseling Experience

- Counseling a reinsurer and its affiliates in complex cessions and retrocessions of life product risks involving entities operating in the United States, Asia, Europe, and Bermuda.
- Assisting in a loss portfolio transfer of medical malpractice risks from a group of medical facilities and providers to a major P&C insurer and reinsurer.
- Closing a commutation of a reinsurance treaty for a P&C insurer that sought to terminate its treaty with a large international reinsurer that had been downgraded by A.M. Best, and commuting a treaty with a group of Lloyd’s Syndicates covering long-tail liabilities of a casualty insurer.
- Representing ceding and assuming companies in the structuring and documentation of complex P&C and life and health reinsurance treaties of various types, including consideration of risk transfer and related regulatory compliance issues.
- Representing the ceding insurer in the creation of a billion-dollar reinsurance program, which includes traditional reinsurance, umbrella cover, and the largest catastrophe bond ever placed. The cat bond provided a fully collateralized two-year reinsurance cover at a fixed price, which was sold to capital market participants, some of which do not participate in the traditional reinsurance market.

All Insights



District of Puerto Rico Holds Article II of the Convention on Foreign Arbitral Awards Preempts the McCarran-Ferguson Act

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Wisconsin Federal Court Vacates Order Compelling Arbitration and Reopens District Court Case, Finding “Extraordinary Circumstances” Justified Relief Under FRCP 60(b)

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Fourth Circuit Holds Estate of Assisted Living Facility Resident Required to Arbitrate Wrongful Death and Survival Claims

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Texas Federal Court Compels Arbitration of Civil Rights Claims but Stays Proceedings to Avoid Future Statute of Limitations Issues

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Sixth Circuit Holds Former Employee Required to Arbitrate “Gateway” Questions Concerning Arbitration Agreement’s Coverage, Enforceability, and Formation

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Court Holds the ACA and Implementing Regulations Do Not Preempt State Creditor Priority Laws in Reinsurance Debt Dispute

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Court Confirms Arbitration Decision Concluding That Discrimination Claims Were Time-Barred

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SDNY Declines to Adopt Collateral Attack Doctrine, Grants Motion to Compel Arbitration

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Minnesota District Court Grants Stay of Entire Action Pending Appeal of Order Denying Motion to Compel Arbitration

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Illinois District Court Denies Motion to Vacate Arbitration Award and Imposes Sanctions, Citing “Outright Hostility” to Such Challenges in the Seventh Circuit

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Second Circuit Affirms Denial of Vacatur of Employment Arbitration Award Due to Failure to Provide Evidence of Alleged Perjury in Arbitration Proceedings

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Private Employment Arbitration Agreement Not Binding on Secretary of Labor When Bringing an Enforcement Action on Behalf of One Party to Agreement Against the Other

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English High Court Blocks Financial Services Group From Bringing Excess Insurance Claim Against UK Reinsurers in South Africa Where Courts of England and Wales Had Exclusive Jurisdiction Under Excess

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Party Opposing Confirmation of Non-Domestic Arbitration Award Subject to Convention May Also Assert FAA Defenses If Award Rendered in the U.S. or Under U.S. Arbitral Law

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Connecticut Supreme Court Finds State Law Statutory Limitation Period to Vacate Arbitration Award Confers Jurisdiction on State Courts and Not Preempted by FAA

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Eleventh Circuit Revives Labor Union’s Complaint to Compel Arbitration That District Court Had Found to Be Time-Barred

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Ninth Circuit Compels Investment Banker to Arbitrate Statutory Employment Discrimination and Civil Rights Claims Despite Assumption That 'Knowing Waiver' Doctrine Applied to Claims

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First Circuit Concludes App User Is Bound by Arbitration Clause in App's Terms and Conditions

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Second Circuit Affirms Confirmation of ICC Decision Based on UAE Law

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California Federal Court Rejects Unconscionability Claims, Enforces Delegation Clauses in Arbitration Agreements

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New York Federal Court Declines to Modify Arbitration Award to Include Attorneys' Fees and Costs

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No "Meeting of the Minds" Where Material Terms of Arbitration Agreement Were Changed After Party Electronically Signed Document

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Seventh Circuit Holds EEOC Right-to-Sue Letter Does Not Trump a Binding Arbitration Agreement

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Eleventh Circuit Holds That “Notice of a Motion to Vacate” Under FAA Cannot Be Accomplished by Email Absent Express Written Consent

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Fourth Circuit Enforces Arbitration Agreement’s Waiver of Appellate Review

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Sixth Circuit Concludes District Court Lacked Authority to Award Attorneys’ Fees Following Arbitration

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Federal Circuit Affirms Denial of Oil Company’s Attempt to Compel Arbitration Following Loss at Trial

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District Court Predicts that Alabama Supreme Court Would Refuse to Extend Bad Faith to Reinsurance Disputes

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Ninth Circuit Vacates “Bizarre” Arbitration Award in Drug-Related Employment Termination Dispute

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Sixth Circuit Reverses District Court for Exceeding Its Authority by Ruling on Arbitrability in the Presence of an Unchallenged Delegation Clause

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Court Confirms “Baseball Arbitration” Award, Finds Party Alleging Unfairness Was Caught Looking When It Failed to Object

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SDNY Vacates Arbitration Award in International Maritime Shipping Dispute

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Alabama District Court Grants Hospital’s Motion to Compel Arbitration in Dispute Against Third-Party Beneficiary to Medical Services Contract

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Aflac Waives Problematic Clause to Ensure Arbitration

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Employer Enforces Arbitration Despite Absence of Signature

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North Carolina District Court Dismisses Action Where Plaintiff Had Full and Fair Opportunity to Pursue Claim Through Arbitration

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Court Finds Pre-Hearing Nonparty Deposition Subpoenas Permitted by FAA, and Rule 45 Territorial Limit Not a Bar for Virtual Deposition

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West Virginia District Court Rejects DirecTV’s Bid to Compel Arbitration Finding Breadth of Arbitration Agreement “Absurd” and “Unconscionable”

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Fourth Circuit Affirms Denial of Vacatur of Arbitration Award, Finding No Deprivation of a Fair Hearing or Manifest Disregard of the Law

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Ninth Circuit Affirms Removal to Federal Court and Order Compelling Arbitration, Construing Forum Selection Clause and Scope of Arbitration Agreement

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Ninth Circuit Affirms Arizona District Court’s Dismissal of Frivolous Petition to Compel Arbitration

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Massachusetts Supreme Court Holds That Uber’s Registration Process Did Not Provide Reasonable Notice of Terms and Conditions and That Arbitration Was Therefore Improper

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West Virginia District Court Grants Summary Judgment in Favor of Insurer Following Denial of Policyholder’s Mine Subsidence Claim

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London Court of Appeal Vacates and Remands Decision Blocking Transfer of Approximately 370K Annuity Policies

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Eleventh Circuit Holds University Cannot Arbitrate Student's Breach of Contract and Misrepresentation Claims

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Fourth Circuit Declines to Vacate Arbitration Award Where Challenge to the Award Was Nothing More Than an Ordinary Disagreement With Its Outcome

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Tenth Circuit Agrees Arbitration Award Issued Absent an Arbitration Agreement Was a "Farce," Orders Sanctions Against Pro Se Petitioner

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Ninth Circuit Denies Non-Signatory's Bid to Compel Arbitration of Trademark Infringement Claims

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New Jersey Supreme Court Affirms \$56M Refund to Johnson & Johnson for Overpayment of Insurance Premium Tax

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Court Compels Arbitration Because Non-Signatory "Knowingly Exploited" and Obtained Benefits of Agreement

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New York Federal Court Confirms \$2M Arbitral Award to Defunct Liquor Distributor in Dispute Over Royalties Owed to Rapper Snoop Dogg

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Seventh Circuit Affirms Wisconsin Federal Court's Finding That Arbitration Panel's Decision Was Arbitrary and Capricious Where It Was Contrary to the Evidence in the Record

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Texas Federal Judge Declines to Rule on Procedural Issues in Multiple Successive Arbitrations Filed by Same Parties, Leaving Dispute to Arbitrators

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New York Court Finds the Term "Exhaustion" in Excess Policy Was Ambiguous, Rules That Full Limits of Underlying Insurance Need Not Be Paid for Excess Policy to Attach

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District Court Transfers Consideration of Motion to Quash Pursuant to Rule 45(f)

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Second Circuit Declines to Vacate Foreign Arbitral Award Under New York Convention Absent Valid Reas

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Federal Court Refuses To Compel Arbitration or Appoint Arbitrators Where No Party Had Refused To Arbitrate and Both Parties Were Working on Selecting Arbitrators

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Southern District of New York Rejects Reinsurer's Claim that Exhaustion Provision Was Not Met; Concludes Indemnification Was Required Under Follow-the-Settlement Clause

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Ninth Circuit: Website Visit Four Years After Assent To a Contract Containing a Change-of-Terms Provision Does Not Bind Parties To New Contract Terms Addressing Arbitration

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Parsing the Sometimes Fine Distinction Between a Broad and a Narrow Arbitration Clause

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Arkansas District Court Compels Arbitration of Post-Termination Wage Dispute

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California District Court Grants Motion to Compel, Referring Issue of Arbitrability to Hong Kong Arbitration Forum

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Determination of Valid Arbitration Agreement May Be Dependent on “Outward Manifestations and Circumstances Surrounding the Transaction”

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Ninth Circuit Holds That a Change-of-Terms Provision Cannot Bind Parties To a New Browse-Wrap Agreement

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Court Grants Temporary Restraining Order Enjoining FINRA Arbitration From Proceeding Pending a Decision on Arbitrability

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Second Circuit Affirms Arbitration Award of Over \$2M in Fees to Prevailing Party

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Ninth Circuit Affirms Denial of DIRECTV's Motion To Compel Arbitration, Creating Circuit Split on Procedure for Determining Scope of Arbitration Agreements

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Court Denies Motion To Compel Arbitration and To Appoint Arbitrators Where Parties Had Agreed To Arbitrate and There Was No Impasse

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Fifth Circuit Affirms That District Court in Texas Lacks Jurisdiction to Vacate Arbitration Award in Florida

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Fourth Circuit Vacates and Remands Denial of Motion to Stay Case Pending Arbitration After District Court Refuses to Consider Evidence Beyond the Pleadings

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Western District of Washington Reverses Course and Compels Arbitration

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Eastern District of California Grants Partial Summary Judgment to Plaintiffs in Reinsurance Mortgage Kickback Class Action; Reinsurer May Still Prevail

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Ninth Circuit Affirms That Uber Driver Not Engaged in “Foreign or Interstate Commerce” for Purposes of Exemption to FAA

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Fifth Circuit Holds “Tacit Acquiescence” Insufficient to Create Valid Contract to Arbitrate

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Washington Supreme Court Declines To Intervene in Ongoing Arbitration, Finding Judicial Authority Under FAA Limited To “Gateway” Disputes and Review of Final Awards

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Seventh Circuit Adds to Circuit Split, Holds Section 1782 Does Not Authorize Federal Courts to Compel Discovery for Use in Private Foreign Arbitration

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Arbitration Award In Favor Of Major League Baseball Confirmed As Southern District Of New York Bats Telemicro’s Challenges Away

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Fifth Circuit Affirms Significant Arbitration Award of Attorney’s Fees, Clarifying the Limited Scope of Review and Ruling That the Panel Did Not Exceed Its Authority

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S.D.N.Y. Affirms Arbitration Award Over Challenge to Impartiality of Arbitrator

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Court Rejects Claim Based on Interpretation of Clause in Private Purchase and Sale Agreement of Shares and Other Matters

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Georgia Court of Appeals Reverses Confirmation of Arbitration Award Finding Arbitrator Ignored Contractual Language

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Supreme Court of Mississippi Enforces Arbitration Agreement

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Georgia Supreme Court Finds Mandatory Arbitration Clause in Law Firm Engagement Agreement Is Neither Unconscionable nor Void as Against State Public Policy

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Fifth Circuit Finds Incorporation of AAA Rules Into Arbitration Agreement Presents “Clear Unmistakable Evidence” of Parties’ Intent To Have Arbitrator Decide Issue of Arbitrability

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Federal Court Confirms \$112 Million Foreign Arbitral Award Against Ukraine, Finding No Arbitrator Impartiality

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Third Circuit Upholds Pennsylvania Federal Court’s Finding That an Arbitration Agreement Is Unenforceable Where It Limits Borrowers Claims To Only Those Under Tribal Law

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Court Affirms FINRA Arbitration Award to Charles Schwab, Finding No Evident Partiality or Other Arbitrator Misconduct

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Court Applies “Summary-Judgment-Like” Approach To Uncontested Motions To Compel Arbitration And Stay Litigation

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Ninth Circuit Affirms Order Denying Uber’s Motion to Compel Arbitration of Claims Brought Under the ADA

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Texas District Court Compels Arbitration Involving Hurricane Harvey Loss

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SDNY Finds Insurer, As Subrogee, Lacked Authority to Enforce Arbitration Clause in Fuel Delivery Contract

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Third Circuit Affirms District Court’s Denial of Attorneys’ Fees Absent a Valid Statutory or Contractual Right to Additional Fees

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New York Federal Court Confirms Arbitration Award Where Plaintiff Offered No Grounds to Vacate, Modify, or Correct Award

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Eleventh Circuit Affirms Order Compelling Arbitration of Cruise Liner Class Action

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Unopposed Motions to Confirm Arbitration Awards Are Treated As Motions for Summary Judgment

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Denied: Pro Se Litigant's Petition to Confirm Arbitration Award He Rendered Against Republican National Committee

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Eleventh Circuit Affirms Denial of Motion to Arbitrate Where Appellant Was Not a Party to Arbitration Agreement

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Uber Price Fixing Class Action Award Still Fares Despite Arbitrator's Unfunny Joke

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Tenth Circuit Refuses to Vacate FINRA Arbitration Dismissal

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SDNY Finds Cedent Entitled to Indemnification for \$20 Million Settlement Payment Under English Law

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Seventh Circuit Rejects Third-Party Administrator's Attempt to Avoid Multimillion-Dollar Arbitration Award

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Eleventh Circuit Vacates Compound Interest Award and Directs Trial Court to Recalculate Simple Interest Under Georgia Law

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NJ Supreme Court Finds State Arbitration Law Applies to FAA-Exempt Workers

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Arkansas Federal Court Finds McCarran-Ferguson Act Does Not Supersede the New York Convention or Chapter II of the FAA

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Second Circuit Affirms Denial of NFL Player's Petition to Vacate Arbitration Award, Rejecting Arguments of Harm Caused by Failure to Disclose CBA-Related Documents

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€643 Million Arbitration Award Was Within Arbitration Panel's Power to Award and Not a Result of Manifest Disregard of the Law

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Third Circuit Concludes Arbitration Agreement Is Unenforceable Under the Prospective Waiver Doctrine

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Eighth Circuit Affirms Ruling That NLRB Retains Jurisdiction to Review Arbitration Decision on NRLA Charge, Not Court

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First Circuit Vacates Order Compelling Arbitration Over Arbitrator Selection Clause

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SDNY Grants 28 U.S.C. § 1782 Application for Discovery in Dispute Involving Republic of Lithuania

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Second Circuit Affirms Ruling That Chinese Arbitration Organization Is Not a “Foreign or International Tribunal” Under Section 1782

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Hawaii District Court Compels Arbitration of Only Part of a Claim Where There Was a Clear Agreement to Arbitrate

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Court Denies Petition to Vacate, Finding Petitioner Waived Objection Based on Arbitrator Impartiality

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Texas Supreme Court Holds Defendant Did Not Forfeit Right to Appeal Denial of Motion to Compel Arbitration by Waiting Until After Entry of Jury Verdict in Plaintiff’s Favor

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