



# Steven Kass

OF COUNSEL

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CONNECT

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Steven Kass brings extensive experience to a wide range of issues facing insurance companies and other financial services providers. In 35 years as a business lawyer, his primary role, Steve has represented clients in an array of transactional matters and counseled on compliance and regulatory issues that range from cutting edge to routine, including:

- Corporate and securities transactions; mergers and acquisitions; business planning; contracts; and corporate governance.
- State insurance law regulatory and compliance counseling; insurance product development and drafting; and redetermination of non guaranteed elements.
- Insurance regulatory filings and hearings.
- Regulatory complaints, investigations, market conduct examinations, and enforcement.
- Risk assessments and exposure analyses, compliance audits, and best practices reviews.
- Unclaimed property reporting, examinations, and self-audits.

Steve also regularly participates in complex federal and state litigation with other Carlton Fields attorneys, bringing his extensive product, business operations, and industry knowledge to litigation teams defending claims involving insurance products and practices.

Steve's legal practice is informed by a strong financial background, and in the course of representing insurance industry clients, he often works directly with company and consulting actuaries on product, reinsurance, and litigation matters. He was formerly a certified public accountant, and is the firm's assistant treasurer.

Steve also serves, part time, as director of the Berger Entrepreneur Law Clinic at Nova Southeastern University's Shepard Broad College of Law.

## Experience

- Counsel to life insurers evaluating changes to non-guaranteed elements, including cost of insurance rates. Performed exposure analyses and counseled on risk mitigation, implementation, and communications strategies; represented insurers in regulatory inquiries and administrative proceedings; and participated

on litigation teams defending state and federal class action complaints.

- Counsel to insurers and other entities regarding unclaimed property, including insurance benefits payment practices, retained asset accounts, and Social Security DMF-related issues; regulatory settlements; and state court litigation.
- Counsel to insurers and producers on an array of regulatory compliance, product development, and distribution-related issues.
- Litigation, regulatory, and operational risk assessments, compliance audits, and best practices reviews for insurers and producers. Scope of projects has ranged from insurer's overall operations to review of specific product lines, offerings, or functional activities.
- Counsel to insurers and insurance holding companies, as well as to state insurance departments, on mergers and acquisitions, restructurings, and demutualizations, including due diligence, transaction structuring and documentation, and regulatory approvals (e.g., change of control, market concentration, and "fair and equitable" standards).
- Counsel to insurers in structuring and documenting reinsurance agreements and related regulatory issues (e.g., reserve credit and risk transfer issues, collateral requirements, and holding company law compliance ).
- Represented life insurers and producers before state insurance regulatory authorities, including formal requests for interpretive relief under statutes and regulations; form, rate, and repricing approvals and challenges; and investigations, examinations, and enforcement matters.

## All Insights

10.04.2019	Mostly Tricks Proposed for ASOP 2
07.11.2019	Proposed Revisions to ASOP 2 May Impact Your Product Pricing and Litigation Exposure
12.29.2017	Preparing for New York Regulation 210's Effective Date
10.01.2017	New York Adopts Non-Guaranteed Elements Rule for Life Insurance and Annuity Products
09.26.2017	A Ticking Clock: New York's Pending Non-Guaranteed Elements Rule for Life Insurance and Annuity Products
03.13.2017	Prospects Fade for NAIC Unclaimed Life Insurance and Annuities Model Act
11.18.2016	NY DFS Proposes New Regulation for Life and Annuity Non-Guaranteed Elements
10.13.2016	NAIC Long-Term Care Innovation Subgroup Public Hearing

07.26.2016	A Constitutional Challenge to Florida's New Unclaimed Property Act Amendments
04.12.2016	Florida Imposes Additional Unclaimed Property Requirements on Life Insurers
02.23.2016	Storm Clouds Gather for Life Insurers' Cost of Insurance Rate Increases
01.24.2016	Bill to Amend Florida's Unclaimed Property Act Regarding Unclaimed Insurance Benefits Moves to Senate Floor
01.04.2016	Florida's OIR Provides Guidance on Annuity Maturity Date Extensions
12.01.2015	Handbook on ERISA Litigation (4th ed.)
09.28.2015	Cuba Sanctions Relief: Baby Steps Today, But What About Tomorrow?
09.20.2015	Cuba Sanctions Relief: The Knot Further Loosens
03.23.2015	Georgia Provides Guidance on Variable Annuity Sales Disclosures
11.03.2014	Trick or Treat? Halloween Meeting of NAIC's Contingent Deferred Annuity Working Group
10.07.2014	Florida Modifies Its Annuity Suitability Rule
09.19.2014	NAIC Unclaimed Life Insurance Benefits Working Group Recommends Development of Model Law and Comment Letter to Uniform Law Commission
09.15.2014	Louisiana Issues Advisory Letter Regarding Use of the Social Security Administration's Death Master File
09.07.2014	Florida Proposes Rule for Annuity and Life Insurance Surrender Disclosures
08.08.2014	Florida Court Rejects "Date of Death" Trigger for Escheating Life Insurance Death Benefits Under Florida's Unclaimed Property Act
03.14.2014	NAIC's Newly Appointed Unclaimed Life Insurance Benefits Working Group Seeks Comments Before the Spring National Meeting

03.05.2014	Department of Commerce Seeks Public Comment on Certification Program for Death Master File Access
01.03.2014	West Virginia Court Dismisses Lawsuits Challenging Life Insurers' Unclaimed Death Benefits Practices
08.20.2013	Life Insurers Win Dismissal of Class Action Challenging Death Benefit Payment Practices
04.02.2013	Staking Claims: Unclaimed Property Update Q1 2013
01.27.2013	Hold the "Processes": N.Y.'s New Unclaimed Benefits Law May Be Changing
05.01.2012	Florida Enacts New Captive Insurance Law
03.26.2012	To Insulate or to Not Insulate
03.23.2012	Connecticut Cost of Insurance Legislation Voted Out of Committee
03.14.2012	Connecticut Legislative Committee Considers Proposed Legislation Regarding Cost of Insurance Increases

## All News

11.02.2018 Carlton Fields Receives Equal Justice Pro Bono Award

## Recognition

- AV Preeminent Rating by Martindale-Hubbell
- Legal Services of Greater Miami's Equal Justice Pro Bono Large Firm Award (2018)

## Professional & Community Involvement

- American Bar Association
  - Sections of Business Law and Tort Trial and Insurance Practice
- Former Certified Public Accountant, State of Florida
- Former Board Member, Jewish Federation of Broward County, FL
- Former President, Beth Ahm Israel Synagogue, Davie, FL

## Speaking Engagements

- "State Regulatory Update," Client Focus Forum, Newport Beach, CA (October,

2015).

- "It's All 'Bout That Discretion, 'Bout That Discretion," Changing nonguaranteed charges and benefits in life insurance policies and annuity contracts, American Council of Life Insurers (ACLI) Compliance and Legal Sections Annual Meeting (July 2015).
- "Cost of Insurance Rate Adjustments: Insights on Planning, Exposure and Litigation Preparation," Carlton Fields Webinar (October 2014).
- "Unclaimed Property Global Resolution Agreements and Regulatory Settlement Agreements," National Alliance of Life Companies Spring Meeting (April 2013).
- "Litigation and Regulatory Activity Related to Non-Guaranteed Policy Elements in Life Insurance," ABA Tort Trial and Insurance Practice Section's Symposium on Insurance and Employee Benefits (January 2013).
- "Unclaimed Property," Webinar for Computer Science Corporation's Life and Annuity Compliance Community (March 2012).
- "Unclaimed Property: Compliance & Examinations," American Council of Life Insurers (ACLI) Compliance and Legal Sections Annual Meeting (July 2010).
- "Current Developments in Life Insurance and Annuities," Practising Law Institute Conference on Current Developments in Insurance Law (January 2010).
- "Life Insurance Fundamentals and Emerging Issues," Practising Law Institute Conference on Understanding Insurance Law (April 2007, 2008, 2009).

## Credentials

### EDUCATION

- University of Miami School of Law (J.D., *magna cum laude*, 1983)
- University of Miami (MBA, 1980)
- Wharton School, University of Pennsylvania (B.S., Economics, 1974)

### COURT ADMISSIONS

- U.S. District Court, Southern District of Florida
- Florida State Courts

### BAR ADMISSIONS

- Florida

## Areas of Focus

### PRACTICES

- Business Transactions
- Class Actions
- Financial Services Regulatory
- Life, Annuity, and Retirement Litigation
- Litigation and Trials
- Property & Casualty Insurance

