Insurance & Reinsurance

Insurance companies face evolving challenges from customers, service providers, regulators and the marketplace. From transactional and regulatory compliance issues to coverage and other commercial disputes, the business of insurance has become more complex.

For more than 50 years, insurers, reinsurers, brokers, intermediaries and other industry participants have called on our nationally recognized insurance and reinsurance practice to help them navigate their most complicated and challenging matters. Our lawyers handle complex claims analysis, coverage and bad faith litigation, and reinsurance disputes that touch on the full spectrum of commercial and individual coverage lines. We also advise our clients in a wide range of regulatory and transactional matters.

Trusted Counsel for Insurance-Related Matters

Our team provides strategic advice on all aspects of the insurance business, including transactions, restructurings, regulatory relations, product design and distribution, and financial and market conduct examinations, as well as distribution and other third-party vendor management. Our insurance and reinsurance coverage litigators serve as lead trial or national coordinating counsel in complex coverage disputes. Our team has experience with the full gamut of insurance business and coverage risks.

Ranked nationally for Insurance Law by *Best Lawyers* and in the District of Columbia: Insurance: Insurer and Pennsylvania: Insurance categories of *Chambers USA*, our practice includes a fellow of the American College of Coverage Counsel and members of insurance-related committees for the American Bar Association (ABA), Defense Research Institute, Federation of Defense & Corporate Counsel and International Association of Defense Counsel. We regularly provide counsel to certain regulators on insurance receivership matters, and are counsel to certain rating bureaus, guaranty associations and industry trade organizations. We also regularly attend and actively participate in the National Association of Insurance Commissioners (NAIC) and many national and local industry events.

Experience Across Critical Market Segments

We are able to quickly interpret and analyze critical insurance and reinsurance market segments, including financial lines, life and annuities, health/managed care, long-term care, property/casualty, directors and officers (D&O), errors and omissions (E&O), employment practices liability, fidelity/surety and other specialty lines.

Life Insurance/Annuities

We represent life insurers, producers, financial institutions and registered representatives against claims involving a wide range of life insurance and investment products, including the defense of sales practices claims, beneficiary disputes, coverage disputes and allegations of bad faith. We also provide transactional and regulatory support to numerous life insurers and producers.

We are uniquely positioned to advise life insurers and their affiliated producers, broker-dealers and investment managers with some of their most unique challenges because of our deep roots in the insurance and financial services industries. We have a broad bench of seasoned insurance, investment management and securities regulation, enforcement and litigation practitioners who form a team tailor-made for life insurers and their affiliated businesses. Because of our industry experience, we can quickly marshal the type of customized, multidisciplinary teams that are required to advise our clients promptly on the most complicated legal issues that arise in connection with litigation, regulatory/enforcement matters or business transactions.

Property and Casualty

In addition to providing regulatory and transactional support to property and casualty insurers of all sizes, our property/casualty team represents primary, umbrella and excess insurers in connection with a broad range of coverage issues. From coverage advisory services to litigation, we counsel standard and surplus lines insurers in some of their most complex and significant exposures, such as long-tail claims (e.g., PFAS, environmental, asbestos and abuse), additional insured disputes, construction defect claims, and in the defense of alleged bad-faith claims handling. We also represent insurers in connection with first-party property claims, including serving as national counsel for several insurers that participate in the National Flood Insurance Program (NFIP)'s Write-Your-Own (WYO) Program.

Managed Care and ERISA

Our team provides comprehensive support across a broad range of health insurance matters. We defend insurers, administrators and health plans in cases and against claims governed by the Employee Retirement Income Security Act (ERISA), Medicare, Medicaid and a variety of state regulatory schemes. We also defend claims filed by in-network and out-of-network individual practitioners, medical groups, hospitals and other medical facilities under state antitrust and civil RICO statutes and under state common law. The breadth of our experience extends to issues on the cutting edge of health benefits, such as value-based care programs, tiered health plans, and state and federal "no surprises" legislation. We routinely appear and advocate for our clients in state and federal courts, before administrative agencies, and in private dispute resolution forums. Additionally, we aggressively pursue individuals and entities under state and federal fraud, waste and abuse laws for overpayments made by insurers and health plans resulting from negligent or active misconduct.

Reinsurance

Our reinsurance team is deeply embedded in the global reinsurance market. We have built key relationships over decades of practice with regulators, companies, experts and reinsurance arbitrators. We have a firm grasp on the business issues that often drive disputes over reinsurance relationships generally and the outcomes of individual reinsurance issues specifically. One of our guiding principles is that the best outcomes flow from partnerships with our clients. With that in mind, we work closely with our reinsurance clients to understand their long- and short-term goals and business objectives, while collaborating with them to build the most appropriate resolution strategies for individual disputes.

For more than 30 years, we have litigated and arbitrated hundreds of reinsurance arbitrations on behalf of cedents, reinsurers and retrocessionaires in the U.S., Bermuda and London markets involving a broad spectrum of reinsurance issues and types of reinsurance arrangements.

Those include disputes over:

- Trigger, allocation and aggregation arising out of long-tail, property and COVID-19 losses.
- Rights and obligations implicated by insurer and reinsurer insolvencies in both the property/casualty and life insurance sectors, including disputes over offset, valuation of secured assets, allegations of direct right of action against reinsurance assets, and claim priority challenges.
- Loss portfolio transfers.
- Challenges to stock purchase agreements and other types of portfolio sales.
- Inuring reinsurance and other questions about order of obligations for ceded losses.
- Catastrophe (cat) bonds and insurance-linked securities (ILS) instruments.
- Life reinsurance relationships, including disputes over yearly renewable term (YRT) rate increases.

Commercial Crime/Fidelity/Surety

Our team is well-versed in handling commercial crime, fidelity and surety matters. We represent insurers in claims under all types of fidelity bonds and policies, including financial institution bonds, commercial crime policies and other proprietary bond and policy forms. Our experience ranges from traditional employee embezzlement claims to the novel issues presented by sophisticated social engineering fraud, funds transfer fraud and computer fraud claims.

Our surety work encompasses the full gamut of bonding matters, including performance and payment bond claims defense; enforcement of surety common law and contractual rights of subrogation, exoneration and indemnification; and defending surety rights in bankruptcy court.

Coverage Advisory and Litigation

We represent insurers and captive insurers with coverage disputes, litigating insurance matters and handling arbitration proceedings in the United States and globally. We provide counsel on professional liability, life and health, variable annuity, general liability, surety, products liability, employment discrimination, first-party property and environmental coverage matters related to insurance litigation coverage disputes. We also have experience with disputes arising under Bermuda Form policies and guide clients through U.S., Bermuda and London arbitration proceedings.

We have handled complex matters through all phases of litigation in courts and alternative forums throughout the United States, and we regularly represent insurers in coverage and allocation disputes and disputes with producers and other vendors, render coverage opinions, and draft reservation and declination letters. Our insurance litigation experience includes:

- Declaratory judgment actions
- Class actions
- Third-party claims, including long-tail exposures and other commercial general liability claims
- First-party property and lost income claims
- Extra-contractual and bad-faith cases
- ERISA claims
- Bankruptcy matters
- Premium collection matters
- Agency terminations and commission disputes
- Insurance insolvencies

Stradley Ronon has also served as amicus curiae counsel for various industry groups, including the American Property Casualty Insurance Association, the National Association of Mutual Insurance Companies, the Insurance Federation of Pennsylvania, the Pennsylvania Association of Mutual Insurance Companies, the Coalition for Litigation Justice and the American Council of Life Insurers.

Transactional and Regulatory Support

On behalf of insurers and reinsurers, we routinely evaluate and complete mergers, acquisitions, and reorganizations, and develop strategies for integration. We also provide services related to:

- Strategic advice and obtaining approvals for new licenses, Form A changes in control, Form D subject matter, rate and policy form filings, investments, extraordinary dividends and other financial transactions.
- Ensuring holding company act and related regulatory compliance.
- Corporate governance.

- Assisting financially distressed companies with workout strategies and regulator relations.
- Developing products and claims handling procedures.
- Conducting internal investigations on D&O affairs, sales practices, and underwriting and claim handling issues.
- Responding to regulatory and governmental inquiries, enforcement actions and resultant litigation.
- Providing advisory (and litigation) services to receivers and creditors in matters involving insurance company receiverships or supervision, or insurer claims and defense in insureds' bankruptcies.

We also provide counsel to the firm's corporate clients on a variety of insurance issues, from shaping insurance and indemnification requirements in transactions to developing risk management programs to selecting the right broker partners. We provide counsel regarding insurance program design and offer guidance on legal issues surrounding insurance-related investments.

Producers/Intermediaries

In addition to providing transactional and regulatory services to producer groups of all sizes, our lawyers routinely represent insurance producers, managing general agents, broker-dealers and third-party administrators in litigation over sales practices, transactions, contracts, employment matters, commission disputes and regulatory investigations. Our product knowledge, combined with our regulatory experience, enables us to solve the most complex matters impacting intermediaries.

Insurance Receiverships

Our firm has decades of experience handling legal matters for and against insurance receivers and guaranty associations. Counseling rehabilitators and liquidators in numerous estates, we provide technical and asset collection services and defend liquidators' objections to claim determinations. We routinely counsel troubled companies working through runoff and supervision plans. Additionally, we regularly counsel insurers, reinsurers and others with claims against insolvent or troubled companies.

Representative Matters

- Served as national coverage counsel for insurers on tort cases relating to Roundup, paraquat, asbestos, silica, implants and other medical devices, talc, Prilosec, Ortho Evra, COVID-19, diethylstilbestrol (DES), denture adhesives, AIDS-tainted blood, molestation, benzene and sports concussions, as well as for environmental litigation matters involving coal ash, methyl tert-butyl ether (MTBE) and per- and polyfluoroalkyl substances (PFAS).
- Regularly participate in company sales, purchases and affiliations, obtaining numerous change-in-control and other intercompany transaction approvals.
- Represented an insurance holding company in litigation arising out of multiple portfolio transactions.
- Successfully represented Horizon Blue Cross Blue Shield of New Jersey in a historic appellate decision defending the reorganization of its corporate structure to a mutual insurance holding company.
- Represent multiple insurers and producers in market conduct and financial examination proceedings each year.
- Counsel to liquidator in numerous insolvency proceedings (e.g., the estates of Bedivere, Reliance, Legion, HRM and First Sealord), and counsel to numerous companies entering into voluntary receivership proceedings.
- Represented insurers in putative class actions alleging unfair claims handling practices in the resolution of thousands of claims.
- Defended a global insurer through trial in a complex, hybrid insurance coverage/tortious interference claim alleging in excess of $40 million in damages and resulting in a complete defense verdict.
- In a case a Pennsylvania federal court described as "one of first impression," prevailed on the court not to exercise personal jurisdiction over a health insurer even though the insurer had a certificate of authority from the Commonwealth's Insurance Department.

- Obtained millions of dollars on behalf of insurers asserting claims of insurance fraud, waste and abuse pursuant to New Jersey's Insurance Fraud Prevention Act.

Publications

NJ Supreme Court Holds Insurance Brokers Not Exempt from the Garden State's Consumer Fraud Act
July 23, 2026

Using NY Lawsuit Loan Law, Ruling Against Shady Injury Suits
Law360
June 17, 2026

New York Appellate Division Affirms High Bar for Trivial-Defect Dismissals in Trip-and-Fall Cases
June 16, 2026

Handling Disability Claims for "Long Haul" COVID-19
Employee Benefit Plan Review
June 2, 2023

The Scope and Standard – Third Circuit to the Rescue
March 24, 2022