

# Insurance & Reinsurance Disputes



## About us

Taylor Wessing LLP's Insurance Group has extensive experience in the handling of insurance and reinsurance disputes, often with an international element. We handle disputes referred to arbitration as well as disputes subject to court jurisdiction. We act for insurers and reinsurers, brokers and insureds and often become involved in parallel proceedings in different jurisdictions.

## An international service

Within Europe, Taylor Wessing LLP is able to offer expertise in the handling of insurance and reinsurance disputes in its London, Paris and German offices, and through relationships with leading law firms in other European jurisdictions. Internationally, the firm is well placed to serve the needs of its insurance industry clients in the emerging Middle East and Asian economies, through its offices in Dubai, Shanghai and Beijing, while in North America we work closely with leading correspondent firms.

## Recent examples of insurance and reinsurance disputes handled include:

- Acting in ongoing high court litigation involving insurers (Lloyd's and non-Lloyd's) in connection with losses arising out of the incorrect calling of a performance bond for a construction project in India. Value of claim: US\$15 million.
- Acting for reinsurers and securing a settlement between insurers and reinsurers subscribing to a US\$985 million multi-layer on-demand indemnity policy following a dispute as to the operation of policy reinstatements.
- Representing European reinsurers in London arbitration proceedings concerned with asbestos, environmental pollution and health hazard claims arising under surplus reinsurance treaties.
- Advising US reinsurers in relation to reinsurance claims emanating from London market insurances of worldwide energy risks (onshore and offshore).
- Advising reinsurers on the construction of a US\$1 billion multi-layer insurance and reinsurance programme covering the issuing of on-demand indemnities and securing a settlement of all outstanding liabilities.
- Advising major European reinsurer on disputed excess of loss reinsurance claims in relation to political risk business valued at around US\$150 million.
- Advising on several disputes and lawsuits between Ship-owners and Insurers concerning questions of coverage under Loss of Hire-policies.
- Advising on coverage of claim for wreck removal costs.
- Advising on insurance coverage for damage to ship unloading facility.
- Advising on insurance coverage for damage due to flood catastrophe in Romania.
- Advising in relation to Professional Indemnity insurance cover in connection with a negligence claim from a Saudi Arabian family relating to three trusts with values in excess of US\$130 million.
- Acting on Lloyd's market claim under an all risks policy in relation to £1.5 million losses arising from thefts of cash from Automatic Teller Machines.
- Acting for a major accountancy / investment advisory practice in a £1 million claim against insurers and brokers under a professional indemnity policy arising out of negligent investments made by an investment manager.
- Advising a group of companies on the potential recovery of significant claims under corporate liability and life policies following claims from the estate of an employee who had died after recently being dismissed but was in the middle of the companies' appeals procedure.
- Acting for a European insurer in defending claims totalling USD100 million from a major bank arising out of failed construction projects in Hungary and Africa.
- Acting for a major high street financial institution in a £3.6 million claim for professional negligence against its brokers in relation to the placing of a group insurance policy.
- Acting for an insurance broker in relation to proceedings involving allegations of misleading conduct by the broker.
- Advising a health insurer in relation to structure of premium rates.

## UK Insurance and reinsurance disputes team



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James advises on insurance and reinsurance claims and coverage disputes, often with an international element. He has advised numerous participants in the international insurance and reinsurance markets on disputes concerning asbestos, environmental pollution and health hazard losses, spiral business, D&O, E&O and financial institutions claims, bankers' professional indemnity claims, property damage and business interruption claims. James has also advised on disputes in respect of political risks, global insurance programmes and captive cover.

James also advises on the management of insurance/reinsurance portfolios in run off and on disputes arising therefrom. James also advises on the terms and conditions of insurance and reinsurance contracts and on commutations of reinsurance exposure.

According to *The Legal 500* James is a "highly regarded" and "recommended litigator" in the insurance and reinsurance field and has a "good reputation". He is listed in *Legal Experts 2008* as an expert in insurance. He will appear in the 2008 *Guide to the World's Leading Insurance and Reinsurance Lawyers*.

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**ANTHONY MENZIES**

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Anthony is a partner in the Commercial Disputes Practice Group and a member of the firm's Insurance Group. He advises on direct and reinsurance claims and coverage disputes, often with an international element, particularly involving insureds, insurers or reinsurers in the US, Bermuda and the Cayman Islands.

He has advised numerous participants in the international insurance and reinsurance markets on disputes concerning D&O and E&O, property insurance and business interruption, and disputes under commodity trade contracts. Anthony also has wide experience of advising on disputed claims in respect of political risk and marine and energy insurance, both at the primary and reinsurance level.

Anthony has previously been recommended as a leading insurance lawyer in the Legal 500 International Section and World Legal Forum Inbrief Magazine. He is also a regular speaker at international insurance and reinsurance conferences and seminars, particularly in London and Bermuda.

Anthony is a member of the International Bar Association and the British Insurance Law Association.

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## A legal force for Europe

Based in the UK, France, Germany, Brussels and Dubai, as well as representative offices in Alicante, Beijing and Shanghai - Taylor Wessing LLP provides the full range of legal services to private equity houses, institutional investors, venture capitalists, technology funds, insurers, reinsurers, brokers, major corporations and growing enterprises doing business in Europe.

## Our services

- **Corporate** - M&A, IPOs, Private equity, MBOs, Tax, Commercial law, FSA, Inward investment, Funds
- **Litigation & dispute resolution** - Litigation, Arbitration, Mediation
- **Employment & pensions** - Employee benefits, Human resources, Pensions, Pensions litigation
- **Finance & projects** - Banking, Structured finance, Major projects
- **Reconstruction and corporate recovery** - Restructuring, Work-outs, Formal insolvency
- **Real estate** - Investment, Development, Finance, Planning & environment
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- **Regulatory** - Public law, Financial services
- **Private client** - International asset protection, Tax and succession planning
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