

Joseph J. Schiavone

Member

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Joseph J. Schiavone is a senior member of the firm's insurance and reinsurance practice group.

With over 35 years of litigation experience, Joe represents many of the nation's largest insurers and reinsurers in a broad range of complex matters. He routinely advises and litigates matters involving all forms of reinsurance, primary and excess insurance coverage, products liability, class actions, environmental liability, bad faith, errors and omissions, and directors and officers coverage.

Joe has represented insurers and reinsurers in matters involving highly significant exposures. He is currently representing or has represented Everest Reinsurance Company, General Reinsurance Corporation, The RiverStone Group, Odyssey Reinsurance Company, Travelers, The Hartford, United States Aviation Underwriters, Inc., FM Global, Chubb Limited, and Catalina U.S. Insurance Services, among others.

Joe is a leading trial lawyer who has tried numerous insurance and reinsurance cases in arbitration and litigation. He has handled hundreds of such cases and has tried over one hundred to final decision. He has also handled major trials in both state and federal court including appeals and arbitrations. Joe has appeared as counsel before virtually all the leading arbitrators in the insurance industry. He has appeared in cases in most of the Federal Circuits and has argued or tried some of the leading court decisions in reinsurance, including:

- *Travelers Casualty & Surety Company v. Insurance Co. of North America* (3d Cir. 2010) (affirming trial decision in favor of cedant and rejecting reinsurance gerrymandering arguments);
- *Trenwick America Reinsurance Corp. and UNUM Life Ins. Co. of America* (D. Mass. 2011) (post-trial decision in favor of retrocedant finding lost retro contract enforceable and applying Massachusetts bad faith law in favor of cedant, awarding treble damages and attorneys' fees);
- *Karen L. Suter, The Commissioner of Banking and Ins. Of the State of New Jersey, In Her Capacity as Liquidator of Integrity Ins. Co. v. General Accident Ins. Co.* (D. N.J. 2006)

(rescinding reinsurance coverage in favor of reinsurer and rejecting cedant's bad faith presentation of Pfizer heart valve claims);

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American Bankers Ins. Co. v. Northwestern National Ins. Co. (11th Cir. 1999) (early case applying follow the settlements to a retrocessional recovery in favor of retrocedant in context of breast implant claims);

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Travelers Casualty & Surety Company v. Ace American Reinsurance Company (2d Cir. 2006) (affirming trial court summary judgment decision in favor of cedant applying annual limits to three-year reinsurance contract);

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Owens-Illinois, Inc. v. United Insurance Company (N.J. 1994) (leading case determining allocation method for asbestos claims).

Joe is an internationally recognized speaker and chairperson at industry and legal conferences on insurance and reinsurance law issues. Over the last thirty years, he has appeared nationally and internationally as a speaker on allocation, insolvency, long-tail claims, including asbestos and environmental, agency/pool business, ENRON claims, and breast implant claims, among other topics. He has appeared as chairperson or speaker at industry conferences hosted by: ARIAS; International Alliance of Asbestos and Pollution Reinsurers ("INTAP"); Hawksmere Ltd.; ABA-U.S. Insurance Section; Reinsurance Association of America; *Mealey's* Insolvency and Reinsurance Roundtables; and Glasser LegalWorks. He also frequently writes on topics affecting the industry.

EDUCATION

University of Miami School of Law, J.D., *cum laude*, *Articles and Comments Editors*, *University of Miami Law Review*, 1978

College of William and Mary, B.A., 1975

HONORS & AWARDS

Mr. Schiavone has been recognized as a leading insurance and reinsurance lawyer in: *Who's Who Legal: Insurance and Reinsurance*; *Best Lawyers in America*; *Euromoney Guide to the World's Leading Insurance and Reinsurance Lawyers*; and *Super Lawyers*. He is rated "AV" Martindale-Hubbell Peer Review Rating.

Listed in:

- *Best Lawyers*® - Commercial Litigation - Insurance Law - 2005-2025
- New Jersey *Super Lawyers*® - 2009-2025
- *Morris/Essex Health & Life* magazine as a "Top Lawyer" - Insurance - 2024