

William G. Passannante

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Practice Areas

Insurance Recovery

Corporate and Commercial Litigation

Environmental Law

Cyber Insurance Recovery



William G. Passannante is a nationally recognized authority on policyholder insurance recovery in D&O, E&O, asbestos, environmental, property, food-borne illness, and other insurance disputes, with an emphasis on insurance recovery for corporate policyholders and educational and governmental institutions.

According to clients quoted in *Chambers USA*, he is touted as, "A terrific policyholder lawyer" and "a tremendous tactician and an incredible trial lawyer." According to *Chambers USA* 2013, he is the "go-to attorney for high-dollar insurance coverage litigation," and "knows the industry inside-out." Mr. Passannante is well regarded for his client counseling and impressive advocacy, and has the perceptive ability to wade through legalese and identify the most salient and important issues. He relates to his clients with integrity, determination and devotion. He has a good sense of humor and is passionate about his work.

Mr. Passannante is co-chair of Anderson Kill's Insurance Recovery group. He is also a member of Anderson Kill's Cyber Insurance Recovery group. He has represented policyholders in major precedent-setting cases argued in trial and appellate courts throughout the country. *Law360* recognized Mr. Passannante as [2013 MVP in the Insurance category](#), and has been recognized in *Chambers USA* in every year since 2006 as a leading insurance recovery attorney. Mr. Passannante has been selected by his peers for listing in *Best Lawyers*. He has also been rated "AV® Preeminent™ Peer Review Rated," the top rating, 5.0 out of 5.0, by his peers as listed in Martindale Hubbell.

He has represented The Glidden Company, The Trustees of Princeton University, The City of Peekskill, Colgate-Palmolive Company, Franchisees of Taco Bell, HLTH Corporation/WebMD, Yum! Brands, Picker International, Weyerhaeuser Company, Occidental Chemical Company, Imperial Chemical Industries, The Lefrak Organization, Quest Diagnostics, Automatic Data Processing, Fleming Companies, Inc., and others.

Mr. Passannante was a drafter of the precedent-setting Weyerhaeuser case in the Supreme Court of



the State of Washington which held that no overt threat against a policyholder is required to trigger insurance policies. Mr. Passannante co-chaired the program "Current Issues in D&O and Professional Liability Insurance" sponsored by the ABCNY and the ABA, and chairs the firm's annual D&O Conference.

He has testified before the New York State Legislature regarding the insurance industry response to the victims of terrorist attacks. Mr. Passannante is an editor of the book, "The Policyholder Advisor," and has published widely including in "Risk Management," "The (ABA) Brief," "Corporate Counsel Magazine," "Policyholder Advisor," "Copyright World," "Healthcare Financial Management," "Insurance Litigation Reporter," and "Mealey's Insurance."

Mr. Passannante is a Regis High School class representative (2006-present), a member of the Regis High School Alumni Board (2006-2009) and served on the school's Executive Council (1998-2006). Prior to joining Anderson Kill, Mr. Passannante was a Financial, Industrial, and Econometric Consultant with Standard and Poor's/Data Resources, Inc.

Representative Engagements

WebMd Health — summary judgment to advance defense costs in D&O case. *HLTH Corp. v. Agricultural Exc. & Sur. Ins. Co.*, 2008 WL 3413327 (2008), appeal as to certain insurance companies *Axis Reinsurance Co. v. HLTH Corp.*, No. 565, 2009 (2010). Final insurance company, New Hampshire Insurance Company withdrew "recoupment" claim (2013).

U.S. Sports Specialty Association — Utah Supreme Court rebuked an attempted "perverse manipulation of risk" by an insurance company, ruled that an insurance company does not have a right to reimbursement against a policyholder. AK filed an amicus brief in the case on behalf of United Policyholders. *U.S. Fid. & Guar. Co. v. U.S. Sports Specialty Ass'n*, No. 20090657 (Utah Jan. 24, 2012).

Princeton University — summary judgment as to liability in D&O case. *Trustees of Princeton University v. National Union Fire Ins. Co. of Pittsburgh, PA.*, 83 N.Y.S.2d 437, appeal dismissed, 11 N.Y.3d 847 (Nov. 24, 2008).

Alfa Laval — trial court ruling regarding obligation to defend asbestos claims, *Travelers v. Alfa Laval, Inc.*, No. 650667/2009 (November 22, 2011), extended (July 2013).

Franmac — trial court ruling to enforce trade name protection and food-borne illness insurance policy relating to 2006 e-coli outbreak. *Quick Service Mgmt Inc., et al. v. Lloyd's*, MID-L-4861-07 (June 12, 2009).

Quest Diagnostics — won summary judgment for policyholder in health care industry regarding merger-related liability insurance coverage. *St. Paul Fire Ins. Co. v. MetPath, Inc.*, 38 F. Supp.2d 1087 (1998).

Weyerhaeuser — won ruling that no overt legal threat is required to activate environmental liability insurance. *Weyerhaeuser v. Aetna*, 123 Wash.2d 891 (1994).

NBTY, Inc. — represented policyholder in class action securities case in *In re NBTY, Inc. Securities Litigation*, No. CV 04-2619 (EDNY) (LDW).

Columbia Memorial Hospital — represented policyholder in *United States ex. Rel. Montaperto v. New Parkway Hospital, et al.*, 05-CIV-4911 (LDW); and *United States ex. Rel. Gelfand v. Special Care Hospital Management, et al.*, 02-CIV-6079 (EDNY) (LDW).

Lefrak — won summary judgment that insurance company duty to defend was triggered by lead paint claim. *Lefrak Organization, Inc. v. Chubb Custom Ins. Co.*, 942 F. Supp. 949 (1996).

Federal v. Kozlowski — represented policyholder to recover D&O liability insurance and prevent rescission action. *Federal Ins. Co. v. Kozlowski*, 18 A.D.3d 33, 792 N.Y.S.2d 397 (1st Dep't 2005).

Picker International — represented policyholder that sought coverage for alleged liability on account of exposure to radiation. *Picker International, Inc. v. Travelers Indemnity Co.*, 35 F. Supp.2d 70 (1998).

Automatic Data Processing ("ADP") — represented policyholder to recover proceeds of insurance coverage for alleged advertising injury for copyright infringement.

CMI Corporation — represented policyholder to recover insurance for advertising injury on account of patent infringement liabilities. *CMI Corp. v. National Union Fire Ins. Co., et al.*, No. CIV-92-462-M (W.D. Okla.).

Fleming Companies — represented policyholder to recover insurance for alleged commercial crime claims. Also represented policyholder pursuing directors' and officers' liability insurance coverage.

The Glidden Company — represented policyholder to recover insurance for alleged environmental liabilities in multi-site, multi-insurance company action.

ICI Americas — represented policyholder to recover D&O liability insurance on account of civil and criminal antitrust claims.

Occidental Chemical Company — represented policyholder to recover insurance coverage on account of construction accident.

Pueblo Xtra, International, Inc. — represented policyholder to recover proceeds of commercial crime policy.

Speaking Engagements

Mr. Passannante has been asked to speak over one hundred times on liability and insurance issues across the country, including: (1) D&O Liability and Insurance; (2) Professional Liability and E&O and Cyber Insurance; (3) Insurance Bad Faith; (4) Trial and Litigation; (5) Environmental and Asbestos; (6) Insurance Coverage for Intellectual Property Claims; and (7) General Insurance Topics, as follows:

D&O Liability and Insurance

"Best Practices in Keeping Abreast of Regulatory Changes Affecting Your Business: SEC's New Regulations and the Impact on D&O," Anderson Kill's 18th Annual Policyholder Advisor Conference, New York, NY (October 23, 2014)

"Everything a Risk Manager Needs to Know About D&O Liability and Insurance," RIMS PERK Upstate New York Chapter, Williamsville, NY (May 20, 2014)

"When Whistleblowers Strike, Give a Little Whistle for D&O Insurance," Anderson Kill's 11th Annual D&O Conference, New York, NY (April 9, 2014) (with Allen R. Wolff and Diana Shafter Gliedman)

"Translating Your D&O Policies Into Language That Will Pay Claims," Moderator, Anderson Kill's 17th Annual Policyholder Advisor Conference, New York, NY (October 17, 2013) (with Alexander D. Hardiman)

"Increased Regulatory Risks for Directors & Officers: Strategies for Minimizing Risk," Anderson Kill & Olick's 10th Annual D&O Conference, New York, NY (March 21, 2013) (with Joshua Gold and Raymond A. Mascia, Jr.)

"From Soup to Nuts: Anatomy of a D&O Insurance Claim," Anderson Kill & Olick's 16th Annual Policyholder Advisor Conference, New York, NY (October 25, 2012) (with Alexander D. Hardiman)

"Merge With Caution and Mind the Traffic Cops: D&O Risks in 2012 and Beyond," Anderson Kill's 9th Annual D&O Conference, New York, NY (March 15, 2012) (with Alexander D. Hardiman)

"Whistleblowers, Shareholders and Feds, Oh My! D&O Insurance for Emerging Liability Risks," Anderson Kill & Olick's 15th Annual Policyholder Advisor Conference, New York, NY (October 13, 2011) (with Joshua Gold)

“Coverages and Coverage Issues,” Advisen’s Management Liability Insights Conference: Private Company Profit D&O, New York, NY (September 27, 2011)

“It Ain’t Over Till It’s D&Over: D&O Insurance as the Nation Digs Out from Recession,” Anderson Kill & Olick’s 8th Annual D&O Conference, New York, NY (March 10, 2011) (with Joshua Gold)

“D&O Insurance in the Wake of the Great Recession,” Anderson Kill & Olick’s 14th Annual Policyholder Advisor Conference, New York, NY (September 23, 2010)

“D&O Coverage Litigation Do’s and Don’ts,” New York City Bar Live Program: Current Issues in D&O Liability & Insurance 2010, New York, NY (June 10, 2010)

“Everything a New Risk Manager Needs to Know About D&O Liability & Insurance,” RIMS National Conference, Boston, MA (April 29, 2010)

“After the (Litigation) Flood: D&O Insurance Flashpoints in 2010 and Beyond,” Anderson Kill & Olick, P.C. and the Greater NY ACC Chapter’s Seventh Annual D&O Conference, Harvard Club, New York, NY (March 25, 2010) (with Joshua Gold)

“Insurance Coverage and How Policyholders Can Best Recover the Full Value of Their D&O Insurance,” The Carlton Hotel, New York, NY (November 30, 2009)

“Director’s & Officer’s Insurance - Don’t Be So Sure That It Is For Public Companies Only,” Riverside Yacht Club, Riverside, CT (October 21, 2009)

“Directors and Officers Liability Insurance - Responding to the Economic Crises of 2008 - The Subprime Lender Fallout & Madoff Scandal,” 12th Annual Policyholder Advisor Conference, New York, NY (September 17, 2009) (with Pamela D. Hans)

“Enhanced Bankruptcy D&O Issues for the Economic Meltdown,” New York City Bar -- Current Issues in D&O Liability and Insurance 2009, New York, NY (June 11, 2009)

“Responding to the Economic Crises of 2008 - The Subprime Lender Fallout & Madoff Scandal,” Anderson Kill & Olick’s 6th Annual D&O Conference, New York, NY (March 26, 2009)

“Directors and Officers Liability Insurance – A Year in Review and a Look Ahead,” Strategies and Tactics to Avoid D&O Liability and Maximize Coverage (June 4, 2008)

“D&O Liability Insurance,” 14th Annual Advanced Forum, New York, NY (May 13–14, 2008)

“Strategies and Tactics to Avoid Liability and Maximize Coverage,” Fifth Annual D&O Seminar, New York, NY (March 5, 2008)

“Current Issues in D&O Liability and Insurance,” New York City Bar Association, New York, NY (June 7, 2007)

“Strategies and Tactics to Minimize D&O Liability and Maximize the Return on Liability Insurance,” RIMS Education Day 2007, Kansas City, MO (February 21, 2007)

“Road Map to D&O Liability Insurance and Navigating the Claims Process,” The Forgotten Promise - Strategies and Tactics to Maximize the Value of D&O Insurance, Chicago, IL (October 12, 2006)

“The Forgotten Promise—Strategies and Tactics to Maximize the Value of D&O Insurance,” 4th Annual D&O Conference, Harvard Club, New York, NY (June 22, 2006)

"D&O Liability Insurance—Getting Your Money's Worth," Fairfax, VA (March 3, 2005)

"Current Issues In Directors And Officers Liability Insurance," Chicago, IL (May 8, 2002)

"Current Issues In Directors and Officers Liability Insurance," American Management Association, Policyholder Advisor Conference, Washington, D.C. (February 7, 2002)

"Current Issues In D&O and Professional Liability Insurance," The Association of the Bar of the City of New York, American Bar Association New York, New York (May 9, 2001) Conference Co-Chair

"Current Issues in D&O and Professional Liability Insurance," New York, NY (April 25, 2000) (with Joshua Gold and Mark Silverschotz)

"Current Issues in D&O and Professional Liability Insurance," The Association of the Bar of the City of New York, New York, NY (June 18, 1999) (with Edward J. Stein)

"Insurance Coverage for Intellectual Property Liabilities Under the 'Advertising Injury' Coverage Provision in Liability Insurance Policies," The Practising Law Institute's Fifth Annual Institute for Intellectual Property Law, New York (October 7-8, 1999) (with Robert M. Horkovich)

"Current Issues in D&O and Professional Liability Insurance," Mealey's Emerging Insurance Battles Conference (March 12-13, 1998) (with Randy Paar)

Professional Liability - E&O and Cyber Insurance

"Data Privacy and Security in the Crosshairs: Are You Covered? -- Will Traditional Insurance Policies Provide Protection," FBT Seminar, Louisville, KY (April 30, 2014)

"Professional Liability Insurance," Massachusetts RIMS Spring Conference, Norwood, MA (March 19, 2013) (with Matthew F. Putorti)

"Cyber Crisis Scenario – Corporate Account Hijacking: A Table Top Exercise," American Bankers Association Conference, Phoenix, AZ (February 2, 2011)

"Understanding Key E&O, D&O and Fiduciary Liability Insurance Issues," South Texas RIMS Chapter, San Antonio, Texas (March 24, 2010) (with Joshua Gold)

"Understanding Key E&O, D&O and Fiduciary Liability Insurance Issues," Winnipeg, Canadian RIMS Chapter, Winnipeg, Canada (April 28, 2009) (with Pamela D. Hans)

"Ultrafine Print: How to Read an Insurance Policy," Risk and Insurance Management Society 2009 National Conference and Exhibition, Orlando, FL (April 20, 2009)

"Understanding Key E&O, D&O and Fiduciary Liability Insurance Issues," Delaware Valley RIMS Chapter, St. David's, Pennsylvania (April 14, 2009) (with Cort T. Malone)

"Understanding Key E&O, D&O and Fiduciary Liability Insurance Issues," Greater Kansas City RIMS Chapter, Kansas City, MO (October 14, 2008)

"What's Hot - What's Not in D&O/E&O Insurance," 11th Annual Policyholder Advisor Conference, New York, NY (September 18, 2008) (with Joshua Gold)

"Understanding Key E&O, D&O and Fiduciary Liability and Insurance Issues," Risk and Insurance Management Society, San Diego, CA (April 30, 2008)

"Key Issues Affecting D&O/E&O Insurance," 10th Annual Policyholder Advisor Conference, New York, NY (September 18, 2007)

"Key Issues Affecting D&O/E&O Insurance," 9th Annual Policyholder Advisor Conference, Philadelphia, PA (September 15, 2006)

"Key Issues Affecting D&O/E&O Insurance," 9th Annual Policyholder Advisor Conference, Chicago, IL (June 1, 2006)

"Management Liability: D&O, EPLI & Fiduciary Liability – Latest Developments & Challenges," Westchester CPCU Chapter, Valhalla, NY (May 26, 2005)

Insurance Bad Faith

"Policyholder's View of Bad Faith," Marsh Conference, New York, NY (November 7, 2013)

"Halloween Is Coming: Policyholder's Perspective On Common Mistakes Made By Insurance Companies And Their Counsel That Should Frighten Them," White & Williams, 2013 Coverage College Pennsylvania Convention Center, Philadelphia, PA (October 3, 2013)

"Consorting With the Enemy: What Both Sides Can Learn From Each Other," 2013 National RIMS Conference, Los Angeles, CA (April 22, 2013)

"He's a Keen One, Mr. Grinch: A Policyholder's Perspective on Common Mistakes Made By Insurers and Their Counsel," DRI Insurance Coverage and Practice Symposium, New York, NY (December 15, 2011)

"Insured's Right to Independent Counsel: Emerging Issues – Resolving Policyholder and Insurer Disputes Over Selection of Counsel," Strafford Publications Webinar, New York, NY (July 20, 2011)

"Ethics – 'Conflicts Counsel,'" 10th Annual Policyholder Advisor Conference, New York, NY (September 18, 2007)

"How to Use Bad Faith Effectively as Leverage," NAPIA/MAPIA Insurance Seminar, Cambridge, MA (October 17, 2003)

"The Emerging Liabilities and Coverage Issues," Cleveland, OH, RIMS Education Day 2003 RIMS Northeast Keybank Tower Auditorium, Cleveland, OH (March 11, 2003)

Trial and Litigation

"How to Evaluate and Settle an Insurance Claim," Massachusetts RIMS Chapter, Waltham, MA (March 17, 2011)

"Insurance Policies and Litigation," Risk and Insurance Management Society Northeast Ohio RIMS Chapter Conference, Warrensville Heights, OH (March 11, 2008)

"Insurance Recovery Litigation - How to Best Avoid It, Win It, Deal With It," RIMS 2007 Annual Conference, New Orleans, LA (April 30, 2007)

"Preparing A Complex Insurance Coverage Case For Trial," RIMS 2005 Annual Conference, Philadelphia, PA (April 17-21, 2005)

"Preparing a Complex Insurance Coverage Case for Trial," 39th RIMS Annual Conference & Exhibition, Atlanta, GA (April 29-May 4, 2001) (with John Berringer)

"Recovering From Fraud Losses," First Annual Policyholder Conference, Charleston, SC (March 15-17, 1998) (with Robert M. Horkovich)

Environmental and Asbestos

“Pollution, Contamination and Mold Exclusions and Causation,” Hurricane Insurance Recovery Conference, Houston, TX (November 9, 2005)

“Potential Liability Insurance Coverage for Wrongful Extractions Claims,” 1997 Mining Lawyers Conference, Charleston, SC (September 18-20, 1997) (with Robert M. Horkovich)

“Maximizing the Benefits of Environmental Insurance Coverage for Mining Concerns,” 1997 Mining Lawyers Conference, Charleston, SC (September 18-20, 1997) (with Joshua Gold)

“What You Don’t Know About Insurance Can Cost You Millions: How to Secure Environmental Insurance Coverage,” Colorado Springs, CO (November 4 & 5, 1997) (with Joshua Gold)

“Insurance Coverage Considerations for Mining Concerns and Other Policyholders,” Lake Tahoe, NV (September 28, 1996) (with Joshua Gold)

Insurance for Intellectual Property Claims

“Insurance Coverage for IP Infringement Claims,” Kansas Bar Association’s Intellectual Property Institute, Overland Park, KS (May 6, 2011)

“Understanding Key E&O, D&O and Fiduciary Insurance Issues,” RIMS 2007 Annual Conference, New Orleans, LA (May 3, 2007)

“High-Tech Insurance Issues: Insurance Coverage For Intellectual Property Liabilities Under The ‘Advertising Injury’ Coverage Provision in Liability Insurance Policies,” New York Hilton & Towers, New York, NY (June 10-11, 1999) (with Robert M. Horkovich)

“What Everyone Should Know About Insurance Coverage for Intellectual Property Claims But Was Afraid To Ask,” 37th Annual RIMS Conference Dallas Convention Center, Dallas, TX (April 11-16, 1999) (with Robert M. Horkovich)

“What Every Intellectual Property Lawyer Should Know About Insurance Coverage But Was Afraid to Ask - ‘Insurance Coverage for Intellectual Property Liabilities Under the ‘Advertising Injury’ Coverage Provision in Liability Insurance Policies,’” Chicago, IL (February 24, 1999) (with Robert M. Horkovich)

“What Every Intellectual Property Lawyer Should Know About Insurance Coverage But Was Afraid to Ask,” Cornell Club New York, New York, NY (November 20, 1998) (with Robert M. Horkovich)

“What Every Intellectual Property Lawyer Should Know About Insurance Coverage But Was Afraid to Ask - ‘Insurance Coverage for Intellectual Property Liabilities Under the ‘Advertising Injury’ Coverage Provision in Liability Insurance Policies,’” (November 18, 1998) (with Robert M. Horkovich)

“Compelling Coverage for Copyright Claims - Insurance Coverage for Copyright and Other Intellectual Property Liabilities under the ‘Advertising Injury’ Coverage Provision in Liability Insurance Policies,” RIMS ‘98, San Diego, CA (April 26-May 1, 1998) (with Robert M. Horkovich)

“Insurance Coverage for Intellectual Property Liabilities under the ‘Advertising Injury’ Coverage Provision in Liability Insurance Policies,” First Annual Policyholder Conference, Charleston, SC (March 15-17, 1998) (with Robert M. Horkovich)

“Insurance Coverage For Intellectual Property Liability Under the ‘Advertising Injury’ Coverage Provision In Liability Insurance Policies,” (November 17, 1997) (with Robert M. Horkovich)

“Maximizing Your Insurance Asset: Insurance Coverage for ‘Advertising Injury’ Claims,” The Grand

Hyatt, New York, NY (January 29-30, 1996)

"Insurance Coverage for Copyright Violations, Trademark Infringement, Patent Infringement or 'Piracy,' Antitrust Violations, Defamation, Slander, Privacy Violations, and Unfair Competition under the 'Advertising Injury' Coverage Provision in Liability Insurance Policies" 34th RIMS Annual Conference, Toronto, Ontario (April 21-26, 1996) (with Robert M. Horkovich)

"Insurance Coverage for Copyright Violations, Trademark, Infringement, Patent Infringement or 'Piracy,' Antitrust Violations, Defamation, Slander, Privacy Violations, and Unfair Competition under the 'Advertising Injury' Coverage Provision in Liability Insurance Policies," New York, NY (August 6-11, 1993) (with Robert M. Horkovich)

General Policyholder Insurance Topics

"M&A Pre-Nup: Insurance Due Diligence," PERK RIMS Indiana Chapter, Indianapolis, IN (June 12, 2014)

"How to Evaluate and Settle Insurance Claims," Massachusetts RIMS Spring Conference, Norwood, MA (March 27, 2014) (with Nicholas R. Maxwell)

"Insurance Tips for a Risk Management Department," Ohio River Valley RIMS Chapter Meeting, Cincinnati, OH (January 18, 2013)

"What Every Attorney Needs to Know About Insurance Coverage," MNACCA In-House Counsel Conference, Minneapolis, MN (June 14, 2012) (with Carrie Maylor DiCanio)

"Emerging Legal Issues in Insurance Risk Management," PERK RIMS Greater Kansas City Chapter, Overland Park, KS (November 11, 2011) (with Carrie Maylor DiCanio)

"Financial Services – Cyber Crisis Scenario: Corporate Account Hijacking," Industry Breakout Sessions: Important Issues Affecting Key Industries, 15th Annual Policyholder Advisor Conference, New York, NY (October 13, 2011) (with Joshua Gold)

"Adviser's Q2 Securities Litigation," Anderson Kill & Olick, P.C. Webinar, New York, NY (July 19, 2011)

"What Every Insurance Professional Should Know About Insurance Coverage," RIMS National Conference, Vancouver, Canada (May 3, 2011)

"Emerging Legal Issues in Insurance Risk Management," 2011 PERK Risk and Insurance Management Society New Jersey Chapter, Fairlawn, NJ (February 8, 2011) (with Steven J. Pudell)

"Ultrafine Print: How to Read an Insurance Policy," Northeast Ohio RIMS Chapter, Ohio (November 9, 2010)

"Insured's Right to Independent Counsel: Emerging Issues – Resolving Policyholder and Insurer Disputes Over Selection of Counsel," Strafford Publications Webinar, New York, NY (October 5, 2010)

"Negotiating A Better Win: A CLE Spring Breakfast Series," St. John's University School of Law – The Hugh L. Carey Center for Dispute Resolution, St. John's University Manhattan Campus, New York, NY (March 23, 2010)

"Ponzi Schemes and Coverage-Related Issues," HB Litigation Conferences Fidelity Bond and Crime Coverage Conference, New York, NY (December 3, 2009)

Risk and Insurance Management Society Educational Workshop, Orlando, FL (April 18-19, 2009)

(with Pamela D. Hans and Ronald Papa)

“Navigating Claim Settlement Perils and Traps,” New York RIMS Chapter, New York, NY (February 19, 2009)

Risk and Insurance Management Society Educational Workshop, New York, NY (October 20-21, 2008) (with Finley T. Harckham, Pamela D. Hans, Kevin J. Connolly, Phillip England and Ronald Papa),

“Ten Tips for a Corporate Law or Risk Management Department,” South Texas RIMS Chapter, San Antonio, TX (May 22, 2008)

“Insurance Topics,” 17th Annual Class Action Institute, New York, NY (October 23, 2007)

“How to Evaluate and Settle an Insurance Claim,” Risk and Insurance Management Society, Inc., Denver, CO (September 27, 2007)

“The Risk Managers’ Perspective,” 10th Annual Policyholder Advisor Conference, New York, NY (September 18, 2007)

“What Are We Worth: How Risk Managers Demonstrate Their Value to Their Employers,” RIMS 2007 Annual Conference, New Orleans, LA (May 1, 2007)

“How to Evaluate and Settle an Insurance Claim,” Risk and Insurance Management Society, Inc., Minnesota Chapter Perk Program, Bloomington, MN (April 17, 2007)

“Property Losses,” Katrina/Rita/Wilma Damages: Recouping Your Losses With An Aggressive Insurance Recovery Program, New Orleans, LA (March 30, 2006)

“Insurance Archeology & Reconstruction,” Kansas City RIMS Chapter, Kansas City, MO (February 22, 2006)

“Ten Tips for a Corporate Law or Risk Management Department,” Virginia RIMS Chapter, Sandston, VA (February 9, 2006)

“Corporate Acquisitions: Avoiding the Insurance Pitfalls,” Ohio Valley RIMS Chapter, Cincinnati, OH (September 30, 2005)

“You Are An Officer of a Public Company—Now What?,” Nashville, TN (September 9, 2005)

“9/11 Litigation: Cutting Edge World Trade Center Insurance Coverage Issues,” New York State Bar Association, New York, NY (May 17, 2005)

“Legal Update: Developments of Interest to Risk Managers,” RIMS Education Day, Cleveland, OH (March 15, 2005)

“Testimony Before New York State Assembly Regarding the Insurance Industry Response to the Victims of the Terrorist Attack on the World Trade Center on September 11, 2001,” New York, NY (December 12, 2001)

“Settling Complex Insurance Claims,” American Management Association, Policyholder Advisor Conference (September 21, 2000) (with Ann Kramer)

“What’s a Risk Manager To Do? Insurance Coverage for Y2K Liabilities: ‘Sue & Labor and Directors and Officers Liability Insurance Issues,” Cleveland-Akron Chapter of RIMS, Independence, OH (September 14, 1999) (with Joshua Gold)

"Ten Insurance Tips for Corporate Law Departments," 1997 RIMS Annual Conference, Georgia (April 13-18, 1997) (with Lee Epstein)

Publications

"A D&O's Success on 'the Merits or Otherwise' Should Eliminate Insurance Company Attempts to Recoup Defense Costs," *Agents of America.org* (May 2014) and *Anderson Kill Policyholder Advisor* (March/April 2014)

"Coverage *Quelled* by Extreme Exhaustion Arguments: the Cautionary Tale of the *Quellos* Case," *Risk Management magazine* (February 11, 2014) and *Anderson Kill Policyholder Advisor* (November/December 2013) (with Joshua Gold)

"Leading Coverage Lawyers: The Most Significant Insurance Coverage Decisions of 2013," *Coverage Opinions*, Volume 3, Issue 1 (January 8, 2014)

"Independent Defense Counsel -- Is the Best Defense a Good Offense?," *Anderson Kill Policyholder Advisor* (September/October 2013) (with Nicholas R. Maxwell)

"Insurance Coverage for Colleges and Universities," *University Business* (December 17, 2012) (with Cassandre C. Théano)

"Coverage Opinions Interview with William Passannante," *Coverage Opinion magazine* (November 2012)

"Monsters Under the Bed: Insurance Coverage Gaps and Other Invisible Exclusions," *Insurance Journal - National Region* (November 19, 2012)

"Welcome To The Land Of Liability: An Insurance Recovery Primer For Non-U.S. Businesses With U.S. Operations," *The Metropolitan Corporate Counsel*, Volume 20, No. 10 (October 2012) (with Cort T. Malone)

"Right to Independent Counsel: Effectively Implement An Insurance Company's Duty to Defend," *New York Law Journal* (September 10, 2012)

"Insurance Companies Stopped From Seeking Reimbursement From Policyholders - Not Taking Reservations," *AKO Policyholder Advisor* (May/June 2012) (with Darin J. McMullen)

"10 Big Mistakes Made by Insurance Companies: An attorney for policyholders points out common carrier missteps," *National Underwriter Property Casualty 360* (April 12, 2012)

"Stranger in a Strange Land," *Interleges* (Spring 2012), *IBA's Insurance Law Committee Newsletter* (May 2012) (p. 7), *Italy-America Chamber of Commerce* (January 2012) and *The John Liner Review*, Vol. 25, No. 3 (Fall 2011) (with Cort T. Malone)

"Act Now to Muffle the Supposed and Extreme Exhaustion Defense in Your Excess D&O Policies: The Exhaustion Hoodwinking - A Tragedy in Two Acts," *Corporate Counsel Magazine* (December 2011) and *AKO Policyholder Advisor* (September 21, 2011) (with Joshua Gold)

"When Government Investigators Come Calling: Give A Little Whistle for D&O Coverage," *Corporate Counsel* (October 2011), *The Insurance Research Letter* (September 2011) and *AKO Policyholder Advisor* (July/August 2011)

"ZIP'ing It Up: Insurance Coverage for Privacy Violations Claims," *Law360* (September 8, 2011) and *AKO Policyholder Advisor* (July/August 2011) (with A. Marcello Antonucci)

"Five Practical Tips For Maximizing Your D&O Insurance Coverage in the Wake of the Great Recession," *Enforce: The Insurance Policy Enforcement Journal*, Volume 9, Issue 1 (May 2011) and *Corporate Counsel* (November 2010) (with Raymond A. Mascia, Jr.)

"Advertising Injury: Insurance Coverage for Intellectual Property Claims From 'Blast Faxes' to Copyright Infringement," *Kansas Bar Association's 2011 Intellectual Law Institute* (May 6, 2011) (with A. Marcello Antonucci)

"Forcing an Insurance Company to Pay Legal Fees for the Coverage Fight: A Study of State Laws," *Advisen FPN* (April 2011) and *The John Liner Review* (Winter 2011) (with Marc T. Ladd)

"The Year in Emerging Risks," *The Insurance Research Letter* (May 2011) and *AKO Policyholder Advisor* (March/April 2011)

"Protecting Against D&O Liability for Climate Change-Related Disclosures," *Risk Management Magazine* (February 2011) (with Alexander D. Hardiman)

"Rethinking Disability Insurance," *The New York Times* (December 10, 2010)

"Maximize Your Insurance Recovery for Theft or Fraud Losses," *American Bar Association's Section of Litigation* (November 18, 2010) (with James R. Serritella)

"Climate Change Related D&O Liability - The Coming Flood," *Oregon State Bar Sustainable Future Section* (Winter 2010) and *American Bar Association's Professionals', Officers' and Directors' Liability Committee Newsletter* (Fall 2010) (with Alexander D. Hardiman)

"Insurance Recovery After a Decade of Disaster," *Chambers USA* (June 2010)

"This Port in a Storm: Policyholders Should Insist on Full Coverage Promised by D&O Policies," *Enforce: The Insurance Policy Enforcement Journal*, Volume 8, Issue 1 (April 2010) (with A. Marcello Antonucci)

"Getting Insurance Coverage for Your Intellectual Property Claims: Healing Advertising Injuries," *Corporate Counsel* (April 2010) and *AKO Policyholder Advisor* (January/February 2010) (with A. Marcello Antonucci)

"A Look Back: Key Developments in Insurance Recovery," *AKO Policyholder Advisor*, Volume 19, Number 1 (January/February 2010)

"Protecting D&O Insurance In Tough Economic Times," *Insurance Law360* (January 5, 2010) (with Raymond A. Mascia, Jr.)

"Protecting D&O Insurance During Difficult Economic Times," *AKO Policyholder Advisor*, Volume 18, Number 6 (November/December 2009) (with Raymond A. Mascia, Jr.)

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Professional Memberships

New York State Bar Association, Vice-Chair of the Professionals, Officers and Directors Liability Committee of the Tort and Insurance Practice Section of the American Bar Association (Past), a member of the Directors and Officers Liability Committee of the Insurance Committee of the Association of the Bar of the City of New York (Past); member, Securities Litigation Committee of the Association of the Bar of the City of New York (2012-present); Federal Bar Council; and International Bar Association.

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