



Reinsurance

Trusted Counsel in Complex Reinsurance Matters

Hinshaw represents domestic and international companies in a wide range of issues and disputes confronting ceding companies, reinsurers, and retrocessionaires in connection with reinsurance billings and cessions, arbitration, and litigation.

We are experienced in the full panoply of reinsurance issues, including:

- rescission;
- adverse selection;
- non-disclosure,
- fraud and misrepresentation;
- requirements of utmost good faith;
- duties, rights, and responsibilities in connection with underwriting handling;
- insolvency, rehabilitation, runoff, wind-up, and cut-through issues;
- audits, inspection, discovery, and access to records issues;
- complex allocation and billing issues;
- number of accidents, occurrences, loss occurrences, and aggregation issues;
- following form, follow-the-settlements, and follow-the-fortunes practices and issues;
- custom and usage, course of performance, and contract interpretation issues;
- duties, rights, and responsibilities in connection with claims handling such as notice and rights of association;
- fronting and captive arrangements;
- authority and agency issues;
- umpire, arbitration, arbitrability, and forum issues;
- limits issues;
- extra-contractual liability;
- expense and declaratory judgment cost issues;
- letters of credit;
- offsets;
- commission and premium issues;
- retention warranties;
- regulatory requirements and restrictions;

- sole judge and honorable engagement issues;
- and more.

Our reinsurance experience includes representing clients in litigation, arbitration, and dispute resolution. We also provide counsel and represent companies in connection with commutations, run-off operations, and acquisitions. We have extensive experience with reinsurance pools.

A Nationally Respected Team

Hinshaw is home to one of the country's premier reinsurance litigation and counseling practices. We have been engaged in precedent-setting cases and high-profile arbitrations involving proportional and non-proportional treaties, facultative certificates, follow-the-fortunes and follow-the-settlements clauses, late notice, allocation issues, and extra-contractual obligations.

We represent domestic and international reinsurers, cedents, managing general agents (MGAs), captives, and brokers. Our work spans both the life/health and property/casualty markets, and we have advised on reinsurance matters arising from natural disasters, mass tort claims, long-tail environmental liabilities, and class actions.

Areas of Focus

Extra-Contractual Obligations (ECO/XPL)

We counsel reinsurers on their exposure to extra-contractual damages and punitive claims, advising on best practices and defending against improper cessions.

Recovery & Collections

We pursue timely and efficient recoveries under reinsurance contracts, advising on strategies to maximize collections and enforce reinsurance obligations.

Regulatory & Cross-Border Issues

Our team helps clients address compliance with domestic and international reinsurance regulations, including collateral requirements, credit for reinsurance, and issues under state law and NAIC guidelines.

Reinsurance Litigation & Arbitration

We represent clients in domestic and international forums, including ad hoc and institutional arbitrations, and federal and state court proceedings involving complex reinsurance disputes.

Run-Off & Commutation Strategy

We assist clients in navigating the challenges of discontinued books of business, including structuring commutation agreements and managing disputes in the run-off context.

Treaty & Certificate Analysis

Our attorneys provide detailed analysis of facultative and treaty agreements, focusing on interpretation, underwriting intent, and claims-handling practices.

Insight You Can Rely On

With decades of experience and a deep understanding of both the legal and commercial dimensions of reinsurance, Hinshaw delivers trusted counsel that drives results. Whether through litigation, arbitration, or proactive advisory work, our reinsurance team stands ready to help you navigate risk, protect your business interests, and move forward with confidence.

Insights

Press Release

Aug 15, 2025

Tessa Vorhaben Appointed to the New Orleans Chapter of the Federal Bar Association's Board of Directors

Press Release

Aug 7, 2025

April Toy Elected to Serve on the National Executive Committee of the Hispanic National Bar Association for the 2025–2026 Term

In The News

Aug 1, 2025

Scott Seaman Featured in *Law360* Report on the Top Property Insurance Decisions in the First Half of 2025

In The News

Jul 23, 2025

“Best Practices in Presenting Business Interruption Claims” by Francesco Palanda

Press Release

Jul 21, 2025

April Toy Selected as a *BizTimes Milwaukee* 2025 Notable Latino Leader

In The News

Jul 21, 2025

Scott Seaman Interviewed by *Law360* in its Report on the Top Commercial General Liability Rulings From the First Half of 2025

Press Release

Jul 11, 2025

Camille Evans Named a 2025 National Black Lawyers' Top 40 Under 40 Honoree

Event

Jun 25, 2025

Hinshaw Sponsors International Association of Claim Professionals' New York Conference

In The News

Jun 19, 2025

New Two-Volume 13th Edition of Thomson Reuters Insurance Law Treatise is Now Available

Press Release

Jun 17, 2025

Scott Seaman Supports Ruling that Held Federal Jurisdiction is Appropriate in Insurance Coverage Disputes

Press Release

Jun 9, 2025

Hinshaw Adds Insurance Partner Tessa Vorhaben in New Orleans

In The News

Jun 9, 2025

Scott Seaman Discusses the Importance of Securing Judicial Finality in COVID-19 Pandemic Insurance Coverage Rulings

To Find Out More Contact



Pedro E. Hernandez

Partner

Miami

📞 305-428-5043



Scott M. Seaman

Partner

Chicago

📞 312-704-3699

Related Capabilities

Bad Faith, Market Conduct & Extra-Contractual Liability

Claims Resolution, Management & Social Inflation Containment

Complex Tort & General Casualty

Corporate & Transactions

Insurance

Insurance Regulatory & Compliance

Insurance Transactions

International Law & Alliances

Life, Health, Disability & ERISA