

Ed Lenci Says Second Circuit's Landmark International Arbitration Ruling is a Win for Freedom of Contract

Via *Law360 Insurance Authority*

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Hinshaw partner and reinsurance practice chair Ed Lenci was recently quoted in a *Law360 Insurance Authority* report on a pivotal Second Circuit decision in favor of the right for international insurers to arbitrate hurricane damage claims.

The ruling in *Certain Underwriters at Lloyds et al. v. 3131 Veterans Blvd. LLC* and *Certain Underwriters at Lloyds, London et al. v. Mpire Properties LLC*, which involved claims for damages caused by Hurricane Ida, further narrows a longstanding circuit split over the interpretation of the New York Convention, a key international arbitration treaty.

The Second Circuit clarified that the McCarran-Ferguson Act does not reverse-preempt the New York Convention, removing a major barrier to enforcing arbitration agreements in insurance policies in New York and Connecticut.

Ed lauded the decision, stating, “This decision has great significance for the insurance industry. It eliminates the obstacle to the freedom of contract that McCarran-Ferguson imposed in New York and Connecticut.”

In 2023, Ed wrote about the significance of this case [in a New York Law Journal article](#) following the lower court's decision.

[Read the full article](#) (subscription may be required).

- *Law360 Insurance Authority*: “[Insurers' Win In Arbitration Treaty Ruling Narrows Circuit Split](#)” (May 15, 2025)

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Hinshaw’s Ed Lenci Publishes “Expert Analysis” in the New York Law Journal on Second Circuit’s Possible Reconsideration of Reverse-Preemption of NY Convention By the McCarran-Ferguson Act