

Matthew C. Ferlazzo

New York, NY

He/Him

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About Matt

Matt is a seasoned litigator with extensive experience representing clients in complex, high-stakes commercial, reinsurance, and insurance disputes nationwide, both in court and before arbitration panels. His work spans key issues such as claims allocation, trigger of coverage, number of occurrences, late notice, additional insured coverage, follow the settlements, access to records, loss-sensitive and retrospectively rated insurance programs, and pre-arbitration hearing security.

Matt also provides strategic counsel to insurance companies on a broad range of coverage matters, including cyber risks, environmental claims, mass torts, construction defect accident claims, as well as emerging coverage issues related to COVID-19. In addition to his coverage work, he defends professionals facing malpractice claims.

Matt's Affiliations

- New York State Bar Association
- ARIAS US

Areas of Focus

Industries: Energy & Environment; Insurance; Reinsurance

Services: Appellate; Insurance Coverage Litigation & Counseling; Litigation & Trial

Experience

- Secured favorable decision on appeal, with the court applying the insurer's cross-liability exclusion to bar coverage for claims against an additional insured by an employee of the named insured.
- Successfully defended the insurer against a direct-action claim by the state to recover clean-up costs associated with a petroleum leak.
- Obtained favorable decision for the insurer at trial and appellate level that New York law applied to coverage dispute concerning the costs of environmental remediation at sites throughout the country.
- Obtained summary judgment dismissing the insured's claim for coverage of remediation costs because of the insured's late notice.
- Achieved settlement in a reinsurance arbitration on behalf of a cedent for the principal balance due plus interest.
- Obtained victory in an arbitration hearing resulting in an award that the reinsurer did not owe any amount to the cedent.
- Achieved multiple favorable settlements, representing insurers in arbitration and litigation of claims against policyholders concerning retrospectively rated and loss-sensitive insurance programs, including settlement for the full balance due plus interest.
- Obtained dismissal of an action by the policyholder who sought to litigate a dispute that was subject to arbitration.
- Successfully litigated petitions to compel arbitration and appoint the policyholder's arbitrator in state and federal court.
- Obtained multiple awards requiring the policyholder to post pre-hearing security for the full amount at issue plus interest and attorneys' fees.
- Defeated motion to dismiss arbitration based on the alleged failure to satisfy conditions precedent.

Recognition

- *New York Metro Super Lawyers*, Rising Star, 2014 and 2017
- Brooklyn Law School, Herbert A. Lyon Memorial Scholarship; Judge Nathan R. Sobel Prize for Excellence, Criminal Law; Richardson Merit Scholar; *Brooklyn Journal of International Law*, Associate Managing Editor; National Political Science Honor Society

No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Credentials

Education

Brooklyn Law School, JD, *magna cum laude*, 2004

City University of New York – College of Staten Island, BA, 2001

Bar Admissions

Florida

New Jersey

New York

Court Admissions

US Court of Appeals for the Second Circuit

US District Court for the Southern District of Florida

US District Court for the District of New Jersey

US District Court for the Eastern District of New York

US District Court for the Southern District of New York

Interests

Did you know...

Matt enjoys spending time with his wife and two daughters, especially watching them perform on stage and at dance competitions. A diehard New York Yankees and New York Giants fan, he cheers on his teams whenever he can.

Thought Leadership

Publications

- Co-Author, "[Property Coverage For Riot-Related Claims Is Not Automatic](#)," *Law360* Expert Analysis, June 18, 2020

Blog Post

- New York is Split on Whether Notice of Default Letters Trigger the Statute of Limitations, Aug 24, 2018

In The News

- Hinshaw Announces Publication of 50 State Survey on Requirements to Communicate with Insureds for Property and Casualty Claims, Dec 20, 2021
- Property Insurance Coverage For Riot-Related Claims Is Not Automatic, Jun 19, 2020
- New E-Book Primer Offers Insights into COVID-19 Insurance Coverage & Reinsurance Claims, Apr 20, 2020

Insights for Insurers Alert

- Excess D&O Policy Not Triggered by Vizio's Smart TV Litigation Claim, May 7, 2021

Press Release

- Hinshaw Obtains Victory in Insurance Arbitration, Aug 13, 2015