

## Insurance

Winstead's insurance attorneys represent the spectrum of insurers, reinsurers, syndicates, trade associations, brokers, agents, and self-insurers in all facets of property, casualty, surplus lines, excess, life, annuity, health, and title insurance issues. Our insurance clients include many of the most prominent insurers in the country, as well as smaller niche and mid-market carriers. Many of our cases and transactions have national impact. Our insurance attorneys focus their in-depth practices on the regulatory, investment, corporate, and claims/litigation arenas.

## Regulatory & Investment

We know the insurance industry and its regulators. Our team includes former key personnel from the Texas Department of Insurance, a former regional counsel for a national insurance industry trade association, and insurance investment professionals. Our attorneys have extensive experience working with regulators to secure approvals for corporate transactions and multi-state projects. The team advises insurer clients on the laws and regulations affecting their investments and strategies, and advises financial institutions, private equity firms, and other investors on the regulatory restrictions and oversight involved in lending to or investing in insurers. Our attorneys know the myriad of laws, regulations and practical solutions related to portfolio lending, equity investing, alternative investments, life insurance regulations, investment advisory restrictions, and servicing. We help clients navigate the world of multi-state regulation as they secure approval for innovative ideas and technologies. The diverse experience and knowledge that we bring to the table helps clients stay ahead in an evolving regulatory space. We also assist our insurance clients with regulatory matters before the Texas Comptroller, Texas Department of Licensing and Regulation, Texas Department of Banking, Texas Windstorm Insurance Association, Texas Surplus Lines Stamping Office and other Texas agencies.

## Corporate M&A

Our attorneys have experience with all aspects of corporate and financial transactions in the insurance industry. Our in-depth knowledge of the industry allows our team to skillfully negotiate a variety of transactions, including asset and stock acquisitions and capital raise transactions. We advise our clients on the terms regulators will favor in order to expedite regulatory approvals of these transactions. We also work closely with our colleagues who focus on related areas, such as taxation, benefits, and healthcare, to ensure our clients receive a holistic view of their transaction.

## Investigations & Enforcement

Our knowledge of the regulated environment and in-house regulatory experience gives us special insight that benefits our clients. Winstead has a well-regarded practice of representing clients in contested matters. Working with our regulatory attorneys, our litigation attorneys handle insurance enforcement matters, many of which involve the government seeking significant penalties and restitution. We also help clients work through financial and market conduct examination issues, including complex multi-state examinations. We further represent insurers, agents and other stakeholders in insolvency proceedings, and handle receivership matters.

## Litigation

Our insurance trial attorneys handle complex, high stakes litigation as well as multi-case dockets where efficiency predominates. We skillfully navigate insurers and adjusters through the murky waters of first party bad faith claims and professional liability, general liability, D&O, and homeowners coverage disputes. Our team has achieved an exemplary record of jury verdicts and judgments, including cases stemming from widespread catastrophes involving residential and habitational properties, office buildings, retail complexes, and refineries. Our trial attorneys also represent insurers in reinsurance disputes. Our litigation team is strengthened by a powerhouse appellate group that includes board-certified appellate attorneys who have successfully obtained vital opinions on policy interpretation when defending or overturning judgments after trial.

## Our experience includes:

- Formation and acquisition of licensed insurers and agencies

- Civil Investigative Demands
- Market conduct and financial examinations and compliance audits
- Legislative strategies and drafting of legislation
- Rulemaking and court challenges to rules
- Ratemaking proceedings
- State premium and retaliatory tax matters
- Expert witness testimony on insurance issues
- Section 1033 consents
- Coverage analysis and advice
- Trials and appeals of coverage disputes as well as high-stakes bad faith cases
- Counseling insurers and independent adjusters through complex claims processing
- Examinations under oath of insureds and their representatives
- CyberSecurity insurance issues, including coverage analysis, incident response, and protocol development
- Drafting and refining manuscript policies
- Industry client and trade association amicus briefs

### Industry memberships include:

- American Bar Association Tort Trial and Insurance Practice Section
- Federation of Defense and Corporate Counsel
- Texas Association of Life and Health Insurers
- Texas Surplus Lines Association
- The Association of Life Insurance Counsel
- The Texas Land Title Association