



Elisa M. Alcabes, Esq.

Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, NY 10017-3903
ealcabes@stblaw.com
(212) 455-3133

Elisa Alcabes is Senior Counsel in the Litigation Department at Simpson Thacher & Bartlett LLP, where she manages high-stakes litigation, arbitration and mediation with a focus on complex insurance and reinsurance coverage disputes. Over the last two decades, she has played a lead role as national coordinating counsel for a major domestic insurer swept into the nationwide surge of asbestos-driven bankruptcy cases that targeted billions of dollars in insurance assets, consistently securing favorable rulings and settlements. She also has represented clients in reinsurance litigation and arbitration, achieving successful outcomes. Complementing her litigation activities, Elisa routinely advises private equity, banking and industrial sector clients on mass tort and insurance issues in connection with high-profile mergers, acquisitions, divestitures, initial public offerings and financing arrangements, and provides counsel with respect to directors' and officers' liability and cyber insurance coverage.

For two decades, Elisa has served as co-editor of The Handbook on Insurance Coverage Disputes by Barry R. Ostrager and Thomas Newman (Wolters Kluwer Law & Business, 2017), a widely recognized, three-volume treatise currently in its eighteenth edition. She is a contributing editor of Getting The Deal Through: Insurance Litigation 2018, a global publication that provides expert advice and insight into contentious insurance issues in major jurisdictions around the world. Over the years, she has appeared as a panelist and speaker at several litigation and insurance conferences.

Elisa is deeply committed to *pro bono* work on behalf of disabled veterans through the Veterans Assistance Project of the New York City Bar Justice Center. She has represented veterans seeking benefits from the Department of Veterans Affairs and relief from military discharge review boards and currently co-heads a team working on reform litigation in the Court of Appeals for Veterans Claims to address severe delays in the VA benefits appeals process. She has received the Jeremy G. Epstein Award for Pro Bono Service from the City Bar Justice Center in recognition of her work. Elisa is a member of the New York City Bar Association's Committee on Military Affairs & Justice and recently traveled to Guantánamo Bay, Cuba, as an official observer of the military commissions proceedings there.

Elisa received her B.A. in Philosophy from Vassar College, where she was elected Phi Beta Kappa, her Masters of Music from The Juilliard School, and her J.D. from Columbia Law School where she was a Harlan Fiske Stone Scholar and Law Review editor.

Jonathan A. Dachs, Esq.

Shayne, Dachs, Sauer & Dachs, LLP



JONATHAN A. DACHS, a graduate of Columbia College and NYU Law School, is a member (since 1990) of the Mineola, New York law firm of Shayne, Dachs, Sauer & Dachs, LLP. After spending the initial three years of his legal career at the distinguished New York City firm of Chadbourne & Parke, Jonathan joined Shayne, Dachs in 1987, where he worked closely with, and was schooled in the areas of insurance and tort law by, his esteemed father and mentor, Norman H. Dachs, for 27 years, until Norman's passing in 2014.

A recipient of the NYSBA's TICL Section's Young Lawyer Award in 1995, Jonathan has always given freely and generously of his time to educate lawyers (and judges) in the areas of his expertise -- most notably the area of uninsured, underinsured, and supplementary uninsured motorist ("SUM") law and practice, in which he is widely recognized as the leading expert in the State. A prolific writer, Jonathan has, since September 1987, been a co-author (with Norman H. Dachs) and is now the sole author of a regular column in the New York Law Journal on Insurance Law, and has published 180 articles in that publication to date. In addition, he has, for the past 23 years, published annual reviews of SUM case law, regulations and legislation in the New York State Bar Journal, and has published numerous additional articles that have appeared in the New York Negligence Reporter, Trial Lawyers Quarterly, Nassau Lawyer, and Trial Lawyers Section Digest.

In August 2016, Jonathan published a 500+ page treatise, entitled New York Uninsured and Underinsured Motorist Law and Practice (Lexis Nexis/Matthew Bender). In his book review in the New York Law Journal, Dan Kohane (a previous recipient of both the Young Lawyer Award and the John E. Leach Memorial Award) called this book "a scholarly and practical treatise," "the first, comprehensive handbook in the New York UM/UIIM field," and "a wonderful desktop 'handbook' when a lawyer, claim professional or judge requires clear authority and practice direction." The second edition of this book was released in August 2017, and the next edition is expected to be published in August 2018. In addition to all of his published writings, Jonathan has served the legal profession and TICL Committee members by his participation as a lecturer at numerous CLE programs throughout the State, given by many bar groups, including NYSBA. To date, he has given over 140 lectures on various insurance and negligence topics, including SUM, automobile insurance, Dram Shop liability, legal writing, civil practice, and appellate practice. He has been designated a New York Metro "Super Lawyer" (Appellate Practice) and one of "Long Island's Top Legal (Personal Injury) Eagles" since 2010.

Alan C. Eagle, Esq.

Rivkin Radler LLP



Alan C. Eagle maintains a national insurance coverage practice that is supported by a group of Rivkin Radler's coverage lawyers.

For more than 20 years, insurance companies have called on Alan for his counsel and representation in coverage litigation. He successfully has resolved countless coverage matters, ranging from coverage opinions aimed at avoiding litigation to high-profile litigation involving hundreds of millions of dollars.

Alan has directed insurance coverage litigation across the country that has resulted in precedent-setting cases favorable to the insurance industry, including:

- Budget litigation in New York
- Liggett litigation in Delaware
- Polaroid litigation in Massachusetts
- F.L. Aerospace litigation in Michigan
- Noranda litigation in Idaho
- Howmet litigation in New Jersey
- Texaco/Primerica litigation in Iowa
- ISA litigation in New York

Alan frequently speaks on emerging insurance issues at insurance companies and other organizations, including the New York State Bar Association (NYSBA), Mealey's Insurance, and the Practising Law Institute. He also writes articles on insurance, including as a regular contributor of coverage updates to the Defense Research Institute and the NYSBA, and he is the author of the firm's monthly New York Insurance Coverage Law Update.

In addition, Alan serves as the vice chair of the Insurance Coverage Committee of the Torts, Insurance, and Compensation Law Section of the New York State Bar Association and as chair of the Insurance Section of the Nassau County Bar Association.

Robert Horkovich, Esq.

Anderson Kill P.C.



Robert M. Horkovich is "the 'go-to person' in the area of insurance recovery," according to a client cited by Chambers USA, which has recognized Mr. Horkovich as a leading insurance recovery attorney every year since 2005. According to Chambers, Mr. Horkovich "has a strong 'client-first' attitude" and "is recognized in the market for his leading trial and negotiation skills, with an undisputed national presence."

Bob has obtained over \$5 billion in settlements and judgments from insurance companies for his clients over the past decade. Bob is a trial lawyer with substantial experience in trying complex insurance coverage actions on behalf of corporate policyholders and governmental entities. His victories include one of the top 10 jury verdicts in the United States in 2003, the top insurance recovery jury verdict in the United States in 2005, seven landmark state Supreme Court decisions, eight jury verdicts and nine bench trial decisions in favor of the policyholder since 1994 including:

- United Nations: Engaged on several significant projects by the United Nations as its general insurance counsel.
- State of California: Selected by the State of California as lead trial counsel. Won jury verdict securing coverage for the Stringfellow
- Acid Pits, described as the most complex environmental clean-up in the world. To date, the State has recovered settlements in excess of \$172 million in indemnity plus \$54 million in defense so far. Helped win two California Supreme Court victories (below).
- Fuller-Austin: Won jury verdict of \$188,793,014 against Lloyd's and other insurance companies in an asbestos insurance coverage case (a top 10 verdict in the U.S. in 2003); subsequently settled. Gross settlements of over \$190 million from 14 different insurance companies before trial.
- Weyerhaeuser: Two Washington Supreme Court decisions recognizing joint and several liability of multiple insurance companies on the risk over time and recognizing coverage for environmental clean-ups even without a government lawsuit. Two jury trial victories recognizing coverage for the clean-up of six environmental sites.
- Textron: Two Rhode Island Supreme Court decisions regarding coverage for unintentional environmental contamination despite the pollution exclusion and recognizing the trigger of multiple years of coverage for property damage over time.

- AT&T: Lead insurance recovery attorney against CNA in the successful resolution of AT&T's environmental insurance coverage litigation for a \$300 million site in Pennsylvania.

Bob also has represented General Electric, Thiokol, Waste Management, The Port Authority of New York and New Jersey, Alcatel-Lucent, Garmin, SCI, Clorox (First Brands), Saks Fifth Avenue, NYU, Princeton University, United Bank, Spalding, Cascade, Tektronix, Maidenform, Bijan and Evander Holyfield.

As to asbestos insurance recoveries, Bob represents the Trusts in the W.R. Grace, Owens Corning, Congoleum, Fuller-Austin, and Swan Transportation (Tyler Pipe) cases, the Debtor in the Asarco case, and the Asbestos Claimants' Committee in the Federal Mogul, PPG/Pittsburgh Corning, and A.P. Green (GIT) bankruptcies.

Benchmark deemed Anderson Kill a recommended litigation firm in New York recognizing Bob in 2016 as the top 10 insurance coverage lawyer in the US. Benchmark cites a frequent opponent in court who observes, "I would say that a good percentage of my time is spent fending off the likes of Bob Horkovich, but that's not an accurate summation because there is nobody exactly like Bob! He has done a great job with that firm, and no one fights harder for his clients. He really looks out for them like family." That explains why Law360 named Bob as an "Insurance MVP" by Law360 in 2012 and was named Lexis/Nexis "Policyholder Lawyer of the Year" in 2009. He is rated "AV® Preeminent™ Peer Review Rated" with a 5.0 out of 5.0 rating in Martindale Hubbell.

Mr. Horkovich has been selected by his peers for inclusion in Best Lawyers for insurance law in every year since 2009 and Super Lawyers for Insurance Coverage since 2006. He has been selected as a Fellow of the American Bar Foundation, the premier institute for social science research regarding law in the USA, an honor limited to one-third of one percent of the lawyers in America.

Justin N. Kinney, Esq.

Kinney Lisovicz Reilly & Wolff PC



Justin N. Kinney is a shareholder of the Firm whose practice concentrates in insurance coverage litigation and counseling and civil litigation.

From 1993 to 1997, Justin was associated with the law firm of Ford Marrin Esposito Witmeyer & Gleser, LLP. Thereafter, he became associated with the law firm of McElroy, Deutsch & Mulvaney, LLP. In 2001, he became a Partner with that firm and served there until 2004. He joined Coughlin Duffy LLP as a Partner at its inception in March 2004. He joined KLRW at its inception in 2016.



Ann M. Odelson, Esq.
Kennedys CMK
570 Lexington Avenue, 8th Floor
New York, New York 10022
Ann.Odelson@kennedyscmk.com
(646) 625-3963



Ann is a partner in the New York office and has litigation experience in various practice areas, including labor law claims, premises liability, insurance coverage, and corporate law.

Ann has worked on numerous complex civil cases involving the representation of Fortune 500 policyholders. Ann also has significant appellate experience and was the Notes and Comments Editor for the New York City Law Review.

Jeffrey M. Pollock

Fox Rothschild LLP Attorneys at Law



Jeff focuses his practice on complex litigation and Appellate practice. He is recognized by *Chambers USA* and is certified by the New Jersey Supreme Court as a Civil Trial Lawyer. This certification is bestowed by the Court upon select attorneys who demonstrate sufficient levels of experience, education, knowledge and skill in a specific area of law or practice and have been recognized by their peers as having sufficient skills and reputation in the designated area of law, among other requirements.

He has significant experience in:

- Complex litigation (Unfair Trade Practice, Anti-Trust and Lanham Act)
- Advising policyholders as well as representing them at trial against insurers on complex insurance claims, including intellectual property coverage, Bermuda form claims, products liability coverage, regulatory estoppel claims and coverage for alleged unfair trade practices
- Representing insurance carriers on reinsurance claims

Jeff has represented policyholders in litigation, including, but not limited to, cases involving:

- Comprehensive General Liability (CGL)
- Business interruption
- Umbrella liability
- Products liability

Beyond Fox Rothschild

Jeff was elected to serve as a member of The American Law Institute (ALI) – a nonprofit, independent organization dedicated to producing scholarly work that clarifies, modernizes and improves the law. As a member, Jeffrey has the opportunity to work with other lawyers, judges and academics in influencing the development of the law in both existing and emerging areas.

In 2013, Jeff was elected to the Fellows of the American Bar Foundation. The foundation serves as a research organization dedicated to the study of law, legal institutions, and legal

processes. Attorneys are elected by peers, all of whom are Fellows, and chosen for their outstanding achievements and professional distinction.

Jeff completed the National Institute for Trial Advocacy (NITA) trial training instructor course and currently serves as an instructor for NITA, a legal advocacy skills training organization.

He is a certified mediator for both the federal and state courts of New Jersey.

Jeff authored two chapters titled, "The General Liability Policy" and "Scope of Coverage Under the General Liability Policy" for the American Bar Association's upcoming book *Environmental Liability and Insurance Recovery*. He is also a professional scuba instructor.

Honors & Awards

Jeff is recognized by *Chambers USA*, *Super Lawyers* and *Best Lawyers*. No aspect of Chambers, Super Lawyers or Best Lawyers has been approved by the Supreme Court of New Jersey. The standard or methodology on which the accolade is based can be found at: (1) <https://www.chambersandpartners.com/guide/usa/>; (2) <https://www.superlawyers.com>; and (3) <https://www.bestlawyers.com/America>. Chambers is an independent journal conducting a survey of 20,000 in-house counsel from around the world. Super Lawyers is part of Thomson Reuters. Best Lawyers is an independent organization.

Joanna Roberto, Esq.

Gerber Ciano Kelly Brady LLP

TICL CLE Committee Chair



Joanna concentrates her practice in complex insurance coverage, product liability, and commercial litigation. She serves as counsel for multi-national insurance carriers in numerous matters pending throughout the country. Joanna has litigated all phases of declaratory judgment actions and arbitrations. She has counseled large insurers on risk management, underwriting procedures, and policy rewriting and claims practices.

She also focuses her practice on professional liability claims, including errors and omissions; property claims; life, health, and disability; construction liability coverage; Coverage B litigation; and products liability. She recently chaired the Annual Meeting for the Torts Insurance and Compensation Law (TICL) Section of the New York State Bar Association.

Joanna is currently the editor of the TICL Insurance Coverage eNews, published by the New York State Bar Association's Torts, Insurance, and Compensation Law Section. She is also a commentator for Mealey's Litigation Report: Insurance Bad Faith.

Joanna is multi-lingual and has attained a degree in linguistics in Florence, Italy. She has a familiarity with and appreciation for international claims handling practices as a result of her experience handling claims arising in Mexico, Italy, the United Kingdom, Spain and France.

Cheryl Vollweiler, Esq.

Traub Lieberman Straus & Shrewsberry LLP



Cheryl Vollweiler's practice concentrates in all aspects of insurance coverage and defense. Her areas of expertise include complex insurance disputes, reinsurance, bad faith litigation, international arbitration, products liability, general liability, premises and hotel liability, cyber risk, technology and data security, property damage and first-party coverage and toxic torts (including pharmaceutical and herbal/homeopathic products, chemical exposure, latent injuries, environmental, lead and mold). She has acted as coverage counsel, defense counsel to U.S. and foreign insurers in U.S. litigation nationwide and international arbitrations, and has supervised defense counsel on a nationwide basis on diverse books of business. Ms. Vollweiler also has extensive experience drafting insurance policies.

Ms. Vollweiler, a frequent lecturer on insurance coverage-related issues, punitive damages, e-discovery, toxic torts, pharmaceutical products liability, cyber law and other topics, was admitted to the bar in 1989 and is admitted to practice before the U.S. District Courts for the Eastern and Southern Districts of New York and the 2nd Circuit Court of Appeals. She received her Juris Doctor degree from Hofstra University School of Law in 1988. In 1985, Ms. Vollweiler received a Bachelor of Arts degree in Politics from Brandeis University. She is proud to join Traub Lieberman after many years as a partner at a prominent, large insurance defense firm.

