



## Robert D. Laurie

PARTNER

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Robert (“Bob”) Laurie is a commercial litigator and business advisor with a broad background, particularly in the areas of financial services, manufacturing, life sciences and aviation. Bob is an experienced trial lawyer who has appeared before courts and arbitration panels throughout the United States and in various international proceedings.

Bob regularly advises domestic and international insurance and reinsurance companies on complex commercial matters. He represents insurers in disputes concerning insurance coverage determinations, bad faith/extra-contractual claims, life insurance and related financial products. He has also litigated and arbitrated numerous facultative and treaty reinsurance disputes concerning fraud, contract wording, commutations, allocation, aggregation, number of occurrences, rescission, offset, pre-hearing security and insolvency.

Bob also advises clients on the construction and wording of various types of insurance and reinsurance agreements, with a particular focus on policy wording for cyber insurance products. Bob enjoys advising clients relating to intricate insurance products and facilities and he frequently provides due diligence and transactional assistance to a lending institution for insurance-related loan transactions.

He also frequently represents clients in a broad range of commercial litigation, including commercial contract disputes, commercial fraud, shareholder and partnership disputes, professional liability and product liability.

Bob has also defended clients against tort claims involving aviation accidents, premises liability and sports and recreation facilities.

Bob enjoys assisting clients with business formation, contract drafting and risk management issues, including drafting lease, license, non-compete and distribution agreements. He has helped form many start-up businesses and routinely advises corporate clients as to various aspects of their business.

In addition, Bob has many interests, including surfing, hiking, running and spending time with his wife, two daughters, son, and “Newfie” dogs.

## Experience

- Obtained favorable settlement for insurance company on the first day of trial in a multimillion-dollar bad faith litigation arising out of an insurance claim made by an insured for its liability for the manufacture of a defective concrete product. Settlement resulted after the court heard argument (on the first day of trial) on a pending summary judgment motion focused on the inability of the insured to prove bad faith under Connecticut law where insurer had provided a defense and paid the insured’s liability (albeit after a prolonged period of time).
- Successfully represented insurance company before the Connecticut Supreme Court in a highly publicized case involving an insured’s attempt to obtain coverage under a CGL policy for millions in costs and civil penalties resulting from a data-loss incident. The decision is considered one of the seminal cases interpreting CGL policy language in relation to damages arising from the loss of personal information.
- Obtained unanimous defense verdict on behalf of an insurance company following a two-week jury trial in the U.S.D.C. for the District of Connecticut concerning an insureds’ claims of breach of contract and bad faith insurance practices following a fire-loss claim at the insureds’ 400-acre estate.
- Successfully defended life insurer in an arbitration involving claims of fraud and breach of contract made by a beneficiary relating to insurer’s procedures concerning issuing policy amendments and the conduct of agents.
- Successfully defended international medical device manufacturer in a product liability litigation filed in the U.S.D.C. for the District of Connecticut.
- Obtained defense verdict on behalf of German machine-tool manufacturer following two-week bench trial in the U.S.D.C for the District of Connecticut in case alleging breach of a regional distribution and sales agreement and unfair trade practices.

- Obtained a defense verdict on behalf of insurance company against plaintiff's claims that the insurer was liable for alleged negligent repairs and remediation performed by an independent contractor referred to the plaintiff following a loss under a commercial insurance policy.
- Successfully represented a publicly-held insurance company in a complex and high stakes series of reinsurance disputes pending in the United States and the United Kingdom arising out of the client's participation in a workers' compensation carve-out reinsurance pool.

## **Honors**

- Super Lawyer® New England 2013-2016
- Super Lawyers® Connecticut 2020

## **Professional Affiliations**

- International Bar Association, Insurance Committee
- American Bar Association, Tort, Trial & Insurance Practice Section
- ARIAS U.S.
- The British Insurance Law Association (BILA)
- Professional Liability Institute
- Professional Liability Underwriters Society
- Defense Research Institute
- Claims and Litigation Management
- Connecticut Bar Association
- Massachusetts Bar Association
- New Hampshire Bar Association

## **Civic Activities**

- Former Board President of The Bridge Family Center (2011-2014)
- The Bridge Family Center, Governance and Finance Committee

## **Publications**

- "U.S. Construction Risks on the Rise as Business Grows" Insurance Day, August 2019 (PDF)

- “How Directors and Officers Can Reduce Cyber Liability Exposure,” *PropertyCasualty360*, June 2017. (PDF)
- “Connecticut Courts Issue Ruling in the Crumbling Foundation Cases,” *Insurance Day*, April 2017. (PDF)
- “Connecticut Asbestos Ruling,” *Insurance Day*, March 23, 2017. (PDF)
- “Data Loss Under CGL Policies: The Proverbial Square Peg In A Round Hole,” Inaugural Issue of *Advisen Cyber Liability Journal*, March 2012.
- “Just How Late is Too Late,” *Connecticut Law Tribune*, November 2009. (PDF)
- “Late Notice Revisited: Recent Decisions Further Obscure the Viability of a Late Notice Coverage Defense,” *The ACE Group, Claims Bulletin*, August 2009.
- “Déjà Vu All Over Again – Auction Rate Securities are the Latest Debacle to Hit the Financial Services Industry,” *Mealey's Emerging Insurance Disputes*, August 2008.
- “Mass. High Court Says Excess Carrier Not Bound by Primary’s Settlement Decision,” *National Underwriter*, November 5, 2007.
- “Trouble In Front,” *Run-Off Business*, Summer 2004.
- “Navigating the Seas of D&O Policy Rescission,” *National Underwriter*, September 20, 2003.
- “Not So Fast: Ruling in the Legion Insurance Company Rehabilitation Proceeding Provides Direct Access to Reinsurance Only in Limited Circumstances,” *Edwards & Angell Insurance & Reinsurance Update*, September 2003.
- “Proposed SEC Proxy Disclosure Rules; Investors’ Savior or Plaintiffs’ Bar Weapon?,” *Financial Advisor Magazine*, November 2002.

## Speaking Engagements

- “Cyber Risks From Third Party Partners, Vendors & Suppliers,” Connecticut Valley RIMS, May 2019
- “Mind the Gap: Employee Drivers & Their Family & Friends,” Connecticut Valley RIMS, May 2019
- “Avoiding the Cross-Hairs: An Update on Attempts by Policyholder Attorneys to Sue Individual Claims Adjusters for Bad Faith or Related Torts and What Adjusters Can do to Avoid Direct Claims,” CLM New York Conference, December 2018.
- “Discovery in Bad Faith Litigation: Is the Attorney-Client Privilege in Jeopardy?,” 2016 CLM New York (Extra-Contractual) Conference.
- “Cyber-Insurance: Understanding the New System,” Knowledge Congress Webinar, January 2015.
- “Insurance Discovery in Motion,” 2014 Connecticut Bar Association Annual Meeting, June 2014.

- “Cyber Insurance: What You Need to Know in 2012,” Knowledge Congress Webinar, August 2012.
- “The Current Status of the Law on Notification of Circumstances and Claims in Different Global Jurisdictions,” The 2009 Conference of the International Bar Association, Madrid, Spain.
- “Insurance on Asbestos Liabilities,” The 2008 Conference of the International Bar Association, Buenos Aires, Argentina.
- “United States Insurance Regulation – Developments in the Movement for Reform,” The 2007 Conference of the International Bar Association, Singapore.
- “The Insurability of Punitive Damages,” Association of Insurance Compliance Professionals, National Conference, October 2006.

## Capabilities

### Practice Areas

- Insurance
- Bad Faith/Extra Contractual Liability
- Cyber Risks, Data Privacy and Insurance
- Insurance Coverage
- Policy Wording and Program Implementation
- Reinsurance
- Commercial Litigation
- Appellate Advocacy
- Professional Liability
- Global Risk Management
- Financial Services
- Banking and Financial Services
- Business Transactions
- Title Insurance Litigation and Real Estate Transactions

## Credentials

### Admitted to Practice

- Connecticut
- Massachusetts
- New Hampshire
- United States District Court, District of Connecticut
- United States District Court, District of Massachusetts
- United States District Court, District of New Hampshire
- United States Court of Appeals, Second Circuit

## **Education**

- Western New England College, B.A.
- Suffolk University Law School, J.D., *cum laude*