



STEPHEN A. WEISBROD

Steve Weisbrod is an experienced trial lawyer who represents clients in complex financial and commercial disputes, bankruptcy and insolvency matters, and criminal investigations and trials. He has represented companies, creditors' committees, post-bankruptcy litigation trusts, individual directors and officers, and other individuals and entities in insurance recovery, bankruptcy, securities and other types of litigation.

PARTNER

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EDUCATION

- 1991 — J.D., Harvard Law School
- 1987 — B.A., University of Michigan

BAR AND COURT ADMISSIONS

- District of Columbia
- Illinois
- New York

PRACTICE AREAS

- Alternative Dispute Resolution
- Bankruptcy & Reorganization
- Complex Litigation
- Insurance

Insurance-related representations on behalf of policyholders have included:

- Representing an international law firm in insurance coverage disputes relating to lawsuits and investigations involving allegations of malpractice and fraud
- Representing an international food company in insurance recovery efforts relating to claims and losses arising out of contamination of processed food products
- Representing the lead plaintiffs in a certified national class action against a major life insurer accused of charging premiums in violation of the “vanishing premium” clause of its policies and imposing improper expense charges and cost-of-insurance deductions
- Representing a private equity firm seeking coverage for claims alleging breach of duty and negligence in connection with certain investment decisions and claims alleging antitrust violations in connection with the acquisition of certain fund portfolio companies
- Serving as the debtor’s special insurance counsel in a chapter 11 bankruptcy case filed by a major installer of asbestos-containing insulation, and in related arbitration proceedings and state and federal trial-level and appellate litigation

Other commercial and financial litigation representations have included:

- Representing a plaintiff commodities trader against an international bank in litigation involving claims of negligence and breach of duty
- Representing a plaintiff investment advisor in securities litigation against foreign broker-dealers relating to their sale of commercial paper on which the issuer defaulted

Other bankruptcy representations have included:

- Representing the official committee of borrowers in a chapter 11 case filed by one of the country’s ten largest home mortgage originators
- Serving as counsel to a post-bankruptcy litigation trust created as a result of the bankruptcy of a hospital chain

Criminal defense representations have included:

- Representing an accountant in a criminal tax fraud case
- Representing a lending officer in a criminal bankruptcy fraud case
- Representing a teenager accused of gang-related first-degree murder

STEPHEN A. WEISBROD (CONTINUED)

Steve has tried more than 25 cases in six states and the District of Columbia. His clients at trial have included a defendant accused of shooting of a rival gang member and attempting to kill a police officer (the defendant was acquitted), as well as an asset manager seeking to recover more than \$57 million that it lost when a highly rated Canadian insurance company defaulted on its commercial paper (the case settled before closing arguments). He also has represented many individuals and companies in grand jury and regulatory investigations.

Steve has written and lectured extensively on parallel criminal, regulatory, civil and bankruptcy proceedings, issues relating to the liability of financial professionals and corporate directors and officers, and related insurance issues. He has been invited to speak at the American Bankruptcy Institute, the American Bar Association Business Law Section, the Consumer Rights Litigation Conference of the National Consumer Law Center, the District of Columbia Bar, ExecuSummit Seminars, HB Litigation Conferences, the National Association of Criminal Defense Lawyers, the New York City Bar Association, and elsewhere.

Before entering private practice, Steve served as law clerk to Justice Alan B. Handler of the New Jersey Supreme Court and Chief Judge James B. Moran of the United States District Court for the Northern District of Illinois

Professional Activities

- Faculty, Georgetown University Law Center National Institute of Trial Advocacy
- Arbitrator, Financial Industry Regulatory Authority (formerly NASD)

Publications

Twenty-Five Questions that Law Firms Should Ask about Their Malpractice Insurance, New York City Bar Association, March 1, 2011

Who Pays for the Losses Resulting from Food-Related Product Contaminations and Recalls?, GMA 2011 Food Claims & Litigation Conference, February 23, 2011 (with J. Cohen and J. Neale)

Joint Defenses, Common Interests, and Adverse Interests Among Insurers, Policyholders, And Claimants, Privilege Issues, Insurance, and Reinsurance Outlook, HB Litigation Conferences, February 9, 2010

Look Out Below: Excess Insurers Argue That Settlement With An Underlying Insurer Negates Excess Coverage, June 5, 2009

Bankruptcy Court Sets Bar Date for Peanut Corporation of America Claims, May 27, 2009

Mortgage Borrowers Win Official Committee Status in American Home Mortgage Bankruptcy Case, March 2009

Food Recall Insurance Payout: How Not to Get Tied Up in Knots, GMA Forum Centennial Issue, September 2008 (co-author with J. Cohen)

Managing the Risks of Chinese Manufacturing and Imports, The Corporate Counselor, June 1, 2008, (co-author with J. Cohen and K. Quinn)

STEPHEN A. WEISBROD (CONTINUED)

Insurance Strategies for Investment Managers and Their Lawyers, The Investment Lawyer, February 2007 (co-author with J. Heintz and J. Lavella)

What Every White Collar Defense Attorney Should Know About Insurance, The Champion, May 2006 (co-author with J. Heintz and J. Lavella)

Federal Sentencing for Business Crimes, Matthew Bender, 2002 (contributing author)

Parallel Criminal, Regulatory, and Bankruptcy Proceedings, American Bankruptcy Institute Annual Meeting, 2002

The Perils of Parallel Proceedings, American Law Institute – American Bar Association Semiannual Advanced Course of Study on Civil Practice and Litigation Techniques in Federal and State Courts, 2000 (co-author with L. Liman)

Demolishing the Informant: Getting the Dirt and Using It at Trial, Law Education Institute and Bureau of National Affairs Winter CLE Conference on Criminal Law, 1996 (co-author with H. Asbill)

NEWS

- *Court Rejects Conseco Life Insurance Company's Attempt to Reduce Size of National Class Action*, January 17, 2011
- *Life Insurance Class Action Suit Filed*, California Broker, October 27, 2010
- *National Class Action Status Granted in Conseco Life Insurance Case*, Law.com, October 26, 2010
- *Nationwide Class Action to Proceed against Conseco Life Insurance Company*, October 12, 2010

SEMINARS & EVENTS

- *Professional Liability And Legal Ethics: Preventing, Defending And Obtaining Insurance For Claims Against Law Firms*, New York City Bar Association, March 1, 2011
- *Grocery Manufacturers Association 2011 Food Claims and Litigation Conference, Who Pays for the Losses Resulting from Food-Related Product Contaminations and Recalls?*, February 22, 2011
- *Grocery Manufacturers Association Food Claims and Litigation Conference, What Every Food Industry Defense Lawyer Needs to Know about Bankruptcy*, February 24, 2010
- *HB Litigation Conferences, Reinsurance Outlook 2010*, February 9, 2010
- *Preserving Privileges, Ethical Issues Confronting Insurers, Policyholders & Counsel*, December 4, 2009
- *Consumer Rights Litigation Conference*, October 22, 2009
- *New York State Association for Food Protection, 86th Annual Conference*, September 23, 2009
- *GMA Food Claims & Litigation Conference, Emerging Issues in Food-Related Litigation*, February 24, 2009

STEPHEN A. WEISBROD (CONTINUED)

- *Current Issues in D&O Liability and Insurance*, New York City Bar Association, May 6, 2008
- *Preserving Privilege: Ethical Issues Confronting Insurers, Policyholders & Counsel*, New York City Bar Association, January 22, 2008
- *Environmental Business Risks and Insurance: Scenarios and Solutions*, DC Bar CLE Course, November 15, 2007
- *How E&O Insurers Can Better Meet the Needs and Expectations of their Insureds*, Errors & Omissions Insurance ExecuSummit, July 25, 2007