



## Alan R. Lyons

*Partner; Chair, Insurance & Reinsurance Group*

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Alan Lyons is the chair of Herrick's Insurance & Reinsurance Group.

Alan has more than 20 years of experience advising insurers on insurance coverage and reinsurance issues, including insurance coverage litigations and arbitrations, drafting policies and reinsurance agreements, and advising on the development and structure of new insurance products.

Alan serves as national coverage counsel for insurers and risk retention groups, evaluating claims, preparing coverage opinions, and handling arbitration and litigation involving a variety of lines of insurance, including commercial general liability, commercial property, directors and officers liability, errors and omissions liability, employment practices liability, pollution, fine art, and cyber insurance policies.

### Insurance Litigation and Arbitration

Alan is an accomplished litigator who regularly represents clients in complex coverage litigation in federal and state courts, and in arbitration venues regarding a wide range of coverage issues, including:

- Catastrophic losses arising out of natural disasters
- Pollution exclusions
- Environmental claims
- Construction-related coverage disputes
- Toxic tort litigation, including asbestos, lead paint and mold claims
- Priority of coverage among concurrent and consecutive insurers
- Allocation of risk and trigger of coverage
- Number of occurrences
- Late notice
- Coverage under additional insured endorsements
- Coverage under directors and officers liability policies for underlying shareholder class actions and derivative lawsuits
- Coverage under errors and omissions/professional liability insurance policies for underlying claims against broker-dealers and numerous other professionals
- Excess, bad faith, extra-contractual and punitive damage claims involving both first- and third-party coverage
- Employment discrimination, harassment and wrongful termination coverage
- Construction project builders' risk and liability policies
- Cyber insurance claims

### Reinsurance

Alan regularly represents reinsureds and reinsurers in litigation and reinsurance arbitrations through to awards involving issues such as follow the fortunes/settlements, allocation disputes, the use and accounting of finite reinsurance, interpretation of warranty provisions, reinsurers' collateral obligations and the scope of contractual offset provisions.

### Policy Drafting

Alan advises insurers and reinsurers regarding their policy and treaty language, and drafts insurance policies, endorsements and reinsurance agreements. His recent work in this area includes drafting several insurance policies for a European insurer's alternative risk transfer products covering areas such as political risks, professional liability, construction and nuclear energy. In addition, Alan develops and structures new insurance products, including preparing the necessary transactional documents, analyzing regulatory compliance matters, and forming captives and risk retention groups.

### Services

- Insurance & Reinsurance
- Litigation
- COVID-19 Task Force and Resource Center
- Sports

### Education

- College of Law, York, England (1994)
- University of Northumbria at Newcastle, England (1993)

### Memberships & Associations

- New York State Bar Association
- Law Society of England and Wales