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Education

Boston University School of Law, Juris Doctor (1978)

Brown University, Bachelor of Arts, *magna cum laude* (1975)

Admissions

Admitted to practice in New York, Massachusetts and Connecticut

U.S. District Court, District of Connecticut

U.S. District Court, District of Massachusetts

Harold S. Horwich

Partner

Harold Horwich is head of the firm's insurance practice. He concentrates on representation of insurance companies and insurance company receivers in transactions and insolvencies. He has represented receivers in property-casualty companies and healthcare companies, and has written extensively on insurance company insolvency.

Hal has represented the receivers of First Connecticut Life Insurance Company, Covenant Mutual Insurance Company, Westbrook Insurance Company, Suburban Health Plan Inc., American Preferred Provider Plan of the Mid-Atlantic Inc., American Mutual Liability Insurance Company (ancillary receivership), and PRS Insurance Group (Chapter 11 of Insurance Holding Company). He has also received the designation of Certified Insurance Receiver — Multiline Insurers from the International Association of Insurance Receivers. In October 2005, he was appointed by the insurance commissioner of the state of Connecticut as the chairman of the Task Force on Insurance Company Runoff and Reorganization.

In addition to insurance insolvency, Hal has also represented insurance companies in a wide variety of insolvency problems and transactions. These include complex claim situations involving insolvent insureds or mass torts, insolvent insurance brokers or agents, loss responsive insurance programs, surety and financial guaranty bonds, and reinsurance transactions.

Representative bankruptcy cases include GAF Corporation; Stone & Webster Engineering; The LTV Corporation; Allegheny Health Education and Research Foundation; Pan Am Corporation; Eastern Air Lines Inc.; National Convenience Stores; and AI Copeland Enterprises Inc. Hal advised a group of ceding insurers in the Lloyds reconstruction and renewal, and has participated in numerous reinsurance disputes and transactions.

Events

- Panelist, [Bingham Institute – Global Debt Restructuring: Not What It Used To Be](#) (2013)
- *Current Developments in Municipal Bankruptcy*, Webinar

(2013)

- Moderator, *Insurance Forum Healthcare Reform*, JVP Partners, Inc. Insurance Forum (2009)
- Moderator and Panelist, *Financial Guaranty Insolvency*, INSOL International Eighth World Quadrennial Congress (2009)
- Moderator and Panelist, *ACI Run-off & Commutations, Preparing for the Evolving Regulatory Paradigm Governing the Insurance Industry*, 7th International Advanced Forum on Run-off & Commutations (2009)
- Speaker, *Comparison of U.S. and U.K. Restructuring Regimes*, National Association of Insurance Commissioners Fall National Meeting (2008)
- Speaker, *Cleaning up the Mess: My Life as an Insolvency Lawyer (and what you can learn from it)*, Society of Financial Examiners Annual Career Development Seminar (2008)
- Moderator and Panelist, *Reinsurance: A Look at What Went Wrong, Where We Are and How We Got There*, International Association of Insurance Receivers, Insolvency Workshop (2008)
- Panelist, *Offshore Debtors/Onshore Problems*, Global Distressed Investing Summit (2008)
- Speaker, *What Happens to a Financial Guarantor in Distress*, Bear Stearns (2007)
- Speaker, *Debate: England, the Ring-fence Capital of the World?*, Insurance Insolvency Meeting, INSOL INTERNATIONAL Cape Town Ancillary Programme (2007)
- Speaker, *Insurance Company Restructuring*, NAIC Financial Summit: Leadership Initiatives (2007)
- Speaker, *Finality in Run-Off: Current Paths to the Grail in the United States*, ACI Run-Off & Commutations Conf. (2006)
- Speaker, *Rehabilitation vs. Runoff*, IAIR Workshop (2007)
- Speaker, *Analysis of Solvent Schemes of Arrangement from the United Kingdom to the US Models*, Mealey's Insurance/Reinsurance Company Run-Off Conference (2006)
- Speaker, *Keeping the Hat White: The Ethics of Dealing with Creditors*, International Association of Insurance Receivers Insolvency Workshop (2006)
- Speaker, *Connecticut Senate Bill No. 1301; An Alternative Approach to Run-Offs*, AIRROC Commutations and Networking Event (2005)
- Speaker, *Finality Arrangements: Evaluating the Implications of Current Approaches in the Market*, American Conference Institute (2005)
- Speaker, *Guaranties and Deepening Insolvency and Subordination of Reimbursement Obligations Under Letters of Credit & Deepening Insolvency*, RMA Insurance Industry Credit and Risk Management Round Table (2005)

- Lecturer, *HMO Insolvencies*, International Association of Insurance Receivers Round Table (1999)
- Panel Member, *Workout Management and Documentation Issues — What has been the industry experience with loss-sensitive products?*, RMA Insurance Industry Credit Risk Management Round Table (1998–2005)
- Lecturer, *International Insurance Insolvency Workshop*, INSOL International (1997)
- Lecturer, *Chapter 11 Reorganization*, Institute for International Research (1990)
- Lecturer, *Leveraged Buyouts: Surviving the Crash and Burn*, Executive Enterprises (1988)
- Lecturer, *Loan Participations*, Banking Law Institute (1985)

Publications

- Co-author, “Pension Obligations in Chapter 9,” *ABI Journal* (April 2013)
- Co-author, “When Political Will Is Not Enough: Control Boards in Municipal Finance Restructuring,” *Municipal Finance Journal*, Vol. 32, No. 3 (Fall 2011)
- Co-author, “[Summary of the Dodd-Frank Wall Street Reform and Consumer Protection Act](#),” *Bingham.com* (Oct. 12, 2010)
- Co-author, “Claims Presentation and Resolution in Insolvency Proceedings,” *INSOL INTERNATIONAL* (September 2008)
- Co-author, “[Proposals for Regulation of the CDS Market: The New York State Insurance Department Weighs In](#),” *Bingham.com* (October 2008)
- “Bankruptcy Court Defines Limitations on Foreign Company Use of Chapter 15,” *The Insurance Receiver*, Vol. 16, No. 4 (2007)
- “Capital Markets Transactions and Insurance Insolvency Calling the Policyholders Back,” *Examiner*, Vol. 32 No. 3 (Fall 2007)
- “Insurance Company Supervision,” *Examiner*, Vol. 32 No. 1 (Spring 2007)
- “Report of the Managed Health Care Task Force on Managed Care Organization Insolvency,” *The Insurance Receiver*, Vol. 11, No. 1 (2002)
- “Risk Finance for Project Finance: The Expanding Horizon of Credit Enhancement,” *The Journal of Project Finance* (Winter 2001)
- “Targeted Enterprise Risk Insurance: A New Opportunity at the Crossroads of Insurance and Investment Banking,” *Insurance Finance & Investment* (Feb. 5, 2001)
- “*Reider vs. Arthur Andersen, LLP*: Professional Liability under the Model Insurer Rehabilitation and Liquidation Act,” *The*

Insurance Receiver, Vol. 10, No. 1 (2001)

- Co-author, "Talk is Cheap: A Legal Analysis of the Receiver's Rights and Obligations to Pay," *The Insurance Receiver* (2000)
- Co-author, "Treatment of Inter-Company Pooling Agreements in Insolvency Proceedings," *The Insurance Receiver*, Vol. 8, No. 2 (1999)
- Co-author, "Regulation of Inter-Company Pooling Agreement: An Insolvency Practitioner's Perspective," *Journal of Insurance Regulation*, Vol. 16, No. 5 (1998)
- Co-author, "What to Do When the Bad Guy is Over Here: Pursuing Causes of Action under Foreign Insolvency Laws in U.S. Courts," *International Insolvency Review*, Vol. 7, Issue 3 (1998)
- Co-author, "Substantive Consolidation in Insurance Company Insolvency Proceedings," *The Insurance Receiver*, Vol. 5, No. 4 (1997)
- Co-author, "Long Tail Claims In Insurance Insolvency Cases: A Fair and Equitable Approach," *Mealey's Litigation Report: Insurance Insolvency*, Vol. 9, No. 4 (1997)
- "Affiliate Transactions Within Insurance Company Groups: Proposed Improvements to Regulation of a Recurrent Problem," *International Association of Insurance Receivers' Current Developments Committee*
- Co-author, "NAIC Model Act on Financial Guaranty Insurance," *Business Law*, Vol. 43

Memberships

Professional Activities

- Chairman, Connecticut Insurance Commissioner's Task Force on Insurance Company Runoff and Reorganization
- Drafted and proposed Insurance Restructuring Bill in Connecticut Legislature, Senate Bill 01301 pending in the Connecticut Senate
- Technical support group, NAIC committee on amendment to Model Insurer Rehabilitation and Liquidation Act
- Technical support group, NAIC committee on proposed Uniform Receivership Law
- Co-chair, International Association of Insurance Receivers subcommittee on insolvent managed care organizations
- Chairman, International Association of Insurance Receivers publications committee

Selected Professional Associations and Memberships

- INSOL International

- New York Bar Association
- Connecticut Bar Association
- Massachusetts Bar Association
- American Bar Association
- National Association of Insurance Commissioners (NAIC)
- International Association Insurance Receivers (IAIR)

Awards & Honors

- *Best Lawyers*, leading lawyer in Bankruptcy and Creditor-Debtor Rights Law and Litigation — Bankruptcy (2010–2012, 2014)
- *Best Lawyers*, leading lawyer in Insurance Law (2014)
- Certified Insurance Receiver — Multiline Insurers, designated by the International Association of Insurance Receivers
- Certified Arbitrator — ARIAS US

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