

Frank A. Lattal, FCI Arb
Lattal ADR, LLC
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Overview

Frank Lattal is a leading professional in the world of commercial and civil dispute resolution acting as an independent arbitrator, mediator, and neutral specializing in international, commercial, tort and insurance-related disputes. Throughout his career Mr. Lattal has been responsible for evaluating, formulating, and executing on strategies to resolve disputes through trial, arbitration, mediation, and principal to principal negotiation. He has accumulated an abundance of real-life, domestic and international experience on the dynamics of decision making to resolve conflict.

For over 3 decades Mr. Lattal has acted as counsel, corporate executive, and arbitrator in a wide range of commercial, tort and insurance-related disputes arising under the laws of many common and civil law countries. His 35+ year career is rich with experience including 14 years of private legal practice followed by 21 years as a senior corporate executive responsible for resolving disputes. Most recently, he served for 15 years as the Chief Claims Officer for Chubb Group, the world's largest publicly traded Property and Casualty Insurance Company. In that role Mr. Lattal was the chief executive officer for a claim organization of 6000 professionals operating in 54 countries that paid more than \$16 billion annually in claims adjudication. In addition, for 16 years he had executive responsibility for managing Chubb's property and casualty runoff operations, including direct and assumed claims, reinsurance collections, and commutations. In 2019 he left Chubb and in 2020 started an independent ADR practice.

Mr. Lattal has significant experience evaluating and resolving complex, high severity commercial matters and the variety of claims that arise under property and casualty insurance as well as cross-border investment and political risk disputes. He has unmatched first-hand experience in arbitrations involving the "Bermuda Form" as well as disputes involving direct and reinsurance coverage, construction, property damage, employment-related, Directors and Officers, mass torts and long tail liabilities claims.

Mr. Lattal's experience in international conflict resolution has been unique and substantial. He is comfortable in and knowledgeable of international jurisdictions, having lived as an American ex-patriate for much of his career. As an operating company General Counsel and then as Chief Claims Officer for Chubb, he travelled extensively throughout the UK, Europe, Asia, and Latin America as well as the United States resolving complex disputes, many with 9 figure valuations. This responsibility provided a practical working knowledge of the legal and conflict environments in many civil and common law countries and a practical understanding of the dynamics of conflict resolution.

Mr. Lattal is designated as a Fellow by the Chartered Institute of Arbitrators, is a member of the CPR Panel of Distinguished Neutrals and is certified as an arbitrator by ARIAS and FINRA. He is a trained Mediator. He is admitted to practice law in New York and New Jersey and is co-author of *New Jersey Insurance Law*, a 1000-page insurance law treatise currently in 15th edition published annually since 1993 by ALM Media Partners, LLC.

Professional Experience

Lattal ADR: 2020-present

- Private Dispute Resolution and Consulting Practice acting as an independent neutral in international, commercial, tort and insurance-related matters.
- Member of Arbitra International, London and Washington DC.

Chubb Group (formerly ACE Group): 1998-2019

- 2018-2019: Senior Vice President, Chubb Group Claims.
- 2003-2018: Chief Claims Officer – Most senior Claim executive in company with responsibility for claim operations and adjudication for all lines of business with operations in 54 countries.
- 2001-2003: Executive Vice President and General Counsel, ACE Bermuda Insurance Ltd., and ACE Tempest Reinsurance Co.
- 1998-2001: Senior Vice President-Claims, ACE Bermuda Insurance Ltd.

Connell Foley & Geiser, LLP: 1984-1998

- Private law practice focused on commercial civil litigation involving torts, asbestos and other long-term exposures, environmental law and insurance and reinsurance coverage disputes.

Bar Admissions

- Admitted to practice law in New York and New Jersey

Education

- Bucknell University, BSBA Accounting.
- Valparaiso University School of Law, JD.
- Montclair University, MA Environmental Studies.

Professional Designations, Training and Activities

- Fellow, Chartered Institute of Arbitrators
- Member CPR Distinguished Panel of Neutrals
- Certified Arbitrator by FINRA
- Certified Arbitrator by ARIAS - U.S.
- Trained Mediator:
 - AAA - *Mediator Essentials Skills for Facilitating Negotiated Agreements* (25 hours)
 - Straus Institute for Dispute Resolution – *Mediating the Litigated Case* (6-day program)

Experience

Mr. Lattal has experience as an arbitrator, counsel, and Claims Officer in disputes under common law and civil law, seated around the world.

Representative arbitrator appointments:

- Appointed as Co-Arbitrator by contracting party in a dispute over release of collateral.
- Appointed as Co-Arbitrator by reinsurer in a dispute over ceded losses under reinsurance contract.
- Appointed as Co-Arbitrator by policyholder over claim for soft costs in a construction project.
- Appointed as Co-Arbitrator by insurer in dispute with third party over “additional insured” status.
- Appointed as Co-Arbitrator by cedent in dispute with reinsurer over ceded losses under excess of loss policy.

Mr. Lattal’s career experience includes claims, disputes and cases involving:

Parties, Seats and Governing Law from: United States, Bermuda, Canada, United Kingdom, Ireland, Brazil, Mexico, Columbia, Australia, Japan, China and Hong Kong, Singapore, Thailand, South Korea, Western, Central and Eastern European countries.

International Arbitrations:

- Mr. Lattal has had strategic and ultimate decision-making responsibility for many arbitrations and mediations including 19 international arbitrations tried to award, each of which exceeded \$100M in exposure.

Significant and complex matters:

- \$4B+ enterprise-wide 9/11 exposure encompassing first party property, business interruption, airport, security and aviation liability, workers compensation, accident and health, life and as well as major subrogation claims.
- Opioids – claims against manufacturers and distributors of prescription opioids for allegations of misrepresentation of the risks of long-term use and claims against pharmacies and doctors for failing to properly monitor orders for and overuse of those prescription drugs -- all of which allegedly contributed to the current opioid epidemic.
- Talc – Failure to warn claims against mining and manufacturers of talcum (baby) powder alleging knowledge that talc was contaminated by asbestos and could cause mesothelioma and ovarian cancer.
- Largest Marine Oil Spill in History: Claims for lost business profits and individual income losses, environmental damage, property damage, wrongful death, health, and shareholder-related litigation against 5 main parties who were owners and operators of offshore drilling rig.
- Blue Cross/Blue Shield - Class action litigation brought on behalf of a class of over 100 million subscribers and more than 40 plaintiffs groups alleging that BCBS entities conspired not to compete for health insurance customers, resulting in reduced competition and lower reimbursement.
- Head Trauma – various claims and lawsuits alleging damages related to concussions or other traumatic brain injuries players allegedly incurred while participating in professional and amateur organized sports leagues including NFL, NHL, FIFA, NCAA, and WWE as well as products liability claims against helmet manufacturer.
- Brazil Dam Collapse - various claims against the owners and operators of 2 mining dams that collapsed releasing 50 million cubic meters of toxic iron-ore into the surrounding district killing 19 and polluting the water supply of hundreds of thousands of residents.
- Madoff - Lawsuits by victims of alleged \$50 billion Ponzi scheme.
- Sexual Molestation and Harassment – claims against universities, religious organizations, not for profit organizations, and high-profile individuals alleging damages because of sexual molestation and harassment.
- Sub Prime Mortgage Litigation – Litigation and claims starting in late 2006 arising from the disruption in the market for subprime mortgage-backed securities collateralized mortgage obligations (CMOs) and collateralized debt obligations (CDOs).
- Corporate Bribery - Allegations of corruption among corporate executives who allegedly accepted bribes in return for awarding contracts to construction firms at inflated prices resulting in hundreds of claims involving several large Latin American corporations and at least 11 countries.
- Cross border and Political Risk - disputes arising from government actions including expropriation and exchange controls, political violence and instability, breach of contract, and sovereign debt defaults and restructuring.
- Directors and Officers and Mergers and Acquisitions – disputes involving public and private entities involving allegations of breach of fiduciary duty.

- Employment – Class, multiple, and individual disputes involving workplace related claims, non-compete and trade secret agreements.
- Asbestos and Environmental – For most of his career both in private practice and at ACE/Chubb Mr. Lattal had responsibility managing asbestos, environmental and other long tail underlying and coverage claims.

Professional Activities

- Vice President of Insurance, International Association of Defense Counsel (2018-2021)
- President and Chairman, ARIAS – U.S. (2009 – 2011)
- General Counsel, New York-New Jersey World Cup Host Committee (1994)
- The London Court of International Arbitration (LCIA) - Member User's Council
- International Council for Commercial Arbitration (ICCA)
- International Chamber of Commerce (ICC)
- AIDA Reinsurance & Insurance Arbitration Society - ARIAS US
- International Institute for Conflict Prevention & Resolution (CPR)
- International Association of Defense Counsel (IADC)

Publications, Presentations and Thought Leadership

- Kenny and Lattal, *New Jersey Insurance Law*, ALM Media Partners, LLC. (14th edition, 2021)
- International Association of Defense Counsel: Moderator, Insurance Coverage for COVID-19 Claims. Webinar. April 2020
- International Association of Defense Counsel Mid-Year Meeting: Moderator, The View from the Top: A Panel Discussion of Chief Claims Officers. Pebble Beach, CA. February 2020
- International Association of Defense Counsel Southeast Regional Meeting: Panelist, A Debate: Best Practices and Pitfalls in Mediation and Arbitration. Miami, FL. September 2019
- Corporate Counsel College: Panelist, Trying Cases in a Rapidly Changing World. Chicago, IL. April 2019
- Insurance Claims Symposium: Keynote Speaker. Saint Joseph's University - Philadelphia, PA. January 2016

Community/Not for Profit

- Mr. Lattal is and has been a volunteer member on the Boards of several not-for-profit organizations.