

Life, Annuity, and Retirement Solutions

Overview

We serve the needs of the life, annuity, and retirement solutions industry. We have represented life insurance companies throughout the United States in national bet-the-company class action and complex commercial litigation cases. Our attorneys are recognized as not just “litigators” but as experienced trial lawyers with the depth to efficiently and creatively defend against both traditional and new issues raised by plaintiffs’ lawyers under state and federal law. We bring an integrated and complementary approach to servicing our life insurance clients by drawing on the collective experience of our business, regulatory, and litigation attorneys.

The life insurance industry group works closely with our practice groups to provide counseling, litigation, and dispute resolution to life insurers in the securities, ERISA, federal tax and state regulatory areas on product development, sales and distribution issues, business combinations and state regulatory advice, market conduct examinations, and hearings.

Insurance Business Counseling

Our business and regulatory attorneys counsel life insurance clients on a variety of transactions, business arrangements, insurance products, and distribution matters under federal and state securities laws, FINRA regulations, and state insurance laws. Our lawyers have worked with the various state and federal regulators. Our attorneys counsel insurance industry clients on business matters in the following key areas:

Product Design

Including work with actuaries and product filing staff for fixed index annuities, variable products, market-value-adjustment products, synthetic annuities, and other innovative products.

Securities Regulation

Including status questions under the Securities Act, Securities Exchange Act, and Investment Company Act of 1940 (1940 Act); 1940 Act regulation of separate accounts and mutual funds that serve as underlying investment vehicles for insurance products; and compliance with the federal and state securities laws, including the Sarbanes-Oxley Act.

State Insurance Regulation

Including contract and form filings; licensing of insurance companies, producers, managing general agents, underwriters, and consultants; and compliance with required contract terms, standard non-forfeiture law, disclosure, replacement, suitability, unfair trade practice, and other regulatory requirements.

Compliance Oversight and Best Practices

Including administrative and operational compliance with state and federal regulatory requirements, mock regulatory examinations, and development of industry best practices.

Distribution and Marketing

Including structuring arrangements between insurance companies and banks, brokerage firms, and marketing organizations; and assistance with FINRA regulation of member firms and producers.

Market Conduct Examinations and Regulatory Investigations

Including responding to initial regulatory findings and initiating and participating in contested case hearings.

Advertising Review

Including substantive reviews for compliance with both state insurance and federal securities laws and regulations; assistance with state and FINRA filings; and assistance with responding to, and resolving, regulatory comments.

Organization and Transactions

Including life insurance company formation, mergers and acquisitions through stock and asset acquisition, including reinsurance arrangements, reorganizations, and dissolutions; and separate account transfers and reorganizations.

Privacy and Data Security Regulations

Including compliance with SEC Regulation S-P and state insurance privacy requirements.

Private and Public Offerings and Financial Reporting

Including SEC-registered offerings and private placement of U.S. and offshore offerings of insurance securities products, and Exchange Act financial reporting.

Tax and ERISA

Including a broad range of matters related to qualified and nonqualified retirement plans, health and other welfare benefit plans, annuities and IRAs, including the tax qualification of annuities and

life insurance contracts; and representing clients before the Internal Revenue Service and the Department of Labor.

Litigation and Dispute Resolution Services

We represent life insurance clients in federal and state courts at all stages of litigation, primarily as lead defense counsel, but also as the initiator of actions, pursuing our clients' claims. Our experience includes disposal of actions, including putative class actions, at the earliest stages of the litigation, as well as bench and jury trials of major class and mass actions and high-dollar individual civil and criminal cases. We have also worked as relief counsel where clients experienced an adverse result while represented by other counsel. In addition, we have preserved trial court wins on appeal, and obtained appellate reversals of adverse rulings, including certifications of class actions.

Learn more about our [life insurance and annuities litigation](#) practice.

SEC/FINRA

We represent clients on a broad range of matters before the SEC and FINRA. Our lawyers focus on providing practical advice and insights based on decades of experience. Learn more about our [securities capabilities](#).

Investment Companies and Advisers

We provide a full range of services to investment companies and their boards of directors/trustees, and investment advisers.

Organization and Operation

We help organize a variety of different registered and unregistered investment companies, including mutual funds, fund of funds, closed-end funds, and ETFs. We help organize investment advisers. We also advise on operational requirements imposed by the federal securities laws. Whether clients are negotiating a secured lending arrangement or preparing for a board meeting, we can assist.

Registration, Proxies, and Reports

Our lawyers guide clients through the SEC registration process, from early preparation and vetting of personnel through effectiveness of their registration statement or approval of their adviser application. We also advise on federal and state requirements for shareholder meetings and proxy voting, as well as the requirements for periodic reports to shareholders and to the SEC.

Compliance

We help develop Rule 38a-1 and Rule 204(6)-7 compliance programs and policies, conduct annual compliance reviews, and prepare for regulatory examinations. Our team includes members with experience as chief compliance officers and SEC-approved independent compliance consultants.

Regulation

Our lawyers have extensive experience with matters involving the regulation of investment companies and investment advisers. This experience includes, for example, analyzing the need to register with the SEC, preparing interpretive and no-action requests to the SEC staff, and seeking exemptive relief from SEC regulation. We advise on questions that arise under state “blue sky” laws, the Commodity Exchange Act, and all federal securities laws.

Transactions

We advise on a variety of transactions involving investment companies and advisers, such as mergers, asset transfers, portfolio “lift outs,” substitutions, redomestications, intact transfers of separate accounts, and liquidations. In particular, we advise on the many regulatory, tax, and due diligence issues that arise when an investment company or adviser is involved in a larger corporate transaction.

Distribution and Marketing

Our lawyers have extensive experience with investment company and adviser advertising, marketing, and distribution matters. This experience includes matters involving principal underwriters (including statutory underwriter questions), broker-dealers and selling groups, and independent marketing organizations (IMOs). Our experience also includes handling the unique issues that arise when selling through the RIA channel. We guide clients through the FINRA advertising review process and advise on the regulatory requirements that apply to sales materials.

Tax and ERISA

We counsel clients on the unique federal tax and ERISA issues that pertain to investment companies and advisers including advice regarding the IRS code requirements for favorable tax treatment as a regulated investment company. We also counsel advisers on any ERISA obligations they may have in connection with their activities with ERISA-covered plans, including ERISA’s fiduciary responsibility provisions.

Variable and Other Insurance Products

We provide a full range of legal and regulatory services to insurance companies, broker-dealers and service providers relating to the design, marketing, and sale of variable insurance products, individual and group annuities, fixed indexed annuities, market-value-adjustment products, synthetic annuities, BOLI, funding agreements, stable value wrap contracts, and other innovative products.

Registration

Our lawyers have extensive experience with SEC registration of variable life insurance and variable annuity products under the Securities Act of 1933 (Securities Act) as well as SEC registration (and subsequent deregistration) of related separate accounts and investment companies under the Investment Company Act of 1940 (1940 Act).

Regulation

We advise on a variety of interpretive issues, including writing opinions that certain life insurance company products are not required to be registered under the Securities Act and that certain life insurance company accounts are not required to be registered under the 1940 Act. Our experience also includes drafting and reviewing applications for exemptions and requests for no-action relief, and advising on offerings made outside the United States.

Compliance

We assist with the preparation and review of variable and fixed annuity suitability programs, policies and procedures required under FINRA rules and state insurance law. Our lawyers have extensive experience drafting and reviewing compliance policies and procedures as well as advising on Sarbanes-Oxley Act compliance matters.

Transactions

Our lawyers have extensive experience working on a variety of transactions involving variable products, including separate account mergers, asset transfers, substitutions, redomestications, intact transfers of separate accounts, and liquidations.

Distribution and Marketing

Our lawyers have extensive experience with variable product advertising, marketing, and distribution matters. This experience includes application of regulatory requirements to performance presentations, websites, and sales materials as we guide clients through the FINRA advertising review process. In addition to reviewing advertising and promotional material, we advise and assist in negotiating and documenting arrangements with distributors, joint venturers, and service providers.

Tax, ERISA, and State Insurance Law

We advise on Federal Tax matters, ERISA, and state insurance law issues relating to insurance products. Our lawyers have extensive experience working with insurers to ensure product designs qualify for favorable tax treatment under federal tax laws. We also counsel clients on complex employee benefit plan issues, including an entity's fiduciary status under ERISA and on obtaining advisory opinions and prohibited transaction exemptions from the Department of Labor.

We provide a full range of services to broker-dealers. *Organization and Registration*

We guide clients through broker-dealer formation and registration. We also advise on registered representative registration filings and related issues.

Compliance

We draft written supervisory procedures and other supervisory control policies and procedures. We also draft and advise on suitability policies and procedures. Our experience includes providing compliance and risk evaluation reviews. We also counsel clients on AML and OFAC compliance, books and records requirements, cash and non-cash compensation arrangements and fee referral issues, and email retention and production.

Regulation

We advise on broker-dealer reporting obligations and a variety of investment-related distribution issues. Our lawyers have extensive experience providing substantive reviews of advertising and sales literature for compliance with federal and state laws and regulations. Our experience also includes advising on matters relating to regulatory examinations and investigations.

Disputes and Arbitration

Our lawyers have extensive experience in customer complaint handling and FINRA arbitration. We also advise on registered representative termination filings and related issues and provide employee/registered representative dispute counseling.

Unclaimed Property

We apply our unique focus to represent and counsel our insurance clients on a broad spectrum of unclaimed property matters, including:

- Strategies and responses to examinations by state insurance departments, state unclaimed property regulators, and auditing organizations acting on their behalf.
- Litigation brought against insurance companies by state agencies alleging violation of unclaimed property laws.
- Insurance company operational issues implicated by unclaimed property law compliance and remediation, including requirements to use the Social Security Death Master File (DMF) to identify policies and contracts subject to death claims.
- General compliance with unclaimed property requirements, including voluntary self-auditing and reporting.

- Compliance with unclaimed property requirements as they apply specifically to various types of insurance policies and annuity contracts and benefits thereunder, and to the amounts held in retained asset accounts.
- Reporting and compliance issues under state insurance law, such as responding to New York's 2011 Section 308 letters.
- Securities law issues associated with unclaimed property compliance, including prospectus disclosure and operational considerations for variable products that may impact compliance with unclaimed property laws.
- Reinsurance recovery of escheated benefit payments.

Insights

01.11.2024

Funds Not Caged by SEC Names Rule Amendments: Roaming Room Remains

01.11.2024

Juggling Act: SEC Fines Three Employers for Potentially Discouraging Whistleblowers

01.11.2024

Ringmaster's Review: Fall 2023 Litigation on Parade

01.11.2024

Lawsuits Alleging Violations of Illinois' GIPA Are Piling Into Court Like Clowns Out of a Circus Car

01.11.2024

In the Big Top Spotlight: NAIC Model Bulletin on the Use of Artificial Intelligence Systems by Insurers

01.11.2024

Market Pushes Back on SEC Short Sale Reporting Rule

01.11.2024

Second Circuit Clarifies Limitations of Fraud on Market Theory

01.11.2024

Federal Rule Amendment Clarifies Requirements for Admitting Expert Testimony

01.11.2024

NASAA Report on BD Compliance With Reg BI: Finds Progress, but Specifies Work To Be Done

01.11.2024

Preparing for 2024: Encore to 2023's Cyber and Privacy Extravaganza

01.11.2024

IRS Gives Equal Billing to an Adviser Life Insurance Contract: Treats Adviser's Fee the Same as Under Adviser Annuities

01.11.2024

The SEC's Compulsory Practice of Restraining Free Speech: "You Signed It, So Live With It!"

01.11.2024

SEC Wants More Securities Traders Under Its Dealer Big Top: Would Require Exchange Act Registration by More Regular Traders

01.11.2024

NAIC H Committee Continues as Ringmaster Coordinating Numerous Initiatives

01.11.2024

New DOL Fiduciary Rule Proposal: Still the Same Old Act...

09.28.2023

Regulators Hit Jackpot: Off-Channel Communications

09.28.2023

NAIC Privacy Working Group Goes All-in on New Draft Privacy Model

09.28.2023

Mass. High Court Plays Wild Card: Upholds Broad Fiduciary Duty for Broker-Dealers

09.28.2023

SEC Proposal Balances AI-Like Technology Use With Investor Best Interests: Has the Regulator Picked a Winner?

09.28.2023

SEC Folds on Swing Pricing for Money Market Funds: Odds Lengthen Against Swing Pricing for Other Fun

09.28.2023

New York Department of Financial Services Plays Pit Boss for Consumer Protection

09.28.2023

SEC Deals New Cybersecurity Disclosure Requirements to Public Companies

09.28.2023

Robocalling into Florida: A Dickey Gamble in an Evolving Legal Landscape

09.28.2023

Tippee Liability If the Tipper Is Not Guilty? The Fluid Boundaries of Insider Trading

09.28.2023

Supreme Court Plays Its Cards on Constitutionality of SEC In-House Court Actions

09.28.2023

NAIC Innovation, Cybersecurity, and Technology (H) Committee Gets in on the Action

09.28.2023

NAFA Enters the Game, Files Amicus Brief in SEC v. Cutter

09.28.2023

Fifth Circuit Breaks From No-Action Pack: Becomes Better Bet for Letter Recipients?

05.25.2023

Catching More Flies With Honey: Recent DOJ Policy Changes to Coax Cooperation From Corporate Defendants

05.25.2023

Private Fund Advisers on the Hotplate: SEC Turning Up the Heat

05.25.2023

AML Whistleblowers Now Have More Appetizing Options

05.25.2023

Regulators Looking to Various Kitchen Tools to Regulate Insurers' Use of Artificial Intelligence and Machine Learning

05.25.2023

Reg BI Cooking Instructions: Based on SEC/FINRA Exams

05.25.2023

ETFs in Variable Contracts: A New Marketing Opportunity?

05.25.2023

Social Media Influencers Take Center Stage

05.25.2023

SEC Relief for RILA Issuers to Use Statutory Financials: Has the Moratorium Been Lifted?

05.25.2023

NAIC's New Privacy Protections Recipe

05.25.2023

ETF Share Transactions Based on Nonpublic Information: An Illegal Secret Ingredient?

05.25.2023

SEC Places Short Order for T+1: But Insurance Products Mostly Off the Menu

05.25.2023

SEC Stirs Its Pot of Cybersecurity Preparedness and Response Proposals

02.16.2023

A Coming Seismic Shift in Administrative Law? Or Just a Tremor?

02.16.2023

SEC Brings Broker-Dealer Electronic Recordkeeping Rules Out of Deep Freeze

02.16.2023

SEC Would Mandate Swing Pricing: Badly Upending Most Funds' Procedures

02.16.2023

Insurers' Vendor Relationships May Get Wintery Gusts: A Chill for Consumer Data, Artificial Intelligence (AI), and Machine Learning (ML) Services?

02.16.2023

SEC Revamps Fund Shareholder Reporting and Fee/Expense Advertising Rules

02.16.2023

Increased Visibility Into Fund Proxy Voting: SEC Adopts Controversial Requirements

02.16.2023

No Hibernation for Issuers of Index-Linked Variable Annuities and Index Universal Life

02.16.2023

Digital Assets: An Expanding Arena for Insider Trading and Market Manipulation

02.16.2023

SEC and CFTC Fines for Texting Augur Billions More from DOJ

02.16.2023

FINRA Settles Its First Reg BI Action

02.16.2023

A Flurry of Algorithmic Activity at the NAIC 2022 Fall National Meeting

02.16.2023

New Year, New Privacy Shakedowns: Six Resolutions for Keeping Warm

01.19.2023

FINRA Issues 2023 Report on Examination and Risk Monitoring Program

09.29.2022

Colorado Division of Insurance Announces Life Insurance Underwriting Data Call and Survey Details

09.08.2022

NAIC Proposes Actuarial Guidelines for Index-Linked Variable Annuities

09.08.2022

NCOIL Protests Insurers' Offers of Enhanced Cash Surrender Values

09.08.2022

FINRA's Expansive View of "Participation" in a Private Securities Transaction

09.08.2022

SEC Casts Wider Investment Adviser Net: May Ensnare Index and Other Providers

09.08.2022

Terminal Funding Annuities Smooth Rough Seas for Defined-Benefit Plans

09.08.2022

SLUSA Dismissal Affirmed in Variable Annuity Class Action: Eleventh Circuit Looks Behind Artful Pleading

09.08.2022

SEC Files Groundbreaking Reg BI Complaint

09.08.2022

What's Up With WhatsApp and Text Messaging? SEC and FINRA Weigh In

09.08.2022

SEC Proposes Fund ESG Disclosure Channels: Different ESG Strategies Must Row in Their Lanes

09.08.2022

Attacks on the SEC Administrative Citadel

09.08.2022

Learn From Lemonade's Privacy Lemon: Sweeten Compliance to Lessen Litigation Bitterness

09.08.2022

SEC Clobbers Crypto Lending Platform but Allows Some Retooling

09.08.2022

To Prevent Algorithms From Heading Off Course, Regulators Consider Testing

09.08.2022

Private Equity Investments in Insurance Companies: Regulators Approach From All Directions

07.12.2022

The Colorado Division of Insurance Continues to Navigate Life Insurer's Use of ECDIS and Algorithms

07.05.2022

California Throws Shade at Insurance Industry's Use of Big Data and Algorithms

06.01.2022

Regulatory Monitor SEC Update

The Investment Lawyer

05.18.2022

Duties and Non-Duties of Directors of Mutual Funds Underlying Life Insurance Company Separate Accounts Funding Variable Insurance Contracts

The Investment Lawyer

05.11.2022

Continued SEC/FINRA “Complex” Product Concerns: Will Good Regulatory Harvest Arrive?

05.11.2022

DOL Stakes Out New Fiduciary Concept: Plaintiffs Would Uproot It

05.11.2022

Foreign Ownership of Florida Insurers: Concern With Country Concentration

05.11.2022

SEC Proposes Sea Change in Private Fund Regulation: Doing Indirectly What It Could Not Do Directly?

05.11.2022

SEC Whistleblower Proposals Continue Reversal of Trump-Era Rules

05.11.2022

With Spring in the Air, States Renew Their Efforts to Allow Value-Added Products and Services

05.11.2022

NAIC’s Privacy Protections Working Group Plans Extended Growing Season for Fall 2023 Harvest

05.11.2022

Action-Packed Spring for NAIC Special Committee on Race and Insurance

05.11.2022

SEC Cultivates Shadow Trading Theory: Emerging Species of 10b-5 Violation?

05.11.2022

NAIC's New Cybersecurity Working Group Prepares for Planting

05.11.2022

When Hidden Truths Become Material Misrepresentations

05.11.2022

SEC Showers Down Proposed Cybersecurity Rules: 5 Steps for Staying Dry

05.11.2022

Life Insurance Lapse Notice Class Actions Fail to Take Root: California Court Denies Certification

05.11.2022

Must ERISA Actuarial Equivalence Be "Reasonable"?

05.11.2022

Flowers Sprout in the Consumer Data Regulation Garden

05.11.2022

Coming Out of Winter Hibernation

05.11.2022

401(k) Climate Change and Crypto Considerations: DOL Nurtures the Former but Clips Crypto at the Roots

05.11.2022

A Hailstorm for Private Fund Advisers? SEC Clouds the Horizon

05.11.2022

Shortened Settlement Cycle Sprouts at SEC (T+1 for T+2)

05.09.2022

SEC IM Division Director William Birdthistle's Mutual Fund Views Revealed in His Book
The Investment Lawyer

03.24.2022

Colorado Division of Insurance Steps Up to the Plate for a Second Stakeholder Meeting

02.22.2022

Colorado Division of Insurance "Conducts" Its First Stakeholder Meeting

01.11.2022

What Will the SEC Do About the "Gamification" of Trading in 2022?

01.11.2022

FINRA Atwitter Over Social Media Influencers

01.11.2022

New Year, New Index-Linked Variable Annuity Actuarial Guideline?

01.11.2022

Admissions of Wrongdoing Back in Vogue: SEC Enforcement Pendulum Swings

01.11.2022

Regulators Forecast Storm of Cybersecurity Activity

01.11.2022

When Congress Freezes Up, the NAIC's Privacy Protections Working Group Lights a Fire

01.11.2022

Private Equity in 401(k) Plans: A Holiday Sequel

01.11.2022

SEC Publishes Fund Compliance Shortfalls

01.11.2022

DOL to Plan Sponsors: "It's Mostly All About the Benjamins!"

01.11.2022

Big Changes Ahead for Private Funds? SEC Chair's Transparent Intent

01.11.2022

A Cold Blast From the Index Universal Life Illustration (A) Subgroup

01.11.2022

Gag Orders, Part II: When the SEC Silences Critics

01.11.2022

AI Insurance Company Faces Class Action for Use of Biometric Data

01.11.2022

SEC Tolling Agreements Upheld: Second Circuit Lifts Tollgate

01.11.2022

Scrutiny of Algorithms and Consumer Data

01.11.2022

Insurance Industry Leads on DEI Initiatives

11.08.2021

Oregon DFR Invites Insurers to Discuss Ad Filing Requirements

11.04.2021

"Reasonable" Does Not Mean Perfect: Recent FINRA Regulatory Developments and Interpretive Questions

10.15.2021

Life Insurance and Annuity Developments

The Investment Lawyer

09.16.2021

SEC Deep-Sixes Offering Integration Test: New Rules Replace the Old Five Factors

09.16.2021

Insurers Need to Do Their Homework: Review of the Use of Data, Algorithms, and Predictive Models

09.16.2021

The Three R's of LTC Insurance and Wellness: Regulation, Rebates, and RBOs

09.16.2021

The NAIC's New E-Commerce Class

09.16.2021

Possible SEC Proxy/Whistleblower Rule U-Turns? Could Reverse Trump-Era Actions

09.16.2021

Diving Into IoT Data? Here Are Some Privacy Considerations

09.16.2021

Stopping GameStop Games: Regulators Eye Payment for Order Flow

09.16.2021

Regulation Best Interest and Form CRS: Examinations and Enforcement Heat Up

09.16.2021

SEC Takes ESG Disclosure Plunge: An Ocean of Issues Swirls

09.16.2021

NAIC Illustration Work Stagnates in the Dog Days of Summer

09.16.2021

State Law Steers STOLI Cases, Drives Federal Court Outcomes

06.10.2021

Regulatory Monitor: Life Insurance and Annuity Developments

The Investment Lawyer

06.01.2021

Investor Advocate Rebukes SEC, Calls for Rule Reversals and Legislation

The Investment Lawyer

05.05.2021

New Hampshire Supreme Court Invalidates Long-Term Care Rate Caps

05.05.2021

Life Insurer Has No Duty to Investigate Forged Policy Change Form

05.05.2021

California Becomes Hotbed for Policy Lapse Notice Claims

05.05.2021

Mexico Imposes Digital Services Tax on Online Activities

05.05.2021

Spring Is Hot for State Privacy Legislation

05.05.2021

Recent Trends and Defense Strategies in Agent Sales Practice Suits

05.05.2021

Converting Mutual Funds to ETFs: A Fertile Field?

05.05.2021

A Rocky Road Ahead for Insurers Using Consumer Data and Models

05.05.2021

Cast Into the Deep: Questions for Charting New Privacy Waters

05.05.2021

The Gift of Giving: States Move to Amend Their Anti-Rebating Laws

05.05.2021

More Aggressive Enforcement Sprouts at SEC

05.05.2021

New Era for Variable Product Fund Substitutions: SEC Removes Obstacles

05.05.2021

Let a Thousand Flowers Bloom: Advisory Voices Proliferate at SEC

05.05.2021

A Future Without SEC Tolling Agreements? Some Say “Not So Fast”

05.05.2021

New “Buffered” VA and VLI Investment Options: Will Compete With Index-Linked Options

05.05.2021

ERISA Fiduciary Duty Claim Against Plan Not Subject to Arbitration

05.05.2021

States Spring Into Action With Best Interest Rules for Annuities

05.05.2021

Minimum Standard Nonforfeiture Rate – Green Light, Red Light

05.01.2021

SEC’s Fledgling Asset Management Advisory Committee Begins to Spread Its Wings

The Investment Lawyer

05.01.2021

Regulatory Monitor: SEC Update

The Investment Lawyer

04.01.2021

Regulatory Monitor - Life Insurance and Annuity Developments

The Investment Lawyer

03.02.2021

SEC Limits Need for Substitution Applications

12.15.2020

SEC Reforms Whistleblower Program

12.15.2020

DOL to Plan Sponsors: "It's All About the Benjamins!"

12.15.2020

Collective Investment Trust Muddle

12.15.2020

SEC Streamlines Fund of Fund Relief, Requires Life Company 'Certification'

12.15.2020

California Privacy Rights Act: Compliance Objectives for 2021

12.15.2020

Arbitration Provision Survives Agent Termination

12.15.2020

A New Dawning for Electronic Insurance and Investment Product Transactions and Document Delivery?

12.15.2020

New Jersey Enacts Anti-STOLI Law

12.15.2020

Great-West Wins 36(b) Fee Case

12.15.2020

Eleventh Circuit Decisions May Chill Future Data Breach Class Actions

12.15.2020

A New Era for Insurtech in Latin America

12.15.2020

NAIC Rings in a New Year for Addressing Racial Inequities

12.15.2020

Not If, But When: Applying the ADA's Accessibility Requirements to Mobile Apps

12.15.2020

Revived Prospects for Patenting Financial Product Inventions

12.15.2020

Seniors in the Coming Year

12.15.2020

NAIC Task Force Gives Insurers a Holiday Rebating Gift

12.15.2020

A New Beginning for Fund Derivative Regulation

12.15.2020

NAIC Groups Adopt 2021 Charges

12.15.2020

New Year, New Duties in the Sale of Annuities

11.16.2020

SEC Proposes Big Changes to Mutual Fund Disclosure Framework

The Investment Lawyer

09.03.2020

AI Challenges for Securities Firms: Key Summer Reading From FINRA

09.03.2020

Topsy-Turvy World of Accelerated Underwriting and Artificial Intelligence

09.03.2020

NAIC Virtual Block Party

09.03.2020

SEC Proposes Big Changes to Fund Disclosure

09.03.2020

IRS Continues Hot Streak: Issues Additional Favorable Fee-Based Annuity Rulings

09.03.2020

Not Quite Across the Suitability Finish Line

09.03.2020

Back to School for Annuity and Life Disclosures and Illustrations

09.03.2020

Gag Orders: Stifling Effect on SEC Critics

09.03.2020

ASB Airs Summer Rerun: Seeks Round 2 of ASOP 2 Comments

09.03.2020

SEC Still Cool With Virtual Fund Board Meetings

09.03.2020

OCIE Turns Up Heat on Private Fund Adviser Compliance

09.03.2020

Court Throws Cold Water on SEC Disgorgement Remedy

09.03.2020

FINRA Corporate Financing Rule Amendments Bring Clarity for Insurance Products

09.03.2020

No Summer Break for the Rebating Drafting Group

09.03.2020

DOL Warms Up to Private Equity in 401(k) Plans

08.18.2020

SEC Proposes Changes to Fund Shareholder Reports, Prospectuses, SAIs, and Ads

07.09.2020

Variable Product Disclosure Reform: Decision Points for Insurers

07.01.2020

DOL Proposes Restoring Original Investment Advice Regulation and New Prohibited Transaction Class Exemption for Investment-Advice Fiduciaries

06.25.2020

Is It Time to Come Out and Play? New Rules Proposed on What Constitutes Rebating

06.10.2020

Insurers' Successful Challenge to 2016 Amendments to Florida's Unclaimed Property Act Reversed on Appeal

05.06.2020

NAIC Restarts Its Work Revising Its Model Privacy Provisions

04.13.2020

Policy Lapse Notice Claims on the Rise in California

04.13.2020

New Jersey Springs Into Action: New Bill to Ban STOLI Policies

04.13.2020

Intel's Intel Doesn't Prove Actual Knowledge: Court Rejects Short ERISA Statute of Limitations

04.13.2020

Securities Regulators' Rx for COVID-19

04.13.2020

Long Jail Term for Crooked Insurance Agent: Claimed Comp for Phony Policy Sales

04.13.2020

Peering Into Regulators' Views on Artificial Intelligence

04.13.2020

Supreme Court Won't Review Key ERISA Case: A Boost for Index Funds?

04.13.2020

Spring Cleaning on the NAIC Model Privacy Laws

04.13.2020

A Spring Into Chaos: Massachusetts Adopts Fiduciary Rule

04.13.2020

Visit the Carlton Fields COVID-19 Resource Page

04.13.2020

New Enforcement Powers for NYDFS? More Sanctions and More Defendants

04.13.2020

OCIE Continues Relentless Cybersecurity Focus

04.13.2020

Sprouting: Modernized Variable Product Disclosures: SEC Approves Summary Prospectuses

04.13.2020

Fidelity Beats Back ERISA Challenge: Infrastructure Fee Complaint Dismissed

04.13.2020

Did Your Text Message or Phone Call Campaign Use an Illegal “Autodialer”?

04.13.2020

NAIC Tills the Accelerated Underwriting Garden

04.13.2020

Cases of Purloined Company Documents: When Terminated Employees Steal

02.06.2020

NAIC Life Insurance and Annuities (A) Committee Ends 2019 With a Big Bang

02.06.2020

Reg BI Compliance Countdown: T-Minus Six Months

02.06.2020

OCIE Risk Alert Highlights Compliance Program Catch-22

02.06.2020

Round and Round – Will 2020 Bring the End to Inconsistent Anti-Rebating Prohibitions?

02.06.2020

FSOC: “Too Big to Fail” Has Failed

02.06.2020

Life Insurance That Benefits the Living

02.06.2020

Innovation and Technology at the NAIC 2019 Fall Meeting

02.06.2020

SEC Pressures Advisers on Undisclosed Conflicts

02.06.2020

Insurance Company High-Yield Real Estate Investments

10.04.2019

Tangled Web of Illustration Issues

10.04.2019

Defendants Fend Off Challenge to FIA's Proprietary Index

10.04.2019

Carlton Fields Rolls Out Blockchain, Crypto, and Virtual Currency State Legislation Tracker

10.04.2019

Autoerotic Asphyxiation Ruling Brews Circuit Split on Coverage

10.04.2019

Class Action Roundup

10.04.2019

New SEC Regulation Defines 'Best Interest' Flexibly

10.04.2019

Innovation Whack-a-Mole

10.04.2019

Ninth Circuit Steps In-Line on Arbitrability of ERISA Claims

10.04.2019

Court Sheds Light on ERISA's Fiduciary Exception to Attorney-Client Privilege

10.04.2019

Multiple Plaintiffs Take Shot at SEC Regulation Best Interest

10.04.2019

Time to Flush Certain Restrictions on Rebates?

10.04.2019

Mostly Tricks Proposed for ASOP 2

10.04.2019

SEC Expands Manager-of-Managers Relief to Affiliated Sub-Advisers

10.04.2019

Intentional Killing a Grave Mistake Under Slayer Statutes

10.04.2019

FOIA Competitive Injury Requirement Falls

10.04.2019

ETFs on the Horizon for Variable Products?

08.07.2019

Annuity Suitability Working Group Tries to Get Out of the Parking Lot

07.11.2019

Proposed Revisions to ASOP 2 May Impact Your Product Pricing and Litigation Exposure

07.11.2019

SEC Staff Asks for Time: Feels Pressure From Automatic Filing Effectiveness

07.11.2019

Changes to the Index Product Illustration Requirements Are No Child's Play

07.11.2019

On Cybersecurity, Grab the Low-Hanging Fruit

07.11.2019

Regulatory Response to Insurance Innovation

07.11.2019

STOLI Policies Void in New Jersey

07.11.2019

Considerations for Use of Arbitration Agreements to Curtail Class Claims

07.11.2019

Changes to the Patent Landscape for the Insurance and Financial Industries

07.11.2019

Unpacking the SEC's Regulation Best Interest Package

07.11.2019

New Chair on the Block Discusses Reconstructing the Suitability Model

07.11.2019

SEC Adds to Guidance on Digital Assets

07.11.2019

Life Insurer Defeats Bid to Apply Policy Lapse Statute Retroactively

07.11.2019

Has OMB Reined in the SEC?

07.11.2019

Cryptocurrency Regulatory Complexities Multiply

07.11.2019

DC Circuit: Willful Means Intentional Under the Advisers Act – Negligent Conduct Cannot Be Willful Conduct

07.11.2019

Supreme Court Casts a Wide Net with Rule 10b-5

07.11.2019

Illinois Supreme Court Nails Down Status in Big Market: Indexed Annuities Are Not Securities

07.11.2019

Class Certification Denied in Universal Life “Risk Rates” Litigation

04.04.2019

New Procedures for Mutual Fund and Insurance Product SEC Filings

04.04.2019

Financial Products: States Continue to Puzzle Together Standards and Required Disclosures for Professionals Selling or Providing Advice

04.04.2019

Game Changing Fund of Fund Reforms Ahead

04.04.2019

FINRA Unlocks Some Pre-Inception Index Marketing Data

04.04.2019

Life Insurers Sinking in Quicksand as Regulators Scrutinize Non-Traditional Consumer Data Sources

04.04.2019

NAIC Illustration Regulation Races Index Product Innovation

04.04.2019

SEC Open to Modern Communications by Advisers

04.04.2019

Be Prepared for the Next Wave of Biometric Data Laws: Five Tips for Businesses

04.04.2019

FINRA Trumpets Variable Annuity Sales Problems While SEC Falls Silent

01.29.2019

NY DFS Delivers an Icy Blast to Insurers Using External Data Sources and Algorithmic Underwriting

12.19.2018

Challenging New York's "Best Interest" Standard: A Comparison to COCUS

12.19.2018

Court Upholds California Department of Insurance's Expansive Interpretation of Claims Practices Statute

12.19.2018

Defendants Not Liable for Insurance Agent's Ponzi Scheme

12.19.2018

Life Insurer's Early Dispositive Motion Achieves Narrowed Fraud Claim in COI Suit

12.19.2018

Class Certification Denied in Suitability Class Action

12.18.2018

Eleventh Circuit Reverses Dismissal of Insurer's Fraud and Racketeering Claims Against Premium Financer

12.18.2018

Sixth Circuit Holds Employer Has No Duty to Notify of Conversion Options

12.18.2018

SEC Proposes Summary Prospectus Option and Modernized Disclosure for Variable Insurance Products

12.18.2018

How State and Federal Laws Are Addressing the Use of Direct-to-Consumer Genetic Testing by Insurance Companies

12.18.2018

New Jersey Fiduciary Rule Pre-Proposal

12.18.2018

Use of Non-Binding SEC Staff Guidance Called Into Question

12.18.2018

Is It Time to Revisit SEC's Ban on "Forced" Arbitration Provisions?

12.18.2018

Various NAIC Groups Discuss a Cornucopia of Life and Annuity Topics

12.18.2018

SEC Lightens Legal Load of Mutual Fund Directors

12.18.2018

Parent Company Guarantees of Annuities

12.18.2018

Buffer ETFs vs. Index-Linked Annuities

12.18.2018

Executive Compensation Disclosure – Partial Relief for Insurance Products

11.26.2018

Is It Time to Harvest the NAIC Suitability in Annuity Transactions Model Regulation?

10.25.2018

Suitability Working Group Stirs Ingredients for Suitability Model Potion

10.09.2018

NAIC Big Data WG Shifts Its Gaze to the Use of Big Data in Life Insurance Underwriting

10.01.2018

As Students Return to School, Regulators Continue Their Study of the NAIC's Suitability in Annuity Transaction Model Regulation

10.01.2018

NIST Provides Guide and Example Solution for IT Asset Management

10.01.2018

FINRA Targets Variable Annuity Practices

10.01.2018

XBRL Amendments Have Limited Impact on Insurance Products

10.01.2018

Second Circuit Affirms Summary Judgment for Bona Fide Purchaser in STOLI Action

10.01.2018

Protecting At-Risk Seniors from Financial Exploitation

10.01.2018

Court Invalidates California Unclaimed Property Law Regulations

10.01.2018

Even Disclaiming 'Magic Words' Won't Save Plaintiffs from SLUSA Preclusion

10.01.2018

SEC Proposes New Rule Impacting ETFs

10.01.2018

SEC: Ether and Bitcoin Are Not Securities

10.01.2018

SEC Proceedings Face Uncertainty After Supreme Court Holds ALJs Unconstitutional

10.01.2018

Dodd-Frank Rollback Benefits Insurers

10.01.2018

NAIC Summer National Meeting Spotlights Innovation and Insurtech

10.01.2018

Louisiana Appeals Court Affirms Class Certification in Lingering Litigation Against Department of Insurance

10.01.2018

In California, a New Era in U.S. Privacy

10.01.2018

SEC 'Investor Experience Initiative' Expressly Includes Variable Insurance Products

07.20.2018

New York Issues Final Life Insurance and Annuity Suitability and Best Interests Regulation

06.25.2018

FINRA Proposes to Ease Regulation of Outside Business Activities

06.25.2018

To Preempt or Not to Preempt - Courts Issue Competing SLUSA Rulings

06.25.2018

Ninth Circuit: Face Amount Controls Amount-in-Controversy Questions Where Policy's Validity is Disputed

06.25.2018

SEC Warns About Third-Party Destruction of Broker-Dealer Records

06.25.2018

Supreme Court Set to Rule on Constitutionality of SEC's ALJs

06.25.2018

Win for MassMutual in Rare Class Action Trial

06.25.2018

Recalls of Loaned Securities by Insurance Dedicated Funds

06.25.2018

Which Thoroughbred Will Win the Standards of Care Derby?

06.25.2018

Unclaimed Life Insurance Benefits: The First Half of 2018 in Review

06.25.2018

COI Litigation Update

06.25.2018

New York Pushes Mutual Fund Active Share Disclosure

06.25.2018

FINRA Moves Toward SEC Anti-Churning Proposal

06.25.2018

Expect Slower SEC Processing of Investment Company Filings

06.25.2018

South Carolina First State to Adopt NAIC Insurance Data Security Model Law

03.31.2018

Supreme Court Denies Insurer's Petition to Review Standing in Data Breach Class Actions

03.31.2018

Enforcement of DOL's New Best Interest Contract Exemption's Anti-Arbitration Condition is Enjoined

03.31.2018

Plaintiffs' Notice That the 'Taxman Cometh' Was Sufficient to Trigger Statute of Limitations

03.31.2018

Illinois Federal Court Rejects Twin Suits Challenging Dividend Payment Practices

03.31.2018

SEC Sidelines Funds Focused on Cryptocurrencies

03.31.2018

Another Bout in the NAIC Best Interest Standard Title Fight

03.31.2018

SEC Issues Cybersecurity Disclosure Guidance

03.31.2018

Fifth Circuit Vacates DOL Fiduciary Rule

03.31.2018

State Suitability, Fiduciary Duty and Disclosure Initiatives Roundup

03.31.2018

SDNY Ruling Narrows Claims in COI Suit

03.31.2018

Court Rejects Insurer's Spokeo-Based Standing Challenge to TCPA Action

03.31.2018

When Innovation Meets Regulation: InsurTech and State Licensing Laws

03.31.2018

An Illustration Saga Continues in California

03.31.2018

FINRA Requires Order Taker Registration

03.31.2018

Implementation Delay and Q&As for Fund Liquidity Rule

03.31.2018

Insurers Keep Providing Corporate Governance Disclosures Without Complaint—Yet

03.31.2018

CAFA's Local Controversy Exception Requires Class Claims Against Local Defendant

03.31.2018

NAIC Disclosure Developments

03.31.2018

Investment Adviser Fee Table on the Table

03.31.2018

Nonpayment of an Insurance Claim is Not Elder Abuse

03.31.2018

SEC Targets Variable Insurance Products

02.01.2018

Life Insurance Industry's 'SEC Wish List' for Trump's Tilt With the 'Nanny State' of Excessive Regulation

The Investment Lawyer

01.02.2018

New York Department of Financial Services Rings in the New Year With New Suitability Requirements for Insurance Companies

12.29.2017

SEC Whistleblower Awards to Insurance Department Employees?

12.29.2017

Third Time Is the Charm: Class Certified in DMF-Related Shareholder Suit

12.29.2017

Preparing for New York Regulation 210's Effective Date

12.29.2017

COI Litigation Review – Early Dismissals Remain Elusive in Rate Increase Actions

12.29.2017

Did Santa Give the Insurance Industry a Lump of Coal or a Diamond in the Rough?

12.29.2017

When Innovation Meets Regulation

12.29.2017

The Ghosts of Christmas Past, Present, and Future Haunt Insurers' Use of Big Data and Algorithmic Tools

12.29.2017

Regulators Continue to Scrutinize Initial Coin Offerings

12.29.2017

The Continuing Representation Doctrine Does Not Apply to Fraud Allegations

12.29.2017

Delicate FINRA Balancing Act: To Self-Report or Not?

12.29.2017

The NAIC Says Aloha

12.29.2017

Based on Principles of Fairness, Court Dismisses Putative Class Action RICO Claims Asserted Years After Initiation of Suit

12.29.2017

SEC Committee Advocates for Summary Mutual Fund Shareholder Reports

12.29.2017

Denial of Reinstatement of Lapsed Life Insurance Policy Affirmed Due to Failure to Satisfy Required Underwriting Standard

12.29.2017

The Impact of the EU Requirement to 'Unbundle' Research Costs

12.29.2017

SEC Exam Staff: "Surprise, We're Back"

12.29.2017

Treasury Department Urges SEC to Act on Life Company Products

12.05.2017

The DOL Fiduciary Rule: Charting a Course, Avoiding Collisions & Potential Litigation Q&A #4

11.28.2017

New Model Regulation Gives Insurers Little to Be Thankful For

10.02.2017

The DOL Fiduciary Rule: Charting a Course, Avoiding Collisions & Potential Litigation Q&A #3

10.02.2017

New York Adopts Non-Guaranteed Elements Rule for Life Insurance and Annuity Products

09.26.2017

SEC Cautions on Use of Distributed Ledger/Blockchain Technology to Raise Capital

09.26.2017

Eleventh Circuit Affirms Summary Judgment of Insurer in STOLI Case

09.26.2017

Sticking Firmly to Contract Terms, Court Dismisses Premium and COI Overcharge Claims

09.26.2017

Communications With Auditors and Audit Committees May Change

09.26.2017

Plaintiffs Survive Standing-Based Challenge to California Senior Notice and Financial Elder Abuse Claims

09.26.2017

Dismissal of Individual Claims Cap Insurer's Winning Streak in Action Challenging FIA Product Features

09.26.2017

NAIC Big Data Working Group Update

09.26.2017

Nevada Securities Act Amendments – What’s Next?

09.26.2017

SEC Stays Approval of Quadruple-Leveraged ETF

09.26.2017

A Ticking Clock: New York’s Pending Non-Guaranteed Elements Rule for Life Insurance and Annuity Products

09.26.2017

SEC Scrutinizes Multi-Manager Arrangements

09.26.2017

Pennsylvania Court Holds Fiduciary Duty Exists Only Where Consumer Cedes Decision-Making Control to the Fiduciary

09.26.2017

Summary Judgment Win for Insurer in “Stable Value” Interest Rate Setting Case

09.26.2017

Certified Financial Planner Board Proposes Fiduciary Obligations for All CFP Financial Advice

09.26.2017

New Partnership Audit Rules – Plan Ahead Before the Tax Bill Arrives

09.26.2017

SEC Investor Advocate’s 2018 Objectives Target Key Issues for Life Insurers

09.26.2017

The Fiduciary Rule Status Update

09.26.2017

NAIC Cybersecurity Working Group Votes to Approve Insurance Data Security Model Law

09.26.2017

OCIE Lessons From Cybersecurity 2 Initiative

07.05.2017

New York DFS Requests Information on Use of External Consumer Data and Information Sources in Life Insurance Underwriting

06.23.2017

FINRA Moves to Protect Seniors and Other Vulnerable Persons

06.23.2017

FINRA Issues New Guidance on Social Media and Digital Communications

06.23.2017

Eighth Circuit Affirms Dismissal of RICO Claim in So-Called Shadow Insurance Suit

06.23.2017

Mutual Fund Advisers Win Again on Section 36(b) Claims

06.23.2017

SEC Seeks Public Comments on Standards of Conduct for Investment Advisors and Broker-Dealers

06.23.2017

Special Purpose National Bank Charter for FINTECH Firms

06.23.2017

Chief Compliance Officers Beware

06.23.2017

FINRA Public Offering Proposal Excludes All Insurance Contracts

06.23.2017

The DOL Fiduciary Rule: Charting a Course, Avoiding Collisions & Potential Litigation

06.23.2017

SEC Guidance Seeks Enhanced Disclosures by Robo-Advisers

06.23.2017

Colorado Set to Regulate Cybersecurity Practices of Broker-Dealers and Investment Advisers

06.23.2017

More Fund Companies Sanctioned for Misusing Fund Assets for Distribution

06.23.2017

Summary Judgment for Insurer in Annuity Sales Practices Action

06.23.2017

Recent Ninth Circuit Rulings Uphold Plaintiffs' Efforts to Predicate Claims on Alleged Insurance Code Violations – Likely More to Come

06.23.2017

FINRA Proposes to Loosen Restrictions on Performance Projections

04.10.2017

FINRA Fines Firms for WORM Problems

04.10.2017

Sprouting Activity at the NAIC

04.10.2017

Transparency Watch: Federal District Court Mandates Automatic Disclosure of Third-Party Funding Arrangements for Class Actions

04.10.2017

Circuits Split Over Constitutionality of SEC's Administrative Law Judges

04.10.2017

SEC Staff Allows Brokers to Set Commissions for Mutual Fund “Clean Shares”

04.10.2017

Court Applies “Fiduciary Exception” to Mutual Fund Trustees’ Attorney-Client Privilege

04.10.2017

SEC Adopts T+2 Securities Settlement Cycle

04.10.2017

Second Circuit Affirms Dismissal of "Shadow Insurance" Lawsuits

04.10.2017

Spokeo Leaves Lower Courts to Wrangle With Article III Standing Issues

04.10.2017

Cost of Insurance Litigation Review

04.10.2017

SEC Facilitates Product Charge Variations

04.10.2017

Will New Administration Speed VA Summary Prospectus?

04.10.2017

Regulators Demand Third-Party Risk Management

01.27.2017

NY DFS Issues Circular Letter Addressing Life Insurance Unfair Claims Settlement Practices During the Contestability Period

12.23.2016

NAIC’s Big Data Task Force Sets Charges for 2017

12.22.2016

Insurable Interest Found in Life Insurance Policies Procured by Investors Through Fraudulent STOLI Scheme

12.22.2016

Dodd-Frank in a Trump Administration

12.22.2016

SEC Adopts Liquidity Risk Programs for Funds

12.22.2016

SEC and OCC Seek Accommodation with Fintech Firms

12.22.2016

Court Upholds SEC on “Backtested” Investment Strategy Illustrations

12.22.2016

Seventh Circuit Affirms Insurer’s Duty to Pay Policy Proceeds Under Wisconsin Statute

12.22.2016

SEC Watchdog to Watch Watchdog

12.22.2016

FINRA Focus on Cybersecurity Continues

12.22.2016

Pennsylvania District Court Rejects Effort to Certify Retained Asset Account Claims Against Prudential

12.22.2016

FINRA Fines Firms For Not Supervising L-Share Annuity Sales

12.22.2016

Broker-Dealers Can Hold Customers’ Initial Checks

12.22.2016

Complex Investment Product Training Materials Under Fire

12.22.2016

Complaint Against New York Life Dismissed in Action Testing Application of California's Usury Laws

12.22.2016

NAIC Draws Line in CFPB Sandbox

11.22.2016

FINRA Seeks Clean Sweep of Abusive Cross-Selling Practices

11.18.2016

NY DFS Proposes New Regulation for Life and Annuity Non-Guaranteed Elements

10.26.2016

CFPB's Project Catalyst Highlights Innovation Opportunities

10.13.2016

SEC Issues Guidance on Business Continuity Planning for Registered Investment Companies

10.13.2016

Illinois Courts: Fixed Indexed Annuities Are Not Securities

10.13.2016

CFPB Grabs for SEC/CFTC Turf

10.13.2016

On The Horizon: Global Insurance Capital Standards

10.13.2016

SEC Exhibit Hyperlink Proposal Excludes Investment Companies

10.13.2016

Potential Secondary Effects of Regulatory Examinations: Evidentiary Issues and Preclusion in Parallel Litigation

10.13.2016

SEC Curious About Mutual Fund Unicorns

10.13.2016

Department of Labor Rule Paves the Way for State-Run Retirement Plans

10.13.2016

Recent Insurer Victories in Indexed Annuity Class Actions

10.13.2016

SEC Probes Share Class Recommendations

10.13.2016

AXA Prevails at First Post-Jones v. Harris Excessive Fee Trial

10.13.2016

FINRA to Overhaul Gifts, Non-Cash Compensation, and Business Entertainment Rules

10.04.2016

State-law Based Claims Against Parties Other than the United States Seeking Damages Arising Out of the Procurement of Flood Insurance for Property Located in a Flood Zone under the National Flood Insu

09.21.2016

UK's FCA Weighs in on Insurers' Use of Big Data

07.26.2016

Time to Disrupt Insurance Regulation?

07.26.2016

STOLI Policies Cancelled, Insurers Retain Premium

07.26.2016

A New Domain Name Option for the Insurance Industry

07.26.2016

Fed Takes First Steps Toward Setting Capital Requirements for Some Insurers

07.26.2016

NAIC Round-up: Selected Recent Developments at the National Association of Insurance Commissioners

07.26.2016

NTIS Mandates New Requirements to Access the Death Master File

07.26.2016

A Constitutional Challenge to Florida's New Unclaimed Property Act Amendments

07.26.2016

New Wave of COI Rate Increase Lawsuits Hits the Industry

07.01.2016

Brexit's Impact on the Insurance Industry

05.01.2016

A Short Telling of the Wacky History of How the SEC Came to Regulate Life Insurance Company Separate Accounts and Products

04.25.2016

Two Federal Courts Uphold Criminal Convictions for Insurance Brokers

04.25.2016

Alleged Misrepresentations to DFS Warrant SLUSA Preclusion

04.04.2016

The HIPAA Audits are Coming, The HIPAA Audits are Coming!

02.23.2016

Storm Clouds Gather for Life Insurers' Cost of Insurance Rate Increases

01.27.2016

FTC's Big Data Report Provides Road Map for Insurers Using Big Data

01.25.2016

Bill to Amend Florida's Unclaimed Property Act Regarding Unclaimed Insurance Benefits Moves to Senate Floor

01.25.2016

SEC Provides Long-Awaited Guidance on Fund Distribution and Sub-Accounting Fees

01.05.2016

Florida's OIR Provides Guidance on Annuity Maturity Date Extensions

12.23.2015

California Passes Life and Annuity Electronic Transactions Law

12.23.2015

Under a Spotlight, "Shadow Insurance" Lawsuit Fails Scrutiny

12.23.2015

Perks, Prizes, and Loopholes: Sen. Warren's Report on Annuity Sales Practices

12.23.2015

Federal Court of Appeals Deems Policies STOLI, Refuses to Order Return of Premiums

12.23.2015

Solicitors Argue to U.S. Supreme Court That Vermont Health Care Reporting Law Is Not Preempted By ERISA

12.23.2015

NAIC Evaluates Insurer's Use of Variable Annuity Captives, Price Optimization, and Big Data

12.23.2015

Individual Inquiries Predominate in 401(k) Litigation

12.16.2015

U.S. Treasury Department and the U.S. Trade Representative Pursuing Possible Covered Agreement With the European Union

12.07.2015

As TCPA Class Actions Soar, Issues Emerge in TCPA Coverage for Claims

11.11.2015

Companies, Through Best Practices, Can Help Keep Cyber Insurance Prices Reasonable

11.09.2015

Data Breaches: Companies, Through Best Practices, Can Help Keep Cyber Insurance Prices Reasonable

09.10.2015

Consumer Bankers Association, Chamber of Commerce Join Legal Challenge to FCC Ruling Tightening TCPA Call Restrictions

08.31.2015

United States Supreme Court Considering A California Appellate Court Opinion Invalidating A Class Action Arbitration Waiver

06.17.2015

The First Step Toward Revising Life Insurance Illustration Requirements

06.15.2015

For Life Insurers and Agents – A Summary of Predicted Litigation Under the DOL's Proposed Fiduciary Rule

04.16.2015

Wake up Call for Regulators and Insurers

03.25.2015

Morgan Stanley Agrees to Resolution of Multi-State Unclaimed Property Audit

03.25.2015

NCOIL Revises Unclaimed Property Model Act

03.25.2015

First Circuit's RAA-Friendly Ruling Stands

03.25.2015

The Big Deal About Big Data: What Life Insurers Must Know

03.25.2015

At the State Level, Is a Fixed-Index Annuity a Security?

03.25.2015

STOLI Schemers Must Make Good on Damages Caused

01.23.2015

Six Defenses to International Child Abduction

12.31.2014

New Year, New Disclosures

12.22.2014

Proposed Anti-Inversion Regulations Would Affect Foreign Insurers

12.22.2014

Third Circuit Limits ERISA Fiduciary Liability

12.22.2014

Life Insurer Settles Nationwide "Junk Fax" Class Actions

12.22.2014

Florida Remains a Non-Member of The Interstate Insurance Product Regulation Commission

12.22.2014

New York Law Governs STOLI Dispute In Texas

12.22.2014

Will Any Matters Addressed at the NAIC's 2014 Fall National Meeting Reach the Playoffs?

12.22.2014

A Life Settlement Investment Shell Game?

12.22.2014

Life Insurers Gain Ground in Legislative Fix

12.17.2014

Minority Powerbrokers Q&A: Carlton Fields' Ann Black

11.04.2014

Trick or Treat? Halloween Meeting of NAIC's Contingent Deferred Annuity Working Group

10.27.2014

Treasury Department and IRS Allow Lifetime Annuity Contracts as Investments by Target Date Funds

10.20.2014

National Union Prevails on \$40 Million Coblenz Enforcement Action in D&O Case

10.08.2014

Florida Modifies Its Annuity Suitability Rule

09.19.2014

NAIC Unclaimed Life Insurance Benefits Working Group Recommends Development of Model Law and Comment Letter to Uniform Law Commission

09.17.2014

Iowa Issues Bulletin on Index Annuity Marketing Materials

09.16.2014

Louisiana Issues Advisory Letter Regarding Use of the Social Security Administration's Death Master File

09.08.2014

Florida Proposes Rule for Annuity and Life Insurance Surrender Disclosures

09.01.2014

Class Litigation of Lender-Placed Hazard Insurance

08.08.2014

Florida Court Rejects "Date of Death" Trigger for Escheating Life Insurance Death Benefits Under Florida's Unclaimed Property Act

07.08.2014

PBGC Supports Lifetime Income

07.08.2014

New York Fines Two Major Insurers

07.08.2014

STOA Schemes Face Increased Regulatory Scrutiny

Our Team

Key Contacts



Ann Young Black
SHAREHOLDER



Markham R. Leventhal
SHAREHOLDER

Additional Members



Scott Abeles
SHAREHOLDER

Washington, D.C.
☎ 202.965.8112



Enrique D. Arana
SHAREHOLDER

Miami
☎ 305.347.6876



Steven J. Brodie

SHAREHOLDER

Miami

☎ 305.539.7302



Scott E. Byers

SHAREHOLDER

Miami

☎ 305.347.6819



Richard T. Choi

SHAREHOLDER

Washington, D.C.

☎ 202.965.8127

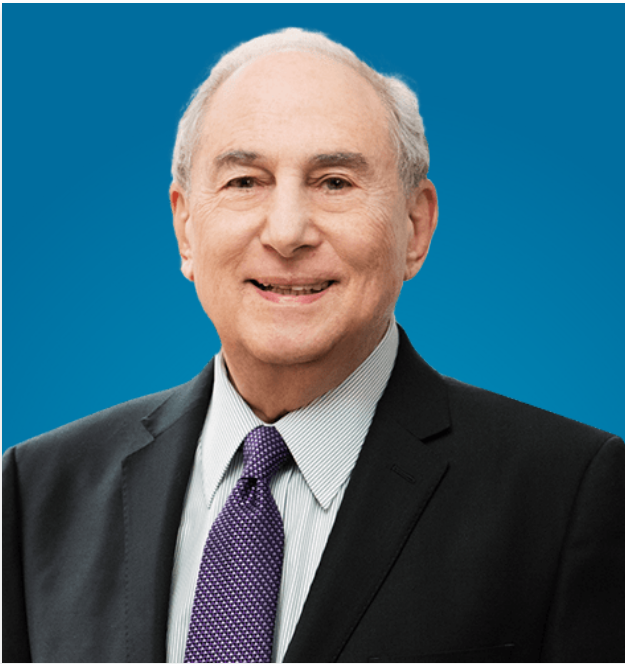


Justin L. Chretien

SHAREHOLDER

Washington, D.C.

☎ 202.965.8113



Gary O. Cohen

OF COUNSEL

Washington, D.C.

☎ [202.965.8152](tel:202.965.8152)



Jeffrey Michael Cohen

OF COUNSEL

Miami

☎ [305.539.7304](tel:305.539.7304)



Robert W. DiUbaldo

SHAREHOLDER

New York

☎ 212.380.9635



Nathaniel L. Doliner

SHAREHOLDER

Tampa

☎ 813.229.4208



Steven C. Dupré

SHAREHOLDER

Tampa

☎ 813.229.4341



Stephanie A. Fichera

SHAREHOLDER

Miami

☎ 305.347.6810



Todd M. Fuller

SHAREHOLDER

Miami

☎ 305.347.6868



Ann Began Furman

SHAREHOLDER

Washington, D.C.

☎ 202.965.8130



Brendan N. Gooley

SHAREHOLDER

Hartford

☎ 860.392.5036



Clifton R. Gruhn

SHAREHOLDER

Miami

☎ 305.347.6990



Roger S. Kobert

SHAREHOLDER

New York

📞 212.785.9161



Jeanne M. Kohler

SHAREHOLDER

New York

📞 212.380.9628



William J. Kotapish

OF COUNSEL

Washington, D.C.

☎ 202.965.8154



Stephen W. Kraus

SHAREHOLDER

Washington, D.C.

☎ 202.965.8147



Thomas C. Lauerman

OF COUNSEL

Washington, D.C.

☎ 202.965.8156



Edgel C. Lester Jr.

OF COUNSEL

Tampa

☎ 813.229.4231



Julianna Thomas McCabe

SHAREHOLDER

Miami

☎ 305.347.6870



Thomas F. Morante

SENIOR COUNSEL

Miami

☎ 305.539.7252



Jason A. Morris

SHAREHOLDER

Atlanta

☎ 404.815.2724



Natalie A. Napierala

SHAREHOLDER

New York

☎ 212.785.2747



Paul L. Nettleton

SHAREHOLDER

Miami

☎ 305.539.7224



Mark A. Neubauer

SHAREHOLDER

Los Angeles

☎ 310.843.6310



Robert W. Pass

OF COUNSEL

Tallahassee

☎ 850.513.3608



Brooke Patterson

ASSOCIATE

Miami

☎ 305.347.6853



John C. Pitblado

SHAREHOLDER

Hartford

📞 860.392.5024



Gail Podolsky

SHAREHOLDER

Atlanta

📞 404.815.2714



Robert B. Shapiro

OF COUNSEL

Washington, D.C.

☎ 202.965.8151



R. Jeffrey Smith

OF COUNSEL

Hartford

☎ 860.392.5018



Irma Reboso Solares

SHAREHOLDER

Miami

☎ 305.347.6843



Nora A. Valenza-Frost

OF COUNSEL

New York

☎ 212.380.9631



Erin J. VanSickle

SENIOR GOVERNMENT CONSULTANT

Tallahassee

☎ 850.425.3393



Barry Leigh Weissman

SHAREHOLDER

Los Angeles

☎ 310.843.6322



Jeffrey L. Williams

OF COUNSEL

Hartford

☎ 860.392.5020



Michael N. Wolgin

SHAREHOLDER

Miami

☎ 305.347.6880



Gwynne A. Young

SHAREHOLDER

Tampa

📞 813.229.4333



Edmund J. Zaharewicz

SHAREHOLDER

Miami

📞 305.347.6932

Related Capabilities

Practices

- Business Transactions
- Cybersecurity and Privacy
- Cost of Insurance and Other Challenges to Non-Guaranteed Element Determinations
- ERISA Employee Benefit Plan Litigation
- Financial Services Regulatory
- FINRA Enforcement, Arbitration, and Appeals
- Life, Annuity, and Retirement Litigation
- Litigation and Trials

Industries

- Property & Casualty Insurance
- Banking, Commercial, and Consumer Finance
- Life, Annuity, and Retirement Solutions
- Securities & Investment Companies

- Reinsurance
- Sales Practices – Market Conduct Litigation
- Securities Litigation and Enforcement
- SEC Enforcement
- Securities Transactions and Compliance
- Tax
- Digital and E-Commerce Engagement and Innovation
- Insurtech
- Government Affairs and Lobbying
- Banking, Commercial, and Consumer Finance
- Life, Annuity, and Retirement Solutions
- Class Actions