

MReBA Cover Notes --

A Publication of the [Massachusetts Reinsurance Bar Association](#)

Spring 2014

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Welcome!

On behalf of the Newsletter Committee, we hope that you enjoy this edition of *Cover Notes*, MReBA's quarterly newsletter. Recent MReBA meetings have continued the tradition of providing excellent educational offerings, and this issue of *Cover Notes* features an article on an informative presentation given by MReBA member Julian Miller, who discussed the unique procedural aspects of English arbitration rules at the final meeting of 2013. This issue also highlights recent reinsurance-related decisions from the District of Massachusetts and the First Circuit.

We are also excited to bring you details about the upcoming Annual Meeting and Spring Cocktail Reception, which are discussed in the note below from MReBA President John Harding. We hope to see you there!

Jessica Park

Co-Chair, Newsletter Committee
Sugarman, Rogers, Barshak & Cohen, P.C.
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MReBA's Annual Meeting and Spring Cocktail Reception

Please join us on Wednesday, April 30, 2014 for MReBA's Annual Meeting at which officers and board members will be elected for the upcoming year. We are delighted to be having this year's event at the Downtown Harvard Club, located at One Federal Street, Boston. The Annual Meeting will convene at 4:30 p.m.

The Annual Meeting will be immediately followed at 5 p.m. by our Spring Cocktail Reception featuring delicious appetizers, drinks and a chance to catch up with colleagues. We are very excited to have as our special guest for this year's event Senator Anthony W. Petrucci, who has served as the

MReBA

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MReBA Calendar

Annual Meeting and Cocktail Reception:

April 30, 2014
Annual Meeting-4:30 p.m.
Cocktail Reception-5:00 p.m.

[Harvard Club of Boston](#)
One Federal Street, Boston
MA

Events - General Interest

[Casualty Actuaries of New England Meeting](#)

Sturbridge, MA
March 27-30, 2014

[NAIC Spring Meeting](#)

Orlando, FL
March 29-April 1, 2014

Red Sox Opening Day

Fenway Park
April 4, 2014

[RIMS Conference](#)

Denver, CO
April 27-30, 2014

[ARIAS Spring Conference](#)

Key Biscayne, FL
May 7-9, 2014

[Rendezvous Monte Carlo](#)

Monte Carlo

state Senator for the First Suffolk Middlesex District since July 2007. His district includes Beacon Hill, Cambridge, East Boston, North End, Revere and Winthrop. Senator Petruccelli currently serves as the Co-Chair of the Legislature's Joint Committee on Financial Services, which includes responsibility for insurance matters. Senator Petruccelli is certain to provide timely insight into the legislative issues that affect the insurance industry.

We very much hope that you will be able to join us on April 30th. Please RSVP to Tracey Citron, tcitron@morrisonmahoney.com at your earliest convenience. We look forward to seeing you!

John T. Harding

MReBA President
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A Refresher On Reinsurance Arbitration In The UK

By **[Rachel M. Davison](#)**
Morrison Mahoney LLP

MReBA member Julian Miller, a partner in the London office of DAC Beachcroft, was the featured speaker at the final educational presentation of 2013. His remarks focused on the challenges that US-based practitioners might face when called upon to arbitrate in the United Kingdom, or under English procedural rules. The presentation was peppered with helpful illustrations that highlighted the similarities and differences in the US and UK approaches to arbitration proceedings.

To read this article in full, please click [here](#).

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Case Note: First Circuit Affirms The Role Of Arbitrators In Assessing Whether Prior Arbitration Award Precludes Related Claims Against Other Reinsurers

By **[Michael F. Aylward](#)**
Morrison Mahoney LLP

Who decides the scope of what is arbitrable: the arbitrators or a reviewing court? And when does a prior arbitration panel's ruling estop the cedent from pursuing the same claims against a different reinsurer? Those were the questions posed to the U.S. Court of Appeals for the First Circuit in a recently-decided case addressing the respective roles of arbitration panels and judges in the arbitration process.

To read this article in full, please click [here](#).

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Case Note: Massachusetts Federal Court

September 13-18, 2014

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Refuses Request To Enjoin Arbitration And Dismiss Umpire On The Basis Of Alleged Procedural Unfairness

By [Jessica Park](#)
Sugarman, Rogers, Barshak & Cohen, P.C.

In an October 2013 decision, *Allstate Insurance Co. v. OneBeacon American Insurance Co.*, 2013 WL 5604299 (D. Mass. Oct. 8, 2013), the United States District Court for the District of Massachusetts denied a motion that sought to enjoin a reinsurance arbitration and dismiss the umpire on the ground that the integrity of the arbitration had been corrupted by a disclosure of the umpire nomination process. The court's decision illustrates the difficulty of challenging an arbitrator's impartiality before the issuance of a final award and also reflects the oft-seen reluctance of courts to become involved in reinsurance arbitration proceedings.

To read this article in full, please click [here](#).

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Attention Members . . .

Please keep your contact information up-to-date at <http://www.mreba.org/members/index.php> including any job or e-mail changes. If you have any questions, you can contact Seth Jackson at sjackson@zelle.com.

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