



## **Michael Mullins**

*Partner*

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### **OVERVIEW**

Michael Mullins, chair of the Insurance and Reinsurance practice group, is an experienced courtroom advocate who represents companies in complex commercial disputes. He acts on behalf of cedents, intermediaries and reinsurers in both arbitration and litigation. Michael also represents insurance companies in coverage disputes, regulatory investigations, general commercial transactions and other high-stakes matters.

Michael has advised insurers and reinsurers on some of the industry's thorniest issues, including disputes concerning:

- Accumulation
- Allocation
- Asbestos Bodily Injuries
- Bad Faith
- Broker/Intermediary Misconduct
- Business Interruption Issues
- Commutations
- Common Account Reinsurance
- Contingency Contracts
- Declaratory Judgment Expenses
- Environmental Pollution
- E&O Insurance
- Hurricane/Windstorms
- Ice Dams
- Interlocking Clauses
- Loss Portfolio Transfers
- Pro-Rating of Retentions
- Receiverships
- Sexual Molestation Claims
- Sunset Provisions
- Traumatic Brain Injuries

Michael is also active in firm management. He currently serves as the Office Managing Partner in Boston.

## EXPERIENCE

Served as arbitration counsel to reinsurer of worker's compensation pool in dispute over the proper application of mandatory commutation provision.

Served as arbitration counsel to cedent in dispute relating to large property loss and subsequent subrogation recoveries.

Served as counsel to industry-leading insurer with respect to a series of civil investigative demands issued by attorney general's office.

Served as arbitration counsel to reinsurers in dispute concerning compensability of cedent's *ex gratia* payments.

Served as appellate counsel to liability insurer regarding the enforceability of policy limit caps on contract damages.

Served as arbitration counsel to reinsurer in dispute over the propriety of aggregating unrelated claims.

Successfully represented retrocessionaire in series of arbitrations resulting from worker's compensation carveout business.

Served as arbitration counsel to reinsurer in dispute over aviation bodily injury carveout losses.

Successfully represented ceding company in arbitration concerning compensability of DJ expenses under excess of loss treaty program.

Successfully represented large reinsurer in arbitration over cedent's attempted interlocking of claims

across a series of facultative certificates.

Served as arbitration counsel to major domestic ceding company in series of high-stakes asbestos non-products reinsurance arbitrations.

Represented top-tier reinsurer with respect to action in Texas insolvency court affecting client's participation on several layers and across many years of an intricate reinsurance program.

Successfully represented domestic ceding company with respect to losses arising out of book of builder's risk policies.

Successfully represented insurer in direct-side coverage action concerning business interruption claim.

Obtained summary judgment concerning allegations of bad faith and then prevailed on consequential damages claim after a two-week jury trial in U.S. District Court.

Served as counsel to major domestic reinsurer regarding the presentation of various Bermuda hurricane losses as a single "program" loss under the reinsurance contract.

Served as counsel to domestic ceding company in connection with losses emanating from weather-related reinsurance catastrophe bond.

Served as counsel to major domestic ceding company in connection with claims against intermediary that negligently failed to place reinsurance cover.

Served as counsel to European insurer regarding high-profile D&O liability dispute.

Served as trial counsel in U.S. District Court case to enforce oral agreement between insurance companies to co-reinsure a block of individual disability policies.

## **SERVICES**

### **APPELLATE PRACTICE**

### **LITIGATION**

## **INDUSTRIES**

### **INSURANCE AND REINSURANCE**

### **INSURANCE AND REINSURANCE DISPUTES**

### **INSURANCE REGULATION AND TRANSACTIONS**

## **INSIGHTS**

### **CONNECTICUT INSURANCE DEPARTMENT AMENDS ITS BIG DATA GUIDANCE TO REQUIRE ANNUAL CERTIFICATION**

Co-author, May 3, 2022, *Day Pitney Advisory*

## **ARIAS U.S. 2016: IMPROVING THE ARBITRATION PROCESS THROUGH BETTER CONTRACT WORDING**

Speaker, November 17, 2016

## **POST DEPOSITION MATTERS**

Author, January 1, 2013, *Massachusetts Deposition Practice Manual, MCLE*

## **AUTHOR, "CASE STUDY: FANTASTIC SAMS V. FSRO ASSOCIATION," LAW360, SEPTEMBER 27, 2012**

## **AUTHOR, "FIRST CIRCUIT HIGHLIGHTS THE IMPORTANCE OF CAREFULLY CRAFTED ARBITRATION CLAUSES," MREBA NEWSLETTER, FALL 2012**

## **NEWS**

### **BOSTON TEAM ATTENDS MBWA'S ANNUAL IDA B. WELLS AWARDS CELEBRATION**

Mentioned, July 14, 2023, *Day Pitney Press Release*

### **DAY PITNEY PARTNER MICHAEL MULLINS NAMED TO WHO'S WHO LEGAL LIST FOR INSURANCE & REINSURANCE 2023**

Featured, July 12, 2023, *Day Pitney Press Release*

### **DAY PITNEY SECURES SEVENTH CIRCUIT VICTORY FOR LLOYD'S OF LONDON**

Featured, August 23, 2021, *Law360*

### **91 DAY PITNEY LAWYERS NAMED TO 2015 SUPER LAWYERS LIST**

Featured, October 30, 2015, *Day Pitney Press Release*

## **EDUCATION AND CREDENTIALS**

### **EDUCATION**

University of Chicago Law School, J.D., 1999

Providence College, B.S., 1992

### **ADMISSIONS**

Commonwealth of Massachusetts

State of Illinois

### **AFFILIATIONS**

AIDA Reinsurance and Insurance Arbitration Society (ARIAS-U.S.)

American Bar Association

Boston Bar Association

Illinois Bar Association

Massachusetts Insurance and Reinsurance Bar Association (MIReBA)

## **RECOGNITION AND COMMUNITY**

### **RECOGNITION**

Chosen for inclusion in *The Best Lawyers in America* (Woodward/White, Inc.) for Insurance Law, 2023-2024

Selected to the list of Massachusetts *Super Lawyers* (Thomson Reuters), Insurance, 2012-2015, 2017-2018

Named Outstanding Pro Bono Detention Attorney of the Year by the Political Asylum/Immigration Representation (PAIR) Project for extraordinary trial work successfully representing a detained refugee from Darfur

*No aspect of these advertisements have been approved by the highest court of any state. See [Awards Methodology](#).*

### **COMMUNITY**

Previously served as program officer and finance director for Public Allies, a non-profit agency that became a national model for leadership development

Founding chair of the board for Chicago Scores, an innovative after-school program combining literacy training with athletic programming