

John C. Lenzen

Nationality: Maltese

Languages: English



John C. Lenzen is an independent international arbitrator and mediator specialising in insurance and reinsurance disputes, with a particular emphasis on the Bermuda Form and Directors & Officers coverage. John has handled some of the world's largest and most complex commercial disputes.

Prior to developing his ADR practice, John spent twenty-five years serving the insurance industry as outside counsel and in a variety of senior legal and claims roles, principally based in Bermuda. These included General Counsel to a number of insurance and reinsurance companies, General Counsel to and Head of Claims for Chubb (formerly ACE) Bermuda, and both Worldwide Head of Litigation and Chief Litigation Counsel, Global Claims to the ACE and Chubb Groups – positions he held consecutively for fifteen years.

John has had the direct and hands-on responsibility for many international and multi-jurisdictional arbitrations in Bermuda, England and the USA. He has unparalleled experience in countless high-severity claims under commercial policies involving Casualty (Bermuda Form, Claims Made and Occurrence), D&O, E&O, Property, Political Risk, Financial Solutions (finite cover), Aviation, Satellite, Reinsurance and Retrocessions. These claims were based on massive underlying losses spanning the globe, the vast majority of which were legitimate, covered and timely paid. John was also personally responsible for strategizing, litigating, arbitrating, mediating and negotiating to their conclusions the most significant and complex claims disputes facing the ACE and Chubb Groups worldwide, including many Bermuda Form arbitrations that proceeded to final Awards and others determined on preliminary issues. As a result, he is a preeminent industry expert on the Bermuda Form and the resolution of the myriad of issues to which it gives rise. John was also personally responsible for four D&O arbitrations that proceeded to final Awards (two Side-A and two ABC), and the negotiations that resolved innumerable others.

He is a Fellow of the Chartered Institute of Arbitrators and a CEDR-accredited mediator.

Sector Expertise

- Insurance & Reinsurance
 - Bermuda Form
 - Directors & Officers
-

Arbitra London

100 St Paul's Churchyard
London
EC4M 8BU
info@arbitra.co.uk

Call: +44 (0)20 7936 7070

Arbitra Washington DC

Midtown Center
1100 15th Street NW
Suite 420
Washington DC, 20005

Email: info@arbitra.co.uk

Lenzen ADR

www.lenzenadr.com
john.lenzen@lenzenadr.com
+1 (702) 277-0529

- Commercial Dispute Resolution
- Mediation, Adjudication & Dispute Boards
- Political Risk

Insurance & Reinsurance, Bermuda Form, Directors & Officers

John has fairly and successfully arbitrated, mediated, negotiated and adjudicated countless high-severity claims under commercial policies including excess liability, financial lines, property, political risk, reinsurance and retrocessions, and eleven-figure losses spanning the globe. His experience includes virtually every sector of the commercial Property and Casualty market over twenty-five years.

Bermuda Form disputes involving every industry class, and both mass torts and catastrophes, including liabilities arising from, for example:

- the DEEPWATER HORIZON disaster, including *Halliburton v Chubb* and the dispute with Transocean discussed in that judgment;
- innumerable pharmaceuticals, including *AstraZeneca v XL and ACE*;
- mass shootings;
- refinery, blast-furnace and fertilizer-plant explosions;
- radiant-heat plumbing;
- plastic plumbing;
- natural rubber latex gloves;
- birth control;
- breast implants;
- dust masks and respirators;
- numerous defective construction products;
- unnecessary heart-bypass surgeries and other medical malpractice;
- fraud; and
- train derailments.

Claims-made matters involving both casualty and financial lines, especially D&O and the securities and derivative matters that give rise to them globally.

Automobile, aerospace and other residual-value cover.

Commercial contracts, including but not limited to reinsurance and retrocessional disputes.

Arbitra London

100 St Paul's Churchyard
London
EC4M 8BU
info@arbitra.co.uk

Call: +44 (0)20 7936 7070

Arbitra Washington DC

Midtown Center
1100 15th Street NW
Suite 420
Washington DC, 20005

Email: info@arbitra.co.uk

Lenzen ADR

www.lenzenadr.com
john.lenzen@lenzenadr.com
+1 (702) 277-0529

Patent infringement under bespoke coverage.

Environmental and other long-tail losses under traditional occurrence-based policies dating to the 1950s.

Insurance brokers' malpractice.

Lawyers' malpractice.

Accountants' malpractice.

Mediation, Adjudication & Dispute Boards

John also has extensive experience personally resolving many complex, nine-figure disputes through mediation, adjudication and principal-to-principal discussions, and successfully employing creative negotiating strategies for challenging multi-party disputes implicating up to ten figures and involving numerous counsel and perspectives, and dozens of parties. With this background, a large part of his career has been devoted to counselling executives, underwriters and claims professionals on best practices, likely outcomes and unconventional approaches to achieve exceptional resolutions.

Experience

Most Recent Representative Matters

- US\$100 million Bermuda Form dispute involving defective radiant-heating hose installed in hundreds of expensive homes (London seat).
- US\$50 million excess Property dispute involving a "big box store" sinking into the landfill it was built upon (London seat).
- US\$100 million Bermuda Form dispute involving a first-of-its-kind birth-control device (Bermuda seat).
- US\$115 million Retrocessional dispute involving three parties to a joint, international underwriting venture (London seat).
- US\$390 million bespoke residual-value Reinsurance and Retrocessional dispute involving three parties and a massive portfolio of leased automobiles (ad hoc after the fact, New York seat).
- US\$35 million excess Property dispute involving Y2K remediation costs (London seat).

Arbitra London

100 St Paul's Churchyard
London
EC4M 8BU
info@arbitra.co.uk

Call: +44 (0)20 7936 7070

Arbitra Washington DC

Midtown Center
1100 15th Street NW
Suite 420
Washington DC, 20005

Email: info@arbitra.co.uk

Lenzen ADR

www.lenzenadr.com
john.lenzen@lenzenadr.com
+1 (702) 277-0529

- US\$100 million Bermuda Form dispute involving defective synthetic siding installed on hundreds of homes (London seat).
- US\$25 million Side-A D&O dispute involving a “black hat” CEO’s breach of an underwriting warranty and alleged fraud (London seat).
- US\$100 million Bermuda Form dispute involving claims against a hospital for clinically unnecessary cardiac-bypass surgeries resulting in hundreds of deaths and allegations of fraud (London seat).
- US\$50 million Reinsurance dispute arising out of an underlying settlement of aerospace exposures (London seat).
- US\$25 million ABC D&O dispute over the reasonableness of an underlying settlement (London seat).
- US\$100 million Bermuda Form dispute involving certain settlements of liabilities arising from a train derailment and resulting chemical release (London seat).
- US\$20 million Side-A D&O dispute involving the settlement of alleged insider trading liabilities (London seat).
- US\$150 million Bermuda Form dispute involving massive liabilities arising from a failed impoundment (London seat).
- US\$50 million ABC D&O dispute over coverage for an underlying settlement (London seat).
- US\$100 million Bermuda Form dispute involving injuries allegedly arising from an anti-psychotic pharmaceutical (parties agreed to litigate publicly in the English Commercial Courts – *AstraZeneca v XL & ACE*).
- US\$100 million Bermuda Form dispute involving an allegedly defective diabetes pharmaceutical and an unusual underwriting endorsement (London seat).
- US\$5 million dispute under a bespoke patent-infringement contract (London seat).
- US\$100 million Bermuda Form dispute involving the settlement of alleged cementing liabilities arising out of the DEEPWATER HORIZON disaster (London seat – see *Halliburton v Chubb*).
- US\$100 million Bermuda Form dispute involving the settlement of alleged operating liabilities arising out of the DEEPWATER HORIZON disaster (London seat – *Ibid.*).
- US\$125 million Bermuda Form dispute under two separate policies involving allegedly defective masks and respirators (both Bermuda and London seats).
- US\$200 million Bermuda Form dispute involving allegedly defective automotive safety restraints and allegations of bad faith (Bermuda seat).

Arbitra London

100 St Paul’s Churchyard
London
EC4M 8BU
info@arbitra.co.uk
Call: +44 (0)20 7936 7070

Arbitra Washington DC

Midtown Center
1100 15th Street NW
Suite 420
Washington DC, 20005
Email: info@arbitra.co.uk

Lenzen ADR

www.lenzenadr.com
john.lenzen@lenzenadr.com
+1 (702) 277-0529

Academic & Professional Qualifications

Academic

- University of Michigan, Stephen M. Ross School of Business, M.B.A. (with High Distinction and emphases in Finance, Corporate Strategy and Business Economics)
- Rutgers University, Rutgers University School of Law, J.D.
- Rutgers University, Rutgers College, B.A.

Bar Admissions

- New York
- Michigan
- Texas
- England & Wales (Solicitor)
- Supreme Court of the United States
- Various United States Federal District and Circuit Courts of Appeal

Professional Associations & Recognitions

Affiliations

- Fellow, Chartered Institute of Arbitrators (FCIArb)
- Member, Users' Council, London Court of International Arbitration (LCIA)
- Accredited Mediator, Centre for Effective Dispute Resolution (CEDR)
- Panel Member, ARIAS (UK)
- Certified Arbitrator, ARIAS-US
- International Bar Association
- American Bar Association
- New York State Bar Association
- State Bar of Michigan
- State Bar of Texas
- Law Society of England and Wales
- Triple Nine Society

Arbitra London

100 St Paul's Churchyard
London
EC4M 8BU
info@arbitra.co.uk

Call: +44 (0)20 7936 7070

Arbitra Washington DC

Midtown Center
1100 15th Street NW
Suite 420
Washington DC, 20005

Email: info@arbitra.co.uk

Lenzen ADR

www.lenzenadr.com
john.lenzen@lenzenadr.com
+1 (702) 277-0529

Publications, Articles & Thought Leadership

Articles

[Get there faster: early, private mediation is always better than the alternatives](#) – February 2022

[To do, or not to do: mediator views on the merits](#) – February 2022

[Hiding in plain sight: why Halliburton could not have won \(the antecedent coverage arbitration\)](#) – February 2022

Speaking Engagements

American Bar Association, Litigation Section, Insurance Coverage Litigation Committee CLE Seminar (2022), "Eyes Wide Open: Arbitrator Impartiality in the Wake of *Halliburton v. Chubb*"

Mealey's Global Reinsurance Forum (2007), "Board of Directors: D&O Reform and the Impact on Large Tort Claims"

PLUS Bermuda Perspective Symposium (2006), "Big Claims: Representatives from Both Sides Debate the Big Claim Process with Excess Carriers"

PLUS Bermuda Perspective Symposium (2005), "The Bermuda Language Advantage: Does It Matter? Demystifying Arbitration, Choice of Law and Other Bermuda-Specific Issues with Plain-Talk Explanations About How They Work and How It Impacts Placement Decisions"

PLUS Bermuda Perspective Symposium (2004), "Claims on the Rock: Long-Standing Traditions, Fewer Regulatory Hurdles, Punitive-Damage Coverage and Everything Else that Makes the Claims Process in Bermuda Unique"

Arbitra London

100 St Paul's Churchyard
London
EC4M 8BU
info@arbitra.co.uk

Call: +44 (0)20 7936 7070

Arbitra Washington DC

Midtown Center
1100 15th Street NW
Suite 420
Washington DC, 20005

Email: info@arbitra.co.uk

Lenzen ADR

www.lenzenadr.com
john.lenzen@lenzenadr.com
+1 (702) 277-0529

Directories & Client Quotes

"John is there and back before the rest of us are there."

"I am unaware of anyone in the insurance industry with a better understanding of the various iterations of the 'Bermuda Form' and the many issues that arise under them."

"Outstanding knowledge of all forms of legal liability/casualty insurance including D&O."

"Mediated solutions that are creative, elegant and practical."

"John's intellect is second to none and he is an extraordinary complex-problem solver."

Arbitra London

100 St Paul's Churchyard
London
EC4M 8BU
info@arbitra.co.uk
Call: +44 (0)20 7936 7070

Arbitra Washington DC

Midtown Center
1100 15th Street NW
Suite 420
Washington DC, 20005
Email: info@arbitra.co.uk

Lenzen ADR

www.lenzenadr.com
john.lenzen@lenzenadr.com
+1 (702) 277-0529