

FRANK LATTAL

Nationality: American

Languages: English



Frank Lattal is an independent arbitrator and mediator practicing from the United States and London specializing in complex commercial and insurance related matters. His experience covers a wide range of International and Domestic matters including Commercial Transactions and Post-Closing Adjustments, Infrastructure and Construction, Cross-Border Investments involving Political Risk claims, and Property and Casualty and Life Insurance and Reinsurance-related disputes, including many involving the “Bermuda Form”.

Frank has been appointed as a Chair, Co-Arbitrator and Sole Arbitrator in commercial and insurance disputes conducted under the rules of various arbitral institutions. He has also presided over ad hoc matters. His arbitration experience includes significant commercial disputes seated in London under the English Arbitration Act and matters involving the law of various civil and common law countries. He is a Fellow of the Chartered Institute of Arbitrators, is a member of the CPR Panel of Distinguished Neutrals and admitted to the AAA-ICDR, DIAC, SIAC and Cayman Islands Panel of Arbitrators. He is certified as an arbitrator by ARIAS (UK & USA) and FINRA. He is also a trained mediator.

Throughout his career, Frank has handled many of the world’s largest and most complex commercial disputes. Frank practiced law for 14 years followed by 21 years as a senior corporate legal and claim executive. 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 Frank was the chief executive officer for Chubb’s Claim organization 6000 professionals operating in 54 countries that paid more than \$16 billion in annual claims adjudication.

Frank’s experience in international and domestic dispute resolution has been unique and substantial. He is comfortable in international jurisdictions, having lived and worked outside of the United States 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, Latin America, and the United States, resolving complex disputes, many with nine-figure valuations.

Frank is admitted to practice law in New York and New Jersey. He is co-author of *New Jersey Insurance Law*, an insurance law treatise currently in 19th edition published annually since 1993 by ALM Media Partners, LLC. He is a member of the Advisory Board of the Nanovic Institute for European Studies at the Keough School of Global Affairs at the University of Notre Dame.

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Sector Expertise

- Insurance, Reinsurance, and Bermuda Form
- Commercial Contracts, Transactions, and Post Closing Disputes
- Cross Border Investment and Political Risk
- Construction, Infrastructure & Engineering

Insurance, Reinsurance & Bermuda Form

Throughout his career Frank has handled insurance and reinsurance matters involving, pharmaceuticals, railroads, aerospace, petrochemicals, automotive, construction, municipalities, colleges and universities, climate change, environmental contamination, natural and man-made catastrophes as well as a variety of mass torts including matters relating to asbestos, silica, and other latent injuries and disputes involving employment discrimination, automobile insurance, construction defects, and construction accidents. He has a deep understanding of potential liabilities arising out of claims handling practices and allegations of bad faith and issues arising out of the conduct of brokers and other intermediaries.

Frank has detailed knowledge of and hands on experience with most forms of first-party and third-party insurance policies and the coverage issues that arise under them. He also has experience in matters involving Fronted and Captive Insurance and Reps and Warranties policies. Frank has been involved in a broad array of reinsurance disputes, ranging from the validity of a single loss under a facultative certificate or reinsurance treaty, to fraud and misrepresentation claims involving the potential rescission of entire books of business. Additionally, few professionals have had greater first-hand experience analyzing and resolving disputes under the “Bermuda Form”.

Frank has acted as a Chairman and Co-Arbitrator in many insurance-related arbitrations. He has been appointed by policyholders, insurers, reinsurers, and the courts for these assignments.

Representative Arbitrator Appointments:

- Appointed as Chair in a \$10M declaratory judgment arbitration between a policyholder and insurer regarding hurricane losses under a property insurance policy.
- Appointed as Co-Arbitrator by a policyholder in a declaratory judgment arbitration with its insurer regarding coverage under an excess liability policy.

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- Appointed as Co-Arbitrator by insurer in a \$50M Declaratory Judgment claim with publicly traded retailer regarding insurance coverage for claimed economic and business interruption losses arising out of the Covid 19 pandemic.
- Appointed as Co-Arbitrator by insurer in ad hoc arbitration between a US cedant and international reinsurer in a dispute over ceded losses under a reinsurance contract.
- Appointed as Co-Arbitrator by a policyholder in ad hoc arbitration between a US company and a UK insurer in dispute over “additional insured” status.
- Appointed as Co-Arbitrator by reinsurer in ad hoc arbitration between Bermuda companies in dispute over ceded losses under excess of loss policy.
- Appointed as Co-Arbitrator by a policyholder seeking indemnification from an excess insurer for a large jury verdict.
- Appointed as Co-Arbitrator by insurer in a dispute between 2 insurers over coverage responsibility for catastrophic workplace accident.

Representative Mediator Appointments:

- Appointed Mediator in reinsurance dispute regarding value of a commuted block of long-care business.
- Mediator in Life Insurance Class Action litigation regarding allegation of insurer’s failure to apply interest correctly in accordance with the policies.

Commercial Contracts, Transactions, and Post Closing Disputes

Representative Arbitrator Appointments:

- Appointed as Co-Arbitrator in a \$400M contract dispute between a Fortune 100 corporation and an independent publicly traded spun-off corporation. The spun off entity alleged that after the transaction that the former parent breached contractual obligations regarding allocation of and indemnification for pre transaction business activities and liabilities.
- Appointed as Chair by the Supreme Court of New York in a \$13M commercial contract arbitration arising from a dispute regarding contractual requirements to calculate and hold collateral.

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- Appointed as Sole Arbitrator in over 20 consumer contract disputes arising out of the Arbitration Act 1996 (UK).

Construction, Engineering & Infrastructure

Frank gained by significant experience in construction matters through significant claims brought under insurance policies written for major construction projects around the world by owners, design professionals, general contractors, sub-contractors, and other interested parties. These claims were noticed under Builders Risk, OCIP, CCIP, Commercial & Contractor General Liability, Professional Liability and Inland Marine policies as well as under Construction Related Bonds. These claims included Construction and Design Defect, Professional Liability, Breach of Contract, Delay, Disruption, Extra Work, Surety and Performance Bonds, Political Risk, and Construction Accidents resulting in Personal Injury and Property Damage.

Representative Arbitrator Appointments:

- Appointed as co-arbitrator in a breach of Contract claim between American and International contractors regarding rights and obligations arising out of a \$1.4B landmark construction project.
- Appointed as co-arbitrator in an US domestic arbitration over a claim for soft costs in a construction project.

Cross-Border Investment and Political Risk Disputes

Throughout his business career Frank was involved in evaluating and resolving Political Risk claims and disputes involving cross-border investments alleged to have arisen from governmental actions including expropriation, exchange controls, political violence and instability, breach of contract, as well as claims involving sovereign debt defaults and restructuring.

Representative Arbitrator Appointments:

- Appointed as Co-Arbitrator in a \$100M Political Risk dispute involving one of the 5 largest corporations in the world arising out economic sanctions imposed by the United States on Russian business. (ICDR)

Other Cross Border Investment and Political Risk claim experience:

Argentina – Several claims arising out of the severe economic meltdown and exchange controls enacted in the early 2000s.

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- Currency inconvertibility claim on a syndicated loan made by a Global commercial bank to a large Argentine corporation that was unable to convert pesos to dollars and make a payment outside of the country.
- Expropriation of funds claim by American corporation with funds on deposit in country that were frozen at the beginning of the Argentine crisis.
- Nonpayment on a loan to a sub-sovereign entity in Argentina. The devaluation of the peso resulted in the borrower being unable to make full payments on the loan as they came due.

Dominican Republic – Claims by 3 European commercial banks for a scheduled payment which was missed on an export finance loan to the Government of the Dominican Republic as the government was rescheduling its commercial bank debt because of an economic crisis.

Venezuela - Currency non-transfer claim involving a commercial bank's inability to transfer dividend payments outside of the country due to regulations adopted by the Central Exchange Control Authority (CADIVI).

Vietnam - Nonpayment claims by European banks relating to bankruptcy and default by a state-owned company. This company was unable to service its debt and defaulted on several loans and performance guarantees.

Ukraine - Political Violence claims by a European retailer relating to physical damage to stores located in Eastern Ukraine after they were damaged by explosives during the conflict and from looting by rebel forces.

Africa

- Nigeria - Claim by European Trading Company for non-payment of receivables due from a parastatal entity in Nigeria. This default stemmed from a change in the country's oil importation system and the failure of one of the government-owned companies to pay its outstanding receivables.
- Ethiopia - Claim by European exporter for missed scheduled payments on a loan to a state-owned company as a result of ongoing foreign exchange shortages in the country.
- Republic of Kenya - Claims by international commercial banks for defaults on scheduled payments for commercial loans to the Government.

Representative Claims Experience

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.

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Financial and Commercial Related Claims Experience:

Germany - Claims by Investors in retail closed end funds structured as blind pool leasing companies for misrepresentation in prospectuses and bad investment advice.

Columbia – Arbitration regarding claims by Colombian borrowers alleging Colombian Bank’s calculation of UPAC was improper.

Canada

- Securities Class actions and fraud claims against Directors and Officers of Canadian multi-national professional services corporation.
- Fidelity bond claim involving \$400M+ losses incurred by Canadian bank involved in ponzi scheme.

Mexico – Fraud claims by Global bank involving loans made to in Mexican oil services company.

France – Trial and appeal in Paris commercial court regarding Madoff-related claims against French bank.

Brazil – Advance payment and performance surety bond claims against wind powered electrical energy construction firm brought by SPV owned by large Brazilian electric utility company.

Italy – Criminal, regulatory and civil actions against Directors and Officers of Italian financial services company focused on internal controls, governance, risk management and claim reserving criteria.

United Kingdom

- Collective action and regulatory actions against retailer and its Directors and Officers arising after profit overstatement
- Claims resulting from liquidation of large UK multinational construction and utilities management corporation after FCA investigation into violations of market abuse regulations and FCA Rules.

Australia

- Claims against large Australian bank arising out of AUSTRAC proceeding in the Federal Court of Australia alleging serious and systemic non-compliance with the Anti-Money Laundering and Counter Terrorism Financing Act.
- Claims against energy and resources engineering consulting company for financial disclosure violations

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- Claims arising from disclosure of bribery payments made by Australian multinational mining company to government officials in foreign country to secure rights to large mining project.
- Claims against Directors and Officers of large Australian electronics retailer alleging breach of fiduciary obligations for inventory monitoring and financial disclosure.
- Claims against public company that owned and operated diamond mine regarding breach of fiduciary duties in financial disclosures under the Corporations Act relating to alleged false and misleading statements made by the company to the Australian Securities Exchange (ASX).

Significant and complex insurance-related matters:

- **9/11 Claims** – Decision making responsibility for \$4B+ enterprise-wide claim 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.
- **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** – 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** - 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.

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- **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 in at least 11 countries.
- **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, Environmental and Other Long Tail Liabilities**

Academic & Professional Qualifications

Professional Experience

Lattal ADR: 2020-present: CEO

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

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

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

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Bar Admissions

- Admitted to practice law in New York and New Jersey (not practicing)

Education

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

Professional Associations & Recognitions

Professional Designations, Training, and Activities

- Fellow, Chartered Institute of Arbitrators
- Member CPR Distinguished Panel of Neutrals
- Member AAA-ICDR Panel of Arbitrators
- Singapore International Arbitration Centre (SIAC) Panel of Arbitrators
- Dubai International Arbitration Centre (DIAC) Panel of Arbitrators
- Cayman International Mediation and Arbitration Centre (CIMAC) Panel of Arbitrators
- Certified Arbitrator by FINRA
- Certified Arbitrator by ARIAS - U.S.
- Certified Arbitrator by ARIAS – U.K.
- Trained Mediator:
 - AAA - *Mediator Essentials Skills for Facilitating Negotiated Agreements* (25 hours)
 - Straus Institute for Dispute Resolution – *Mediating the Litigated Case* (6-day program)

Professional Activities

- Vice President of Insurance, International Association of Defense Counsel (2018-2021)
- President and Chairman, ARIAS – U.S. (2009 – 2011)
- 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)

Outside Activities, Board Membership and Philanthropy

- Advisory Board, The Nanovic Institute for European Studies, Keough School of Global Affairs, University of Notre Dame (2024 – Present)

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- Board of Directors, Allie's Friends Foundation (Former)
- General Counsel, New Jersey World Cup Host Committee (1994)

Publications, Articles & Thought Leadership

- Kenny and Lattal, *New Jersey Insurance Law*, ALM Media Partners, LLC. (19th edition, 2025)
- 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: Panellist, A Debate: Best Practices and Pitfalls in Mediation and Arbitration. Miami, FL. September 2019
- Corporate Counsel College: Panellist, Trying Cases in a Rapidly Changing World. Chicago, IL. April 2019
- Insurance Claims Symposium: Keynote Speaker. Saint Joseph's University - Philadelphia, PA. January 2016

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