Bill O'Neill

Partner

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Bill focuses his practice on guiding clients, including insurers, reinsurers, and health care companies, through complex arbitrations and litigations. He has been recognized as a top insurance and reinsurance attorney in several respected guides.

OVERVIEW

Bill is the practice group leader for the Insurance + Reinsurance Litigation Group. He has been involved in hundreds of disputes involving life, health, and property/casualty insurance and reinsurance issues. Bill has represented clients in disputes involving yearly renewable term reinsurance premiums, environmental and asbestos reinsurance allocations, “maximum any one life” warranties, extracontractual obligations, sexual abuse claims, fronting arrangements, sunset and commutation clauses, actuarial and agency issues, vanishing premium life insurance policies, cedent insolvencies, long-term care premiums, “follow the fortunes” and “follow the settlements” clauses, late notice, retention warranties, underwriting and claims-handling practices, 9/11 issues, fraud, offset, misrepresentations, recovery of declaratory judgment expenses, and allegations of misconduct by brokers, managing general underwriters and third-party administrators. These disputes center on many types of underlying exposures and business, including variable annuities, individual life, health care, workers’ compensation, long-term care, disability income, accident and health, asbestos, environmental, and construction defects.

In addition to his dispute work, Bill counsels clients regarding business, strategy, and regulatory matters.

REPRESENTATIVE MATTERS

- Achieved a significant victory for a reinsurer in an arbitration concerning its contractual right to increase nonguaranteed reinsurance premiums and secured a final award worth upwards of $115 million.
- Achieved a complete victory for a reinsurer in a dispute with its cedent over a facultatively reinsured life insurance policy containing material misrepresentations that the insurer’s agent knew of at the time of underwriting but never disclosed to the reinsurer.
- Represented a cedent in a dispute with its reinsurer over the reinsurer’s challenge to a good-faith settlement relating to the cedent’s billings for losses incurred for the hospitalization of insured critically ill infants.
- Represent reinsurers in arbitrations over whether they can raise premiums on yearly renewable term life reinsurance.
- Represented a cedent in a dispute over the proper application of a retention warranty clause in a treaty

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reinsuring a block of disability income business.

- Defended a national managed care organization against claims that it overcharged its reinsured by more than $5 million in premiums. The arbitration panel denied the cedent's $5 million claim and awarded the client more than $18 million on affirmative nonsolicitation claims.
- Obtained a multimillion-dollar arbitration award for a cedent after its reinsurer challenged the reasonableness of the cedent's allocation of an underlying asbestos settlement.
- Represented a global reinsurer in a dispute centering on the interpretation of unsatisfied conditions to closing in an acquisition-related coinsurance agreement and the impact of temporary impossibility of performance on the parties' rights and obligations under the coinsurance agreement.
- Represented a reinsurer in a dispute with its retrocessionaire involving the reinsurer's obligations and ability to increase premiums on a large book of yearly renewable term life reinsurance.
- Represented cedents and reinsurers in insurance and reinsurance disputes involving educational institutions, including issues relating to reinsurance of self-insured school pools, sexual abuse allegations, policyholder cut-through claims and allegations of bad-faith claims handling.
- Worked with a property/casualty reinsurer to create a new template for its self-insured pools reinsurance treaty.
- Represented a large domestic insurer in coverage litigation arising out of underlying "clean room" litigation.

AWARDS

- Thomson Reuters Stand-out Lawyer (2020-2022) – independently rated lawyers
- *Best Lawyers in America*®: Insurance Law (2026-2027), Reinsurance Law (2020-2023)
- *Legal 500 United* States: Insurance: Advice to Insurers (2022-2026), Dispute Resolution: International Arbitration (2026), Insurance: Non-Contentious (2026)
- *Euromoney's Guide to the World's Leading Insurance & Reinsurance Attorneys* (2008-2018)
- *Chambers USA*: Insurance: Insurer, District of Columbia (2014-2016 and 2025-2026)
- *International Who's Who of Business Lawyers:* Insurance and Reinsurance (2015)

TOP AREAS OF FOCUS

- Health Care Insurance
- Insurance + Reinsurance
- International Arbitration
- Reinsurance

ALL AREAS OF FOCUS

- Health Care Insurance
- Insurance + Reinsurance
- International Arbitration
- Litigation + Trial
- Managed Care Payor Disputes, Investigations + Regulatory Counseling
- Reinsurance

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, Education Committee, AIDA Reinsurance and Insurance Arbitration Society (ARIAS-US)

- Former chair, Excess, Surplus Lines and Reinsurance Committee, Torts and Insurance Practice Section, American Bar Association
- Member, American Health Lawyers Association

EDUCATION AND CERTIFICATIONS

EDUCATION

- Cornell Law School, J.D., 1997
- Towson University, B.S., 1992

BAR ADMISSIONS

- District of Columbia
- Maryland

SPEAKING ENGAGEMENTS

- Speaker, “Increasing Mediation Opportunities: Exploring ARIAS’ New Mediation Initiative,” ARIAS US 2021 Education Seminar, March 31, 2021.
- Speaker, “Reinsurance Contract Issues Arising Out of Covid-19,” Reinsurance Association of America’s Re Contracts: An Overview of Reinsurance Contracts, Online Event, July 23, 2020.
- Speaker, “Dispute Resolution Clauses: Arbitration, Mediation, Litigation,” Reinsurance Association of America’s Re Contracts: The Art of Designing Reinsurance Contracts and Programs, New York, NY, July 23, 2019.
- Speaker, “Intensive Arbitrator Training Workshop,” ARIAS U.S., New York, NY, 2018.
- Speaker, “Current Issues in Life Reinsurance,” AIRROC’s New York Regional Education Day, New York, NY, April 21, 2016.
- Speaker, ARIAS-U.S. Intensive Arbitrator Training Workshop, Tarrytown, NY, 2013.
- Speaker, “Avoiding the Coin Toss: Proven Methods of Streamlining the Arbitration Process and Its Alternatives,” ACI’s Forum: Reinsurance Disputes in Litigation and Arbitration, New York, NY, April 30, 2012.
- Speaker, “Discussion of Extrinsic Evidence in Arbitration Proceedings (The Role of Underwriting Intent in Arbitration Proceedings),” ARIAS 2011 Spring Conference, May 2011.
- Speaker, “Utmost Good Faith: The Guiding Principle of Reinsurance,” HB Litigation Conferences: 17th Annual Insurance Insolvency and Reinsurance Roundtable, June 24, 2010.
- Speaker, “Organizing the Arbitration,” ARIAS-U.S. Arbitrator Continuing Education Series, New York, NY, 2009.
- Speaker, “Investors Panel: Lessons From the Fall,” Intermediaries & Reinsurance Underwriters Association Fall Conference, Galloway, NJ, 2009.
- Speaker, “Risk-Sharing, Hedging, and Regulatory Considerations for a New Generation of Variable Annuities,” ACI’s 3rd Annual Legal and Strategic Forum on Life Reinsurance, New York, NY, January 26, 2009.
- Speaker, “Credit Default Swaps: Where Are We Going?” Crowell & Moring’s Credit Default Swaps: Exploring The Controversy–Market Forces, Litigation, Regulation, Accounting and Tax Conference, New York, NY, 2008.
- Speaker, Mealey’s Reinsurance Litigation and Arbitration Conference, Washington, D.C., 2008.
- Speaker, Mealey’s Fundamentals of Reinsurance Litigation and Arbitration Conference, New Orleans, LA, 2007.
- Speaker, RAA’s Re Claims: Reinsurance Claims Management for Claims Professionals By Claims Professionals, Philadelphia, PA, 2007.

- Speaker, Mealey's Fundamentals of Reinsurance Litigation and Arbitration Conference, Boston, MA, 2006.
- Speaker ARIAS Reinsurance Arbitration Workshop, Tarrytown, NY, 2004.
- Speaker, ARIAS Reinsurance Arbitration Workshop, Washington, D.C., 2003.

PUBLICATIONS

- Co-author, "The Insurance and Reinsurance Law Review: USA," *The Law Reviews*, July 20, 2023.
- Co-author, "New York DFS Proposes Consumer Protection Regulation Affecting Life Insurance and Annuities," *Insurance/Reinsurance Alert*, January 3, 2018.
- Co-author, "Summary of United States Insurance and Reinsurance Law," *The Insurance and Reinsurance Law Review,* 5th ed. (2017).
- Co-author, "Summary of United States Insurance and Reinsurance Law," *The Insurance and Reinsurance Law Review,* 4th ed. (2016).
- Co-author, "Summary of United States Insurance and Reinsurance Law," *The Insurance and Reinsurance Law Review*, 2nd ed. (April 2014).
- Interviewee, *InsuranceLaw360* Q&A, August 2009.