

## Jon Gillum

Counsel

Austin

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Jon leverages his vast knowledge and more than 20 years of experience to help clients navigate challenging insurance regulatory landscapes and obtain critical approvals.

### OVERVIEW

Jon represents clients in regulatory and transactional matters involving insurance regulation, service contract (extended warranty) regulation, limited warranties, and other related financial products. He assists clients with compliance matters, transactions, and disputes involving the Texas Department of Insurance (TDI), Surplus Lines Stamping Office of Texas (SLSOT), Texas Department of Licensing and Regulation (TDLR), and other state regulators.

Jon's insurance regulatory experience includes advising clients on a variety of transactional, licensing, compliance, regulatory, rulemaking, and enforcement issues. These involve a wide range of provisions of the Texas Insurance Code and TDI's rules, formation of new insurance companies, and agencies; filings under and compliance with the Texas Holding Company Act (including Form As, Form Bs, Form Ds, and Form Fs); captive insurance company formations; regulatory approvals for mergers, acquisitions, and other changes of control (including FIN531 filings for Texas agency changes of control); and licensing issues on behalf of insurance companies, agents, risk managers, reinsurance intermediaries, adjusters, and third-party administrators.

Jon's service contract (extended warranty) experience includes advising clients on a variety of licensing and compliance matters, including financial security and reserve requirements; contract form requirements; seller and administrator issues; and covered risk issues. He has experience advising clients on complex regulatory classification issues involving new product development under laws governing residential service contracts (home warranties), service contracts (extended warranties), identity theft protection, vehicle protection products, insurance, and express or limited warranties (including compliance with the federal Magnuson-Moss Warranty Act).

Jon's administrative law experience also extends to government disputes, including preliminary investigations, civil investigative demands, notices of alleged violations, warning letters, consent orders, and related confidentiality issues.

### REPRESENTATIVE MATTERS

- Formed and licensed multiple domestic surplus lines insurance companies.

- Advised insurance companies on various holding company act filing and compliance issues, including Form As (changes of control), Form Bs (registration statements), FormDs (affiliate agreement approvals), and Form Fs (enterprise risk reports).
- Formed and licensed multiple captive insurance companies and advised clients on regulatory and formation issues arising under Texas captive insurance statutes and regulations.
- Represented clients with complaints, investigations, enforcement matters, consent order negotiations, and self-reporting matters involving the Texas Department of Insurance.
- Obtained regulatory approval for changes of control of insurance agencies, changes of control of third-party administrators, and mergers of insurance companies.
- Advised insurance companies on multiple compliance matters, including merger, reinsurance, change of control, statutory deposit, and rate and policy form issues.
- Advised clients on numerous service contract regulatory issues involving the Texas Department of Insurance and Texas Department of Licensing and Regulation.
- Represented adjusters, third-party administrators, and premium finance companies in licensing, change of control, and compliance matters involving the Texas Department of Insurance.

## AWARDS

- Clifton Caldwell Texas History Day Service Award (2010)

## TOP AREAS OF FOCUS

- Insurance + Reinsurance
- Insurance Transactional + Regulatory
- Insurtech
- Retail

## ALL AREAS OF FOCUS

- Government + Regulatory
- Insurance + Reinsurance
- Insurance Transactional + Regulatory
- Insurtech
- Lobbying + Public Affairs
- Local Government Services
- Retail

## PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, State Bar of Texas, Litigation, Government, and Administrative and Public Law sections
- Member, Austin Bar Association
- Member, Robert W. Calvert American Inn of Court (2006-2008)
- Pro bono attorney, Volunteer Legal Services of Central Texas (2002-2010)
- Texas Association of Life and Health Insurers (TALHI)
- Insurance Council of Texas (ICT)

- Texas Captive Insurance Association
- Vice president, board of trustees, National History Day, Inc.
- Texas State Historical Association Education Committee
- National alumni board member, LBJ School of Public Affairs
- Council member, Texas Exes
- University of Texas School of Law Advanced Texas Administrative Law Seminar Planning Committee

## EDUCATION AND CERTIFICATIONS

### EDUCATION

- The University of Texas School of Law, J.D., *with high honors*, 2002, Order of the Coif; associate editor and best litigation note award, *Texas Law Review*; Board of Advocates, Legal Research Board, Townes-Rice Scholar; Dean's Achievement Awards; Consul Award
- The University of Texas, L.B.J. School of Public Affairs, M.P.A., 2002, Robert Strauss Fellow
- Rice University, B.A., *summa cum laude*, 1998, Phi Beta Kappa; USA Today All-American College Academic Team; Outstanding Senior Award; Kennedy and Ewing Prizes in History

### BAR ADMISSIONS

- Texas

## SPEAKING ENGAGEMENTS

- Speaker, "Traps for the Unwary: Laws/Regulations You Didn't Know Affect the Service Contracts Businesses," Global Warranty and Service Contract Innovations Conference, April 19, 2023.
- Panelist, "Best in Class Customer Service – Client Retention and Attraction," 13 Annual Extended Warranty and Service Contract Innovations Conference, October 17-18, 2022.
- Speaker, "Value-Added Benefits and Anti-Rebating," Association of Insurance Compliance Professionals: 2022 Annual Conference, September 18-21, 2022.
- Speaker, "Advanced Insurance Law," TexasBarCLE 17 Annual Course, June 5, 2020.

## PUBLICATIONS

- Co-author, "[Ore. Warranty Ruling Complicates Insurance Classification](#)," *Warranty News*, September 22, 2023.
- Co-author, "Ore. Warranty Ruling Complicates Insurance Classification," *Law360*, September 13, 2023.
- Co-author, "As EVs Surge, Regs For Charger Warranties Remain Murky," *Law360*, April 4, 2023.
- Author, "Texas Department of Insurance Adopts New Group Capital Calculation Rule," *Locke Lord*, October 19, 2022.
- Co-author, "Texas Supreme Court Reverses Stop Loss Insurance Categorization Premium Tax Ruling," *Locke Lord*, June 28, 2022.
- Author, "New Texas Reinsurance Rules for Reciprocal Insurers Take Effect," *Locke Lord*, January 25, 2022.
- Co-author, "California's New Mini-CFPB Law Largely Parallels Its Federal Cousin," *Insurance Journal*, February 8, 2021.
- Author, "Texas Insurance Commissioner Kent Sullivan Steps Down," *Locke Lord*, August 18, 2020.
- Author, "Texas Department of Insurance Mulls COVID-19 Data Call for Auto Insurers," *Locke Lord*, July 1, 2020.

- Co-author, “Okla. Ruling Highlights Nuances In Drafting Service Contracts,” *Law360*, June 15, 2020.
- Author, “Texas Department of Insurance Eliminates 2020 Corporate Governance Disclosure Requirement,” *Texas Department of Insurance (TDI) Bulletin*, April 8, 2020.
- Author, “Texas Department of Insurance Announces Extension of Claims Handling Deadlines Due to COVID-19,” *Locke Lord*, March 23, 2020.
- Author, “Texas Department of Insurance Provides Evolving Industry Guidance in Response to Coronavirus,” *Locke Lord*, March 19, 2020.