



Insurance Law

Each state has a limited number of firms that represent participants in the insurance industry in regulatory and business matters. In Michigan (and throughout the country), Foster Swift has represented insurers in this practice area since the 1930s.

Our insurance industry clients are large and small, domestic and foreign. They include property and casualty insurers (both admitted and surplus line carriers), life insurers, reinsurers, accident and health insurers, HMOs, group self-insurance pools, managing general agents, retail agents and third-party administrators. These clients choose Foster Swift because our attorneys have many years of varied experience in representing these clients both in private practice and as in-house counsel.

Foster Swift has been named a Tier 1 firm in **Insurance Law** in Grand Rapids and Lansing by *U.S. News – Best Lawyers®* "Best Law Firms" in 2014, 2017-2019 and 2024.

HIGHLIGHTS

- Advised insurers on corporate governance matters.
- Represented a mutual insurer in a conversion to a stock insurer and the initial public offering for the insurer's holding company.
- Advised a mutual insurer in a conversion to a stock insurer and the formation of an insurance mutual holding company system.
- Represented a mutual insurer in a merger with another mutual insurer.
- Represents insurers on administrative matters before insurance regulators involving business practices, market conduct, financial audit and other matters.
- Assisted insurers with agency relationship matters.
- In a matter in front of the Michigan insurance bureau, successfully represented a crop insurance agency partly owned by a farm cooperative that was facing claims of rebating brought by the U.S. Department of Agriculture, resulting in a finding that no rebating had occurred.

ATTORNEYS

Shareholder

Stefania Gismondi

Lawrence Korolewicz

David R. Russell

Senior Attorney

Scott L. Mandel

Associate

Melanie A. Assad

Benjamin C. Dilley

Danielle N. Romano



- Represented large insurance group before the Michigan insurance bureau to obtain a quick approval of an ownership restructuring made necessary by its parent's financial issues, preserving the insurers' ratings.
- Represented mutual insurer in merger with mutual holding company and resultant acquisition of the holding company's subsidiary, believed to be the first such acquisition closed.
- Represented management in a successful management buyout of a group of insurers from its parent and controlling creditors.
- Assisted insurers with change of control matters, including Michigan insurance bureau issues.
- Represented both insurers and creditors on various insolvency and receivership matters.

PUBLICATIONS & ALERTS

Are There Any Liability Defenses to Premises Liability Claims, OR Should Possessors of Land Simply Prepare to Write Settlement Checks?, *Foster Swift Litigation News*, March 7, 2024

Michigan Court of Appeals Ruling Adds Challenges for Premises Owners and Their Insurers as to Premises Liability Cases, *Insurance Regulatory News E-blast*, January 22, 2024

Michigan Supreme Court Announces Seismic Shift in Premises Liability Cases, *Insurance Regulatory News E-blast*, August 2, 2023

Autonomous Vehicles: Who Should be Liable for Accidents Involving Them?, *State Bar of Michigan - The Journal of Insurance and Indemnity Law*, July 25, 2021

A Practical Approach to Preserving and Asserting No-Fault Fraud Defenses in the Wake of Haydaw, Fortson and Glasker-Davis, *State Bar of Michigan (SBM): The Journal of Insurance and Indemnity Law*, September 2, 2020

What the New Michigan No-Fault Laws Mean for Employees Injured in Accidents while Occupying an Employer-Owned Vehicle, *Foster Swift Agricultural Law News*, June 3, 2020

Liability Releases for Agritourism Activities – Don't Fall Prey to Myths, *Foster Swift Agricultural Law News*, March 31, 2020

Animal Law for Insurance Lawyers, *American Bar Association: Tort Trial & Insurance Practice Law Journal*, February 4, 2020

Understanding the Ins and Outs of the "Favored-Work" Doctrine Under Michigan Workers' Compensation Law, *Foster Swift Employment Labor & Benefits News*, January 25, 2018

UPDATE - Legislation Relating To Risk Management Of Insurers And Insurance Holding Companies Signed by Michigan Governor Effective December 22, 2015, *Foster Swift Insurance Regulatory News*, February 3, 2016

The Michigan Department of Insurance and Financial Services Proposes Legislation Relating To Risk Management Of Michigan Insurers And Insurance Holding Companies, *Foster Swift Insurance Regulatory News*, October 30, 2015

Blues Curtail Patient Provider Rights, November 5, 2013

Beware of the "Business Pursuits" Exclusion, *Insurance Community University*, January 3, 2011



NEWS

Preparing Women Business Leaders for 2024 Legal Challenges, *Meltwater Newswire*, February 20, 2024

Foster Swift Welcomes Assad to Grand Rapids Office, *Grand Rapids Legal News*, February 5, 2024

Foster Swift Listed in "Best Law Firms" 2024, *Best Lawyers in America*, November 2, 2023

Litigation Attorney Romano Joins Foster Swift in Southfield, November 2, 2023

Fershtman Named to the 2024 DBusiness Magazine "Top Lawyer", *DBusiness*, November 1, 2023

Goodenough to Receive 2023 Theodore W. Swift Civility Award, *Ingham County Bar Association*, October 6, 2023

Foster Swift Attorneys Named 2024 Best Lawyers in America, *Best Lawyers in America*, August 17, 2023

Foster Swift Attorneys Named 2023 Best Lawyers in America®, *Best Lawyers in America*, August 18, 2022

Fadly and Littleton Named Michigan Bar Fellows, *Michigan Business Network*, August 26, 2020

Foster Swift Attorneys Named Best Lawyers® 2021 "Lawyer of the Year", August 20, 2020

Foster Swift Attorneys Named to 2021 Best Lawyers in America®, August 20, 2020

Gismondi Shares What New Michigan No-Fault Laws Mean For Employees, *Michigan Business Network*, June 9, 2020

Fershtman Published in ABA-TIPS Law Journal, February 12, 2020

Eight Foster Swift Attorneys Included in GR Magazine Top Lawyers 2019, *Grand Rapids Magazine*, December 2, 2019

Confusion Lingers After Signing of Auto Insurance Bill, *Michigan Lawyers Weekly*, June 20, 2019

EVENTS

When Your Insureds Host Events On or Off Their Property - Specialized Risk Management, *IRMI AgriCon Central Conference*, September 11, 2024

Liabilities When Horses or Livestock are Injured in the Care of Your Insureds, *IRMI AgriCon Central Conference*, September 10, 2024

Equine Activity Liability Acts/Farm Animal Activity Liability Acts and Risk Management, Including Enforceability of Waivers, *National Association of Mutual Insurance Companies' (NAMIC) 2024 Agricultural Risk Inspection School*, June 13, 2024

Equine Liability Waivers: How They Work and Whether Yours Needs an Overhaul, *PATH International Regional Conference*, May 4, 2024

Equine Lease Disputes and How to Avoid Them, *38th National Conference on Equine Law*, May 2, 2024

Hosting Events Off-Premises: Risk Management and Coverage Issues, *IRMI Emmett J. Vaughan Agribusiness Conference*, March 13, 2024

Liabilities When Horses or Livestock are in the Care of Insureds, *IRMI Emmett J. Vaughan Agribusiness Conference*, March 12, 2024



Enforceability of Liability Waivers/Releases in Sporting, Recreational, Farm, and "Agri-tainment" Activities, *Agricultural Claims Association*, February 21, 2024

Livestock Mortality Insurance and Coverage Issues, *Agricultural Claims Association*, February 20, 2024

2019 No-Fault Reforms in Focus - Q & A, *Insurance Alliance of Michigan (IAM) Claims Seminar*

Hosting USEF Licensed Competitions and Managing Risks in Today's Environment: Part I - Understanding Your General Liability Coverage, *U.S. Equestrian Federation*, July 10, 2023

Coverage for Defective Subcontractor Work: Learning from Skanska v. MAP, *Insurance Alliance of Michigan (IAM) Claims Conference*, September 19, 2022

Autonomous Vehicles: Who is Liable?, *Insurance Alliance of Michigan*, September 20, 2021

Enforceability of Waivers/Releases in Sporting & Recreational Settings, *Insurance Alliance of Michigan*, September 20, 2021

Motorist's 3rd Party Claim Survives, Despite Fraud Dismissing the 1st Party Claim, *Insurance Alliance of Michigan*, September 20, 2021

Business Interruption Insurance Coverage, *Michigan Society of Association Executives (MSAE)*, January 25, 2021

Risk Management, Compliance and Agribusinesses, *Michigan Agri-Business Association (MABA): Virtual Winter Conference*, January 12, 2021

Coverage Issues Involving Farm, Domestic, and Wild Animals, *Emmett J. Vaughan Agribusiness Conference-Des Moines, IA*, September 15, 2020

Coverage Issues Involving Farm, Domestic, and Wild Animals, *Emmett J. Vaughan Agribusiness Conference 2020-Richmond, VA*, June 16, 2020

Ethics and the Insurance Industry, *CPCU Society - Western Michigan Chapter*, March 17, 2015

Enforceability of Liability Waivers and Releases, *Property Loss Research Bureau/ Liability Insurance Research Bureau*, March 17, 2013

Resistance, Denial and Cancellation of Insurance Coverage