

**Jennifer R. Devery**

Partner  
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**Washington**

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**Practice Areas**

- Insurance/Reinsurance
- Litigation

**Jennifer R. Devery** is a partner in the Washington, DC office of Crowell & Moring LLP, where she concentrates her practice on representing and counseling insurers, reinsurers and brokers in all aspects of the dispute resolution process.

Jennifer regularly represents clients in negotiations, mediation, arbitration and/or litigation involving disputes related to, among other things, the cession/retrocession of claims under facultative and treaty reinsurance contracts, industry custom & practice, cedent insolvencies, fronting arrangements, allegations of misconduct by brokers and third-party administrators, and insurance coverage for products liability, asbestos and environmental claims.

In addition to her dispute resolution work, Jennifer regularly counsels clients regarding business, strategy and regulatory matters including insurance and reinsurance claim and notice issues, policy wording, emerging risks for the industry, and captive arrangements.

In 2010, *Business Insurance* selected Jennifer as one of its Women to Watch, an honor given to 25 women in recognition of their outstanding work in insurance, risk management, employee benefits and related fields. In 2011, Law 360° named her one of the top five insurance attorneys under 40 in the U.S. She has also been recognized as a top insurance and reinsurance attorney in *Euromoney's Guide to the World's Leading Insurance & Reinsurance Attorneys*.

Examples of Jennifer's most recent experience include:

- obtaining a multi-million arbitration award for a cedent after its reinsurer challenged the reasonableness of the cedent's allocation of an underlying asbestos settlement;

- defending a UK reinsurance intermediary against professional malpractice claims brought by ceding insurers alleging that the intermediary's conduct was the cause of an arbitration panel's rescission of reinsurance agreements covering ceding insurers' energy, construction and oil & petrochemical risks;
- successfully representing a cedent in a dispute with its reinsurer over the proper application of an accident exclusion in an underlying insurance policy on which the cedent settled its policyholder's environmental claim;
- counseling a client regarding the restructuring of its aviation and space insurance program to make more active use of a wholly-owned captive;
- representing a cedent in an arbitration in connection with a reinsurer's refusal to pay declaratory judgment expenses *in toto* and any expenses in the absence of a loss payment;
- representing an insurance company in coverage litigation involving competing claims by two companies to the same policies following a series of complex corporate transactions; and
- serving as strategic counsel to a major insurance company with respect to defending underlying silica claims, including claims asserted in the federal multidistrict silica litigation.

#### Affiliations & Memberships

- Member, the AIDA Reinsurance and Insurance Arbitration Society (ARIAS - U.S.), serving on its Law Committee
- Member, the American Bar Association's Sections of Litigation and Tort Trial & Insurance Practice
- Member, the U.S. Reinsurance Under 40's Group
- Member, the Association of Professional Insurance Women (APIW)

#### Honors & Recognitions

- Honored by *Business Insurance* as one of its 25 Women to Watch in 2010.
- Named a "Rising Star" and one of the top five insurance attorneys under 40 in the U.S. by Law 360°.
- Recognized as a top insurance and reinsurance attorney in *Euromoney's Guide to the World's Leading Insurance & Reinsurance Attorneys* (2009 and 2010 Editions).

**Education**

- Pennsylvania State University, B.A. Political Science (1994) With Distinction
- University of Maryland School of Law, J.D. (1998) The Order of the Coif

**Affiliations**

Admitted to practice: District of Columbia, Maryland

**Publications**

- "Key Principles and Concepts in Reinsurance," Mealey's Reinsurance Litigation & Arbitration Conference (2008). Co-Authors: Jennifer R. Devery and Ellen MacDonald Farrell.
- "The Applicability of the Absolute Pollution Exclusion to Welding Fumes Claims," *Insurance Coverage Law Bulletin*, Vol. 6, No. 10 (November 2007). Co-Authors: Jennifer R. Devery and Margot L. Green.
- ARIAS-US Case Law Summary, *Liberty Mutual Insurance Co. v. White Mountains Insurance Group, Ltd.*, No. 06-11901-GAO (D. Mass. 2007). Co-Authors: Jennifer R. Devery and Margot L. Green.
- ARIAS-US Case Law Summary, *General Fire & Cas. Co. v. Guy Carpenter & Co., Inc.*, No. CV 05-251-S-LMB, 2006 WL 3239365 (D. Idaho 2006). Co-Authors: Jennifer R. Devery and Lori T. Hildebrand.
- ARIAS-US Case Law Summary, *Certain Underwriters at Lloyd's, London v. Cravens Dargan & Co.*, Nos. 05-56154, 05-56269, 2006 WL 2337959 - 9th Cir. (August 14, 2006). Co-Authors: Jennifer R. Devery and Michelle A. Jones.
- "Coverage Disputes Involving Multiple Insured or Claimants," *Insurance Coverage Law Bulletin*, Vol. 5, No. 7 (August 2006). Co-Authors: Jennifer R. Devery and Stacy A. Puente.
- "In The Wake Of Silica MDL 1553," *Mealey's Litigation Report, Silica*, Vol. 4, No. 5 (January 2006). Co-Authors: Jennifer R. Devery and Fred Krutz - Forman Perry Watkins Krutz & Tardy.

**Alerts & Newsletters**

- "Seventh Circuit Permits Reinsurance Arbitration To Proceed, Rules Arbitrator Is Disinterested As Required By Contracts," *Reinsurance Alert* (February 2, 2011). Contacts: Jennifer R. Devery, Michelle A. Jones.
- "Third Circuit Court of Appeals Holds that Honorable Engagement Clause Does Not Permit Arbitrators to Fashion Relief Not Requested by the Parties or Rationally Derived from the Contract," *Reinsurance Alert*

(November 11, 2010). Contacts: Jennifer R. Devery, Harry P. Cohen, Michelle A. Jones.

- "Oregon District Court Rules that Sharing of Privileged Documents with Reinsurers waives Protections Afforded by Attorney-Client Privilege and Work Product Doctrine," *Reinsurance Alert* (March 4, 2010). Contacts: Jennifer R. Devery, Deirdre G. Johnson, Christa S. Thorpe.
- "U.S. House of Representatives Passes Nonadmitted and Reinsurance Reform Act, Encouraging Consistency in the Regulation of Surplus Lines Insurance and Reinsurance," *Reinsurance Alert* (September 17, 2009). Contacts: William C. O'Neill, Deirdre G. Johnson, Jennifer R. Devery, Michael T. Carolan, Harry P. Cohen.
- "*Lexington v. Wasa*: The House of Lords Redefines Concurrent Reinsurance Coverage," *Reinsurance Alert* (August 3, 2009). Contacts: Deirdre G. Johnson, Jennifer R. Devery, William C. O'Neill.

### Speaking Engagements

- St. John's SRM, Insurance Leader of the Year Annual Award Dinner Honoring Evan G. Greenberg, New York, NY (January 18, 2012). Attendees: Paul W. Kalish, William C. O'Neill, Clifford B. Hendler, Harry P. Cohen, Michael K. Robles, Jennifer R. Devery.
- "Recent Developments in U.K. and U.S. Reinsurance Law – Moral of the Story Keep Your Friends Close and Your Reinsurers Closer," In-house presentation (April 2011). Co-Presenters: Jennifer Devery and Nilam R. Sharma.
- "Legal Issues in Contract Wording: Lessons Learned from the U.S. and U.K.," RAA Re: Contracts The Art of Designing Reinsurance Contracts and Programs (March 2011). Co-Presenters: Jennifer Devery and Nilam R. Sharma.
- "Climate Change Liability Issues & Their Impact on the Industry," RAA ReClaims: Taking it to the Next Level, New York City (September 15, 2010). Presenter: Jennifer R. Devery.
- "2009 Judicial Decisions' Impact on Reinsurance and the Arbitral Process," ARIAS – U.S. Fall Conference (November 12, 2009). Co-Presenters: Jennifer R. Devery, Crowell & Moring LLP and Alexandra D. Furth, Liberty Mutual Insurance Company.
- "Hot Topics in Reinsurance," Reinsurance Association of America's ReBasics Conference: Demystifying Reinsurance (2009). Presenter: Jennifer R. Devery.
- BVR Legal/Mealey's Conferences: The Insurance Industry's Top 10 Risks & Opportunities Conference, Philadelphia, PA (December 2008). Co-Chair: Jennifer R. Devery.
- "Newer Arbitrator Program Mock Streamlined Proceeding," ARIAS-U.S. 2008 Spring Convention, Amelia Island, FL (2008). Presenter: Jennifer R. Devery.

- ARIAS-U.S. Intensive Arbitrator Training Workshop, Tarrytown, N.Y. (2008). Faculty Members: Jennifer R. Devery, Ellen MacDonald Farrell, Lori T. Hildebrand, and Michelle A. Jones.
- "Key Principles and Concepts in Reinsurance," Mealey's Reinsurance Litigation & Arbitration Conference (2008). Co-Presenters: Jennifer R. Devery, Crowell & Moring LLP and James D. Scrimgeour, The Travelers Companies.
- "Current Issues In Reinsurance Arbitration," Reinsurance Association of America's ReBasics Conference: Demystifying Reinsurance (2007). Presenters: Jennifer R. Devery and Lori T. Hildebrand.
- "Invoking Federal and State MDL Procedures To Handle Silica Litigation," DRI's 2005 Silica Medicine Seminar (2005). Speaker: Jennifer R. Devery.
- "Silica Litigation: The Lay of the Land," Brick Industry Association's 2004 Annual Meeting (2004). Speaker: Jennifer R. Devery.
- ARIAS-U.S. Intensive Arbitrator Training Workshop, Washington, D.C. (2003). Faculty Members: William C. O'Neill, Jennifer R. Devery and Michelle A. Jones.