

ALAN W. BORST, JR.

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INSURANCE/RISK MANAGEMENT PROFESSIONAL/COUNSEL

Versatile in-house counsel and senior litigation / claims specialist with proven track record at major insurance carriers. **Professional liability coverage:** Professional liability (Management Liability, Fiduciary Liability (ERISA), Errors and Omissions (insurance agent, architects/engineers, accountants, lawyers) and fidelity bond. **Corporate and Firm Risk Management:** Consultant to an alternative capital risk advisory firm providing advice to private and non-profit clients. Claims advocacy for high net worth individuals and hedge funds. **Reinsurance:** Chief account responsibility for global loss reserves, cash settlement and reporting of management liability and other professional liability claims. Successful arbitrations and workouts of disputed insurance and reinsurance coverage. Fluent in French.

PROFESSIONAL EXPERIENCE

ALLIANZ GLOBAL CORPORATE & SPECIALTY, 28 Liberty St, New York, NY 10005
(www.agcs.allianz.com) (6/2016 to present)

Senior Complex Claims Analyst, Financial Lines Claims

- Monitoring, evaluation and adjustment of complex Lawyers Professional Liability claims on quota share primary and excess policies (200+ law firm coverages)
- Adjustment of primary and lead underwriter lawyers professional claims
- Adjustment of accountants professional liability claims
- Mediated complex, multiparty Lawyers and Accountants negligence claims to resolution

ALAN W. BORST, JR, ESQ.

Attorney-at-law / mediator (1/2014 – 6/2016)

- Of counsel to A.M. Richardson, PC representing commercial and non-profit, private equity and retail lending company clients in litigation and corporate matters.
- Commercial arbitration and mediation of insurance and reinsurance disputes doing business as Willie Borst ADR
- Professional writing and blog presentations, research and industry trade publications on professional liability and cyber insurance

CORPORATE RISK SOLUTIONS, LLC, New York, NY (www.crslimited.com)

Consultant/ policyholder advocate (5 /2013 – 12/2013)

- Provided independent underwriting guidance and claims advocacy to public company, private equity and portfolio company clients. Analyzed global professional liability risks/ renewals of coverage for private equity and Fortune 500 clients, general partnerships and non-US funds with global operations.
- Provided benchmarking metrics of limits/ retentions and specific coverage term comparisons achieving reduced cost of risk and improved coverage terms for professional lines, Commercial Crime, General Partnership Liability, Investment Advisors (E&O), Tech E&O, cyber-risk coverage and Fiduciary.

- Negotiated coverage issues arising out of SEC investigation coverage, defense costs allocations in merger objection cases following M&A transactions and leveraged buy-outs. Negotiated allocation of defense costs, pre-claim investigation (SEC subpoena) coverage, insured capacity, and conduct exclusions.

XL REINSURANCE AMERICA, INC., Stamford, CT (www.xlgroup.com) **2003 – 2012**
Vice President, Senior Account Manager

- Managed professional liability claims and defense cost exposure of all primary and excess professional lines (public and private D&O, Fidelity Bond, Employment Practices, Lawyers Professional Liability and design professionals).
- Audited claims operations, coverage litigation and senior management of major ceding company accounts. Evaluated claims operations and established ceding company ratings for litigation management, defense budgeting, overall operations, staffing, systems and reserving practices.
- Transitioned claims processing, reserving and settlement from paper to digital environment within time and documentation requirements of Sarbanes-Oxley Act of 2002 and strict departmental guidelines.
- Advised management on loss reserves to measure profitability within ROE requirements.
- Analyzed company-wide exposure to large losses, trends and “events” including financial lines exposure to subprime lending/credit crisis claims, WalMart, Deepwater Horizon, MF Global, Bernard Madoff, Enron, IPO laddering, and backdating of options claims. Provided monthly report on credit crisis claims and developed advanced analytics to predict IBNR loss reserves.
- Claims representation of XL Re’s pool participation in ENCON, an Ottawa, Canada-based professional liability MGA established by Marsh & McLennan.

AMERICAN INTERNATIONAL GROUP New York, NY (www.aig.com), **1993 – 2003**
Director Complex Claims (Securities Class Actions and claims in excess of \$500k)

- Managed and adjusted complex securities claims on public, private and nonprofit D&O policies. Handled all types of management liability and class action employment disputes. Managed a pending case load of federal securities class actions under Rule 10b-5 of the Exchange Act, Section 11 of the Securities Act of 1933, derivative actions, breach of fiduciary duty, and high profile Title VII violations.
- Mediated dozens of class action securities, corporate governance and employment claims to resolution both independently and with the assistance of monitoring counsel.
- Maintained strong working relationships with securities defense attorneys, employment lawyers, mediators and damage experts. (References available on request.) Drafted AIG’s panel counsel guidelines for law firm reporting and billing practices.
- Provided in-house training and instruction to claims examiners and underwriters on negotiation/ advocacy skills and claims trends.

SHEFT, WRIGHT AND SWEENEY, New York, NY **1989 – 1993**
Associate Attorney

- Conducted claims audits of CIGNA-INAPRO and Continental Casualty bank D&O programs, including S&L crisis claims.
- Litigated Declaratory Judgment actions on Superfund environmental coverages for AIG and

arbitrated reinsurance disputes for participating Lloyds syndicates on Excess of Loss reinsurance treaties.

- Evaluated exposure to Lloyd's syndicates and AIG member companies on product liability and comprehensive general liability coverage including the Lone Star Steel litigation.

PHILLIPS, NIZER, BENJAMIN, KRIM & BALLON, New York, NY **1986 – 1989**
Associate Attorney

- All phases of commercial litigation including contract (Dow v. Occidental Chemical), commercial lending, concession and franchise agreements.

EDUCATION

J.D., University of Maryland School of Law, Baltimore, MD
Executive Editor, *The International Trade Law Journal*

B.A., Political Science and French Literature with Honors, University of Michigan, Ann Arbor, MI

L'Institut d'Etudes Politiques, Paris, France

Philips Exeter Academy, Exeter, NH

PROFESSIONAL DESIGNATIONS

Bar Admissions: New York and Federal (NY Reg # 1952605)
Member, New York City Bar Association (www.NYCBAR.org)
Connecticut Casualty Adjusters license (CT Reg #1035960)
Associate in Reinsurance (ARe) - Insurance Institute of America
Professional Liability Underwriting Society (www.PLUS.org)

PUBLICATIONS/RESEARCH

“Private Equity Firms Exposed to Portco Pension Underfunding?” *Sun Capital v NE Teamsters*, No.12-2312, 2013WL3814984 (1st Cir. July 24, 2013) Corporate Risk Solutions LLC. 9/11/13.

Continuing Legal Education –10th Annual Institute on taxation of Mergers and Acquisitions (4/25-26, 2013), and Private Equity Structuring (10/3/2013), and Basic Mediation Training, Conflict Resolution Theory and Techniques (2/5,6,12,13/2014), (March 3, 10 & 11, 2014) New York City Bar Center for CLE.

“Guest Post: Protecting Aunt Sally: When Hackee becomes Hacker-in-Pursuit” *The D&O Diary*, published by Kevin M. LaCroix, July 3, 2014. www.dandodiary.com/2014/07/articles