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PRACTICE AREAS

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Thomas Segalla is a nationally recognized authority on bad faith, reinsurance, and insurance, an ARIAS Board-Certified Arbitrator and mediator, and a founding partner of the firm. He has been retained as counsel and as a consultant by numerous major insurance carriers and policyholders in more than 35 jurisdictions nationally and internationally, and has served as an expert witness in more than 100 bad faith, coverage, and extracontractual cases across the country. His active practice focuses on the defense and insurance coverage aspects of matters involving bad faith; construction site personal injury accidents (Labor Law §§ 200, 240(1) and 241(6)); toxic tort and environmental issues; and extracontractual, product liability, professional liability and railroad litigation. He also has experience representing and advising life science, pharmaceutical, and medical device industry clients.

Tom is the co-author of the renowned insurance law treatise *Couch on Insurance* 3d, and he has published and lectured extensively for many professional organizations. As a member of the Defense Research Institute (DRI), he is currently Chair of the organization's Publications Board and has previously served as Chair of DRI's Insurance Law Committee, Chair of its Law Institute, and a member of its Board of Directors. In addition, as a member of the Federation of Defense and Corporate Counsel, he is integrally involved in the relationship between the insurance industry and defense counsel. Tom is the immediate-past President of the American College of Coverage and Extracontractual Counsel, an organization which brings together the top insurance lawyers in the U.S. and Canada to focus on the creative, ethical, and efficient adjudication of disputes between policyholders and insurers over insurance coverage as well as extracontractual damages. Recently, *Best Lawyers in America* named him Buffalo Insurance Law "Lawyer of the Year" and the Defense Association of New York (DANY) presented Tom with its 2014 James S. Conway Award for Outstanding Service to the Defense Community.

Honors

- Martindale-Hubbell Peer Review Rating: AV Preeminent
- Defense Association of New York (DANY) 2014 James S. Conway Award for Outstanding Service to the Defense Community
- Buffalo Insurance Law "Lawyer of the Year," *Best Lawyers in America* 2014
- *Best Lawyers in America* 2013–2014 (Insurance Law and Personal Injury Litigation — Defendants)
- Top-Rated in Insurance Law, American Lawyer Media and Martindale-Hubbell, 2013
- *Best Lawyers in America* 2013 (Insurance Law and Personal Injury Litigation – Defendants)
- *Super Lawyers, Corporate Counsel Edition*
- Upstate New York *Super Lawyers* (Insurance Coverage); Top 50 List
- *Business First's* Legal Elite of Western New York (Insurance)
- *The International Who's Who of Insurance & Reinsurance Lawyers*
- Who's Who in America
- Who's Who in American Law
- Who's Who in the World
- United Who's Who - Honored Lifetime Member
- Presidential Who's Who Among Business and Professional Achievers
- International Association of Business Leaders, Life Member, January 2004, for commitment to sound business practices and having earned a reputation in the business community for vision, performance and leadership
- America's Registry of Outstanding Professionals, 2003-2004
- National Republican Congressional Committee's Business Advisory Council's 2003 Businessman of the Year
- Federation of Defense and Corporate Counsel 2002 Andrew C. Hecker Award; "Bad Faith as a Continuum: From Claim to Trial," Fall 2001; presented in honor of Andrew C. Hecker, a leader of the defense bar; presented July 27, 2002
- Excess Surplus Lines Claims Association for contribution to the Association's Fund of Knowledge, October 2001

Professional Affiliations

- American College of Coverage and Extracontractual Counsel: Immediate-Past President
- Defense Research Institute: Chair, Publications Board; Former Member, Board of Directors; Former Board Liaison to the Insurance Law Committee; Past Chair of Law Institute
- Federation of Defense and Corporate Counsel: Insurance Coverage Section; Reinsurance, Excess and Surplus Lines Section; International Practice & Law Section; Toxic Tort and Environmental Law Section; Insurance Industry Initiatives Committee; Publications Committee; Insurance Symposium Committee; Extra Contractual Liability Section
- American Association of Insurance Management Consultants, 2012 to present
- International Association of Defense Counsel: Ethics, Insurance/Reinsurance, International and Toxic Tort sections
- *Law360* Insurance Editorial Advisory Board
- British Law Association
- Claims and Litigation Management Alliance: Insurance Bad Faith and Insurance Fraud Committees
- International Association for Insurance Law
- American Arbitration Association: Roster of Neutrals
- National Foundation for Judicial Excellence: State Liaison
- National Association of Railroad Trial Counsel
- ARIAS U.S.
- American Bar Association: Tort Trial and Insurance Practice Section
- USLAW: Former Chair, Insurance Committee
- New York State Bar Association, Environmental Law Section and Torts, Insurance and Compensation Law Section
- General Building Contractors of New York State: Associate Member
- Bar Association of Erie County
- Western New York Trial Lawyers Association
- Defense Trial Lawyers Association of Western New York
- Insurance Club of Buffalo 1996, Director 1998-2001
- Buffalo Insurance Claims Association, 1972-present
- Utica Insurance Claims Association, 1990-present
- Chartered Property Casualty Underwriter, Matriculated Student
- New York State Insurance Department (CPCU Sponsorship), Continuing Education Instructor
- Council on Litigation Management: Insurance Bad Faith and Insurance Fraud Committees

Previous Experience

- Co-Author, *Couch on Insurance* 3d (West Publications)
- "Meet The Experts," Matthew Bender & Co., Insurance Law
- Scribes, The American Society of Writers on Legal Subjects
- *Mealey's Litigation Report: Insurance Bad Faith*; LexisNexis 2004-present
- "Bad Faith Update," Mathew Bender & Co., (publication advisory board, 1999-2004)
- Adjunct Professor, Practice and Procedure, State University of New York at Buffalo School of Law, 1985-1990

Admitted to Practice

- New York

Education

- State University of New York at Buffalo Law School, J.D., *cum laude*, 1972
- University of Miami, B.B.A., *department honors*, 1965

Publications/Presentations

- Presentation, "Pssst ... Secrets of Highly Successful Law Firms," Federation of Defense & Corporate Counsel (FDCC) Annual Meeting, West Sulphur Springs, West Virginia, July 31, 2014
- Co-Author, "Going Global: Navigating Import and Export Safety Regulations," *Food Manufacturing*, February 10, 2014
- Contributor to "Leading Coverage Lawyers: The Most Significant Insurance Coverage Decisions of 2013," *Coverage Opinions*, Vol. 3, Issue 1, January 8, 2014
- Co-Author, "FEMA Sends Warning About Time to Sue Over Coverage Disputes," *DRI Today*, Defense Research Institute, December 2, 2013
- Co-Author, "Emerging Trends and Changing Perspectives on Construction Defect Claims," *Mealey's Construction Defects*, December 2013 (This article also appeared in *Mealey's Construction Defects Insurance*, November 2013)
- Co-Author, "Will the FDA Kill the Caffeine Buzz?" *Food Processing*, September 27, 2013
- Panelist, "Keeping the Big Bad Wolf Out — The Three Little Pigs and Cyber Risk: Preventing Your Home and Business from Becoming Bacon 'Bits,'" FDCC Annual Meeting, Colorado Springs, CO, July 28–31, 2013
- Panelist, "They Did What? Malpractice Claims Against Coverage Counsel," American College of Coverage and Extracontractual Counsel Inaugural Meeting, May 7, 2013
- Co-Author, "Simple Steps Can Protect Drillers: In Fracking, Practical Coverage and Risk-Shifting Can Ease Litigation Threats," *National Driller*, March 2013
- Co-Author, "Lead Litigation: Recent Trends and Key Strategies for Defense Counsel," New York State Bar Association *Torts, Insurance & Compensation Law Section Journal*, Winter 2012
- Co-Author, "How to Evaluate the Emerging Risks of Nanotechnology," *Business Insurance*, February 24, 2013
- Co-Author, "Hydraulic Fracturing Holds Litigation Risks," *National Driller*, January 2013
- Co-Author, "Fifty States Of Mold Claims: A Comprehensive Survey of Defense Strategies, Coverage Exclusions, and Liability Implications Across the U.S.," *Mealey's Litigation Report: Mold*, January 2013
- Presenter, "Singing in the Rain: Learning How to Network, Ethically And Effectively, in a Brave New World!," Federation of Defense and Corporate Counsel Webinar, December 2012
- Presenter, "An Inconsistent Model: Varying States' Interpretations of Unfair Insurance Claims Practices," ACI Bad Faith Seminar, Orlando, Fla., November 28, 2012
- Panelist, "Hurricane Sandy: New Frontier, Lessons Learned," Webinar, Claims and Litigation Management Alliance, November 15, 2012
- Quoted in *Law360*, *Business Insurance*, *Claims Journal*, and *Property Casualty 360* on the formation of the American College of Coverage and Extracontractual Counsel, November 8-9, 2012
- Co-Author, "Taming Nanotechnology's Potential Risks," *IndustryWeek*, October 17, 2012
- Co-Author, "Lead Litigation: Recent Trends and Key Strategies for Defense Counsel," *USLAW*, Fall/Winter 2012
- Co-Author, "Construction Defect Claims: An Update (Part I)," DRI's *The Critical Path* (Newsletter of the Construction Law Committee), September 2012
- Presenter, "Flat Fee Agreements: Do They Pose a Risk of 'Bad Faith' Exposure?," Claims & Litigation Management Alliance, September 2012
- Co-Author, "A First Look at the Coverage Implications of Hydraulic Fracturing," Thomson Reuters News and Insight, May 16, 2012; *Westlaw Journal Insurance Coverage*, June 2012
- Quoted in "Advocates Call for Scaffolding Law Reform," Thomson Reuters News & Insight, April 4, 2012
- Presenter, "The Law of Claims Practices," The Center for Risk and Responsibility, Rutgers School of Law, Camden, February 29, 2012

- Presenter, "The Marcellus Shale Boom and Its Legal Implications," Federation of Defense and Corporate Counsel Winter Meeting, Phoenix, AZ, March 8, 2012
- Co-Editor, "Construction Site Personal Injury Litigation: Labor Law Sections 200, 240(1) and 241(6)," New York State Bar Association, 2007; revised in 2012
- Presenter, "Preventing Bad Faith Claims: Lessons Learned from the Past and Issues of the Future!," "Bad Faith as a Continuum: From Claim to Trial," and "Bad Faith: The Admissibility of Expert Testimony and the Challenges That Follow", American Conference Institute, Orlando, FL, November 2011
- Presenter, "The Attorney-Client Privilege Basics and Beyond!," FDCC Insurance Industry Symposium, November 2011
- Presenter, "Preventing the Bad Faith Claim" and "Trying The Bad Faith Case," Council on Litigation Management Bad Faith Conference, Boston, September 16, 2011
- Presenter, "The Case for Self-Interested Civility" and "Tripartite Interaction and Ethical Obligations and Prohibitions Facing Counsel," FDCC Annual Meeting, July 2011

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