

INSURANCE COVERAGE ARBITRATOR



Paul J. Van Osselaer

Van Osselaer Dispute Resolution PLLC

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Insurance and Risk Transfer Arbitrations

Commercial disputes, particularly those involving insurance coverage and risk transfer, are specialized areas. Arbitration avoids the limelight, delay and cost of litigation. Using a specialized neutral as the arbitrator:

- ◇ *Provides parties a neutral who understands the concepts well*
- ◇ *Assures the parties that positions are intelligently questioned when it counts*
- ◇ *Assures the parties of a useful, reasoned decision based on the evidence and the law*

Paul is a full-time coverage mediator and arbitrator. He arbitrates cases throughout the U.S.

ADR Recognition and Publications

“Distinguished Fellow”—International Academy of Mediators (invitation-only) (2014-present)

“Credentialed Distinguished Mediator”—Texas Mediator Credentialing Assn. (2012-present)

Member, National Academy of Distinguished Neutrals (invitation-only) (2017-present)

Advanced Mediation Training at AAA: “*Managing Dynamics of a Multi-Party Case*” (2012)

Co-Chair (neutral rep), ADR Sub-Cmte., ABA Ins. Coverage Litigation Cmte. (2009-present)

Author on effective strategies resolving coverage cases, including:

- Effective Strategies for Mediating Coverage Disputes* [[link](#)] (Kluwer Int’l Mediation Blog) (2014)
- Coverage Mediations*, Coverage (ABA Publication) (Jan/Feb 2011)

Speaker/trainer to legal, policyholder & carrier groups on settling coverage cases, including:

- Roundtable Co-Chair, *Mediation or Arbitration: Picking Your Show*, ABA Insurance Coverage Litigation Committee (Tucson AZ 2014)
- Panelist, *Strategies for Mediating the Underlying Case Along With the Coverage Dispute*, ABA Insurance Coverage Litigation Committee (Tucson AZ 2015)
- Panelist, *Making Mediation of Coverage Disputes Work*, UT Ins. Law Inst. (Dallas TX 2014)
- Speaker, *Effective Mediation Strategies for Dealing with Insurance Issues in Construction Disputes*, Seminar Group, Insurance in Construction Industry Conf. (Dallas TX 2014)
- Guest Panelist (along with a policyholder and carrier counsel), *Effective Use of Mediation in Coverage Disputes*, DRI Insurance Coverage & Claims Institute (Chicago IL 2014)
- Roundtable Co-Chair *Strategies in the Mediation and Settlement of Multi-Party Cases*, ABA Insurance Coverage Litigation Committee (Tucson AZ 2013)
- Panelist, RIMS (risk management organization) national conferences (2008-2010, 2012)

Other Honors and Experience

“*Best Lawyers in America*®” in Insurance Law (2012-present)

Van Osselaer Dispute Resolution a “*Tier 1 Best Law Firm*®” in Insurance Law (2014-present)

“*Super Lawyers*®” initially in Insurance Coverage, now ADR (2003-present)

Former Vice-Chair, ABA Ins. Coverage Litigation Cmte; Current Co-chair, ADR Sub-Cmte

Editorial Board, *Coverage* (publication of ABA Ins. Coverage Litigation Cmte) (2001-02)

Tried coverage, indemnity and bad faith cases to verdicts (seeking & opposing coverage)

Significant experience mediating wide range of coverage disputes of all sizes and involving many types of policies, including CGL, PL, D&O, excess, first-party, builders’ risk, marine, terrorism and specialty policies

Judicial temperament and efficiency, based on years of trial experience and service as court-appointed member of the Civil Justice Reform Act’s Advisory Cmte for W.D. Tex.

Education and Pre-ADR Background

University of Texas (B.A., 1971; J.D. 1975; courses toward MBA)

Judicial Law Clerk, U.S. District Court, S.D. Texas, Houston Division (1975-77)

Paul’s law practice included being partner in a premier Texas law firm and later his own small firm. As coverage lawyers around the country discovered his mediation skills, a part-time coverage mediation practice quickly became full-time, leading him to go out on his own as Van Osselaer Dispute Resolution, his solo coverage mediation boutique. Arbitrations soon became a part of his ADR practice.

Paul had been lead counsel in all Texas federal districts and in eight other districts across the U.S. Before trying his first coverage case in 1991, he was lead counsel in major business cases, including antitrust, securities, banking, tax, real estate & IP, earning a *Best Lawyers*® listing in Business Litigation from 1987-92. That experience still provides insight into issues which underlie many coverage disputes.

REFERENCES: references nationwide from both sides of the docket are available on request, as are references from co-arbitrators with whom Paul has served.