



Eric J. Sauter

Partner

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Eric Sauter represents non-profits, private employers, insurers and reinsurers and co-chairs the firm's Reinsurance network. With more than 25 years of litigation experience, Eric has been defending employment matters long before EPL policies became common in the marketplace. He has continued his practice in this area and expanded his representation of non-profits and private employers, their insurers and reinsurers in matters concerning EPL, E&O, first-party property, business interruption, casualty, LPL, HPL and D&O. Eric developed a particular concentration in representing non-profit organizations in a full range of matters, including, but not limited to, defending claims of molestation, wrongful discharge, civil rights violations as well as pursuing commercial rights through litigation and handling transactional work.

In the insurance and reinsurance space, Eric has served as the lead attorney in a number of multi-party national coverage litigations. He has a command of the interplay of the financial products often involved in unusual and complex assignments. He also counsels clients with respect to procedures, risk management and strategic advancement. Eric honed his product development skills while serving as the first Wilson Elser attorney seconded to one of the largest multi-line syndicates at Lloyd's of London, where his direct reports were to the property underwriter, the professional indemnity underwriter and the casualty underwriter. Eric continues to create products and programs for Lloyd's and for domestic admitted and surplus lines insurers and reinsurers.

Professional Activities

Eric is a frequent speaker, having lectured on "Excess and Primary Liability Issues" at the Bermuda CPCU Society; "NRRRA – Nonadmitted and Reinsurance Reform Act" for the Brokers & Reinsurance Markets Association; "Bad Faith Liability" at the New York State Bar Association's Law School for Insurance Professionals; "Non-Profit Liability" at the 2010 and 2011 Risk Management and Finance Summit for Non-Profits; and "Wrongful Sex" at the Professional Liability Underwriting Society's International Conference. Eric also

Services

- Cybersecurity & Data Privacy
- Insurance & Reinsurance Coverage
- Contractual/Extra-Contractual Liability Litigation
- Professional Liability & Services

has written and contributed to a number of publications, including *Alternative Dispute Resolution in Practice*, published by the Insurance Institute of London; *Course Book on Bad Faith Liability*, published by the New York State Bar Association; and "Solicitation of Insurance," published as a chapter in a book compiled by Agents of America. In addition, he is the co-editor of Wilson Elser's *Punitive Damages Review*.

Education

- Emory University School of Law (J.D., 1988)
- University at Albany (B.S., 1985)

Bar Admissions

- New York, 1989

Court Admissions

- U.S. Court of Appeals, Second Circuit
- U.S. Court of International Trade
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York

Professional Affiliations

- Professional Liability Underwriting Society, member and past chair, Eastern Region Steering Committee

Representative Matters

Managed nationwide program of non-profit risks on behalf of a London reinsurer.

Managed all bad faith claims brought in the United States against a foreign insurer.

Pursued arbitration on behalf of London- and Australia-based excess of loss reinsurers for rescission of treaties involving North American property losses exceeding \$250 million.

Represented U.S.- and U.K.-based excess insurers under an insurer E&O policy following a punitive damage award in excess of \$100 million involving an underlying (non-profit) municipality's hurricane losses.

Represented Bermuda-based excess insurer following a punitive damages award of more than \$50 million against a non-profit based on a molestation claim.

Defended residential institution in multiple courts involving the serial molestation of a number of their residents over a multi-year period.

Defended multiple non-profits from separate claims of wrongful termination of its executive director, chief financial officer, program director and line employees with respect to breach of contract, whistleblower and discrimination claims.

Defended multiple insurers in bad faith litigation in which the claims collectively exceeded \$500 million.

Prosecuted action on behalf of a non-profit seeking control of more than \$100 million in assets.

Defended insurer with respect to more than \$100 million in financial losses allegedly sustained as a result of insider trading.