



# Randi Ellias

*partner*

Randi focuses her practice on complex commercial litigation and arbitration, including complex insurance coverage disputes and reinsurance matters. She has handled matters concerning allegations of nondisclosure and misrepresentation, contract interpretation, ownership of common account reinsurance, direct access to reinsurance proceeds by policyholders, number of occurrences, contractual and statutory obligations regarding security, and compliance with actuarial standards of practice. She counsels clients on coverage issues, claims handling and contract wording issues, including the drafting of settlement agreements and commutation agreements.

Randi serves as one of the co-chairs of Porter Wright's annual Women in Reinsurance program, is chair of the Excess Surplus Lines and Reinsurance General Committee of the American Bar Association's Tort Trial and Insurance Practice Section and is a member of the Publication Committee of AIRROC.

## REPRESENTATIVE MATTERS

- Representing ceding company in disputes concerning interpretation and application of hours clause in property catastrophe excess of loss reinsurance agreements in connection with losses arising out of the Fort McMurray wildfire, the costliest natural disaster in Canadian history.
- Obtained a favorable decision from the Seventh Circuit upholding trial court's default judgment entered against foreign, unauthorized reinsurer for failure to post pre-answer security.
- Represented ceding entity in dispute with reinsurer over payment of subrogation recoveries.
- Represented life reinsurer in arbitration involving misrepresentation and rescission claims.
- Represented life reinsurer against insolvent cedent in proceeding to determine whether insolvency stay should be lifted to permit pre-existing arbitration between the parties to proceed.
- Represented property catastrophe excess of loss reinsurer in connection with issues arising out of cession of 9/11 claims.

## CONTACT

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## EDUCATION

Northwestern University School of Law, J.D., *cum laude*, 1996

Franklin & Marshall College, B.A.,  
*cum laude*, 1993

## SERVICES

### Reinsurance Litigation & Arbitration

#### Litigation

- Commercial litigation
- Non-competition and trade secrets litigation
- Arbitration and mediation
- Insurance litigation
- Professional liability
- Appellate and Supreme Court practice
- Financial services litigation

#### Business Competition, Advice & Litigation

- Non-compete, non-solicitation, non-recruitment and non-disclosure agreements

- Represented reinsurer against claims for direct access to reinsurance brought by various policyholders of insolvent insurer.
- Represented cedent against reinsurer's claim for alleged non-payment of additional premium relating to property catastrophe excess of loss reinsurance agreement.
- Represented reinsurer in dispute with cedent over commutation value for reinsurance agreement covering workers compensation claims.
- Represented cedent against reinsurer in claim for payment of AD&D loss arising out of aviation loss.
- Represented cedent against claim for rescission of 10 finite reinsurance contracts brought by reinsurer.
- Represented cedent in matter involving misrepresentation claim and contractual interpretation issues arising out of finite risk reinsurance treaty.
- Represented cedent in arbitration involving interpretation of sublimit found in loss portfolio transfer agreement.
- Represented cedent in arbitration involving interpretation of termination provision of finite risk reinsurance treaty.
- Represented multiple reinsurers in multiple arbitrations arising under surety excess of loss reinsurance agreements and involving financial guaranty issues.
- Represented reinsurers in arbitration and litigation with respect to claims brought by various insolvent cedents regarding ownership of common account reinsurance.
- Advised client regarding allocation issues arising out of cession of non-products asbestos claims.
- Advised client regarding cession of environmental and pollution losses.
- Advised client regarding commutation of workers' compensation claims.
- Advised client regarding allocation issues arising out of cession of sexual abuse claims.

#### BAR ADMISSIONS

- Illinois
- Oregon
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Eastern District of Wisconsin

#### PRESENTATIONS

- "Embedding Racial Equity in the Insurance Industry," AIRROC, April 21, 2021
- "Into the Weeds: Cannabis Insurance and the Industry Landscape," American Association of Insurance Services' Pulse Program, Sept. 29, 2020

#### SERVICES (CONTINUED)

##### Financial Institutions

- Financial services litigation

##### Cannabis

- “Legal Considerations in Insuring Cannabis-Related Businesses,” Ohio Insurance Institute Continuing Legal Education Symposium, March 3, 2020
- “Partnering with InsurTech for Claims Management,” AIRROC Chicago Regional Education Day, May 14, 2019
- “On-demand, Usage-based and Micro Insurance,” AIRROC Spring Education Day, March 6, 2019
- “Information Security for Arbitrators,” Fall ARIAS-U.S. Conference, November 2017
- “Data Protection for Arbitrators Workshop – Secure Email & Disk and File Encryption,” Spring ARIAS-U.S. Conference, May 2017
- “Negotiation Workshop,” AIRROC, June 2, 2015
- “Team Interactive Workshop,” AIRROC Education Program, June 2014

#### PUBLICATIONS

- “The insurance industry’s cannabis problems,” *The Brief*, American Bar Association, Vol. 49, No. 4, Summer 2020
- “Recent developments in excess, surplus lines, and reinsurance law,” *ABA Tort Trial & Insurance Practice Law Journal*, Spring 2020
- “Bracing for the next crash: Mortgage reinsurance emerges,” *Law360*, Jan. 24, 2017

#### PROFESSIONAL ASSOCIATIONS

- American Bar Association, TIPS Excess, Surplus Lines and Reinsurance General Committee, Chair, 2020-2021
- AIRROC, Publications Committee, Member
- ARIAS-U.S.

#### HONORS | AWARDS

- *Business Insurance* 2019 Woman to Watch
- *Best Lawyers*<sup>®</sup>, Insurance Law
- *The Legal 500 United States*, Insurance (Recommended Attorney)
- Wigmore Scholar