



Catherine E. Isely

partner

Catherine litigates complex commercial disputes on behalf of local, national and global businesses. She represents parties in sophisticated commercial contracts and relationships, where high-stakes disputes regularly require a multifaceted legal strategy across court and arbitral forums. Always alert to the reputational sensitivities and business considerations of her clients, Catherine understands that decision makers need a clear-eyed assessment of a case to calculate risk and articulate strategy internally.

Catherine believes that successful advocacy – at trial or at arbitration hearing, in deposition or in briefing, with witnesses or with opposing counsel – must be ethical, innovative, disciplined, persistent and agile. In addition to appearing as trial counsel in courts nationwide, Catherine regularly practices in alternate dispute resolution forums. She successfully represents clients at complex, multi-stage mediations, in high-stakes, commercial arbitrations and in related court challenges as to arbitrability, panel constitution or award confirmation. Catherine partners with clients to develop strategies for disputes ranging from interpretation of contract wording with organization-wide impact to business torts with industry-wide implications.

Early in her legal career, Catherine litigated numerous product liability cases, from initial pleadings, through discovery and at trial, including assisting in jury selection in Madison County asbestos cases. Now, Catherine often litigates and arbitrates disputes with underlying mass torts, products or premises liability actions, workers' compensation claims or environmental property damage disputes.

Catherine has provided pro bono legal assistance to clients seeking Deferred Action for Childhood Arrivals (DACA) eligibility and employment authorization.

She also serves as one of the co-chairs of Porter Wright's annual Women in Reinsurance program.

CONTACT

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Pronouns: she / her / hers

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EDUCATION

Northwestern Pritzker School of Law, J.D., 1996

Duke University, B.A., 1988

SERVICES

Reinsurance Litigation & Arbitration

Litigation

- Product liability
- Commercial litigation
- Arbitration and mediation
- Insurance litigation
- Class actions, mass torts and MDLs
- Financial services litigation

Financial Institutions

- Financial services litigation

REPRESENTATIVE MATTERS

Reinsurance Matters

- Obtained summary judgment in favor of defendant reinsurer asserting late notice affirmative defense to more than \$22 million in facultative billings and successfully defended that judgment on appeal.
- Obtained summary judgment in favor of another defendant reinsurer asserting late notice defense and successfully defended that judgment on appeal.
- Represented cedents in multi-stage mediation with reinsurers.
- Represented plaintiff reinsurer in action against cedent title insurer for breach of contract, rescission, negligence, unjust enrichment and declaratory judgment.
- Represented plaintiff insurer seeking pre-pleading security from reinsurer.
- On behalf of cedent, negotiated publicly-filed stipulation with Equitas and Underwriters of Lloyd's, London regarding successor issues in litigation.
- Represented cedents and assuming reinsurers in numerous confidential arbitrations involving allocation of products and non-products asbestos and hazardous waste claims.
- Represented cedents in multiple confidential arbitrations involving allegations of bad faith by reinsurers.
- Represented assuming reinsurers in confidential arbitrations involving quota share treaty claims.
- Represented pool members in multiple confidential arbitrations regarding rights and obligations under pooling agreements.
- Represented cedent in confidential reinsurance arbitration arising from workers' compensation claim.
- Represented assuming reinsurer in confidential arbitration involving Public Officials and Employees Liability coverage.
- Represented cedent in confidential arbitration over retrospectively-rated CGL policies.
- Counseled clients regarding claims-handling and allocation issues, bad faith allegations, broker disputes and access to records, notice and consent obligations, pool membership rights and obligations, contract interpretation and settlement and commutation considerations.

Insurance Matters

- Represented insurer in MGA disputes, including actions for injunctive relief.
- Represented mortgage and credit insurers in defending coverage actions brought by financial institution insureds.
- Defended mortgage insurer in confidential arbitrations with national lender and its predecessor, including at multi-week evidentiary hearings.
- Represented plaintiff credit insurer in action brought against financial institution insured for fraud and breach of contract.
- Represented employer-insured in arbitration over retrospectively-rated workers' compensation policies.

Additional Litigation Matters

- Represented manufacturer and premises defendants in numerous asbestos bodily injury suits in Cook County, IL; Madison County, IL; and St. Louis, MO.
- Defended venture capital firms against breach of fiduciary duty claims.

- Represented commercial clients in real estate contract disputes, lease disputes and easement claim.
- Represented employers facing employment discrimination suits.

BAR ADMISSIONS

- Illinois
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the Northern District of Illinois (Trial Bar)
- U.S. District Court for the Western District of Wisconsin

PRESENTATIONS

- “Arbitration Law Update,” Central Ohio Association of Corporate Counsel, Feb. 20, 2020
- “Everything You Wanted to Know About How Arbitrators Are Selected But Were Afraid to Ask,” Intermediaries and Reinsurance Underwriters Association (IRUA) and the Reinsurance Networking Group (RNG), Nov. 5, 2019
- “When Preclusion is in Play,” ARIAS-U.S. Fall Conference and Annual Meeting, November 2018
- “The Gatekeeper: A Practical Guide to Resolving Evidentiary Disputes at Hearing,” ARIAS-U.S. Fall Conference and Annual Meeting, November 2017
- “Legal Roundup: Recent Court Holdings and Developments in Insurance, Reinsurance and Arbitration Case Law,” AIRROC/IAIR Issues Forum, August 2017
- “Legal Roundup: Recent Court Holdings and Developments in Insurance, Reinsurance and Arbitration Case Law,” AIRROC Education Day Program, June 2017
- “Rhode Island Insurance Business Transfer Interactive Workshop,” AIRROC Education Day, May 25, 2016
- “LOOKING FORWARD: New Products, New Language and New Approaches,” ARIAS-U.S. 2016 Spring Education Seminar, March 10, 2016
- “Making Audits More Effective,” AIRROC Regional Education Day, Sept. 29, 2015
- “It’s a Deal! A Workshop Designed to Sharpen Your Negotiation Strategy and Technique,” AIRROC Negotiation Workshop, June 2015
- “Power to the People? Or Power to the Panel? Considering Negotiated Versus Panel-Ordered Protocols,” AIRROC Negotiation Workshop, June 2015
- “A Changing Landscape: Recent Developments in Reinsurance Law,” Continuing Legal Education Seminar, May 2015
- “The Future of the Duty of Utmost Good Faith,” AIRROC Education Day Workshop, April 2015
- “It’s a Deal! A Workshop Designed to Sharpen Your Negotiation Strategy and Technique,” AIRROC Negotiation Workshop, February 2014
- “Update on Recent Legal Developments,” IAIR & AIRROC Joint Issues Forum, December 2013
- “Educational and Workshop Program,” AIRROC, June 2012
- “Systematic Reinsurance Risk,” Blackman Kallick 2011 Insurance Conference, October 2011

PUBLICATIONS

- “Be in the crowd,” *Intelligent Insurer*, Diversity and Inclusion Report 2019
- “Umpire roundtable: Deliberation logistics,” *ARIAS-U.S. Quarterly*, First Quarter 2019

- “Negotiating with confidentiality: Supplementing the protections of Rule 408,” *Corporate Counsel*, May 2014
- “Negotiating with confidentiality: Supplementing the protections of Rule 408,” *AIRROC Matters*, Vol. 10 No. 1, Spring 2014
- “You want me to sign what?!” What you need to know before asking anyone to sign answers to interrogatories,” *Corporate Counsel Connect*, June 2012
- “You want me to sign what?!” What you need to know before asking anyone to sign answers to interrogatories,” *Corporate Counsel*, January 2012

PROFESSIONAL ASSOCIATIONS

- ARIAS-U.S.

HONORS | AWARDS

- *Chambers USA*, Insurance: Dispute Resolution: Reinsurance, Illinois
- *The Legal 500 United States*, Insurance (Recommended Attorney)
- *Illinois Super Lawyers*®
- *Leading Lawyers*, Insurance, Insurance Coverage & Reinsurance Law
- *Intelligent Insurer*, Influential Women in Re/Insurance