



Thomas W. Brunner

Senior Counsel



202.719.7225

tbrunner@wiley.law



Tom serves as senior counsel to Wiley. He is named by *Legal Times* as a "Leading Insurance Lawyer" and serves as chairman emeritus of the firm's Insurance Practice. Active in coverage litigation for insurers for more than 30 years, Tom counsels insurance industry clients in major trial and appellate cases. *Chambers USA* notes that he has "a distinguished practice representing insurers" (2014). His practice focuses on emerging insurance issues, such as privacy, punitive damages, Y2K, asbestos, mass tort, pharmaceutical, product liability, and toxic tort claims. Tom was founding counsel for several industry groups, including the Complex Insurance Claims Litigation Association (CICLA), the Insurers Technology Litigation Roundtable, the National Insurance Crime Bureau, and the National Health Care Anti-Fraud Association.

Representative Matters

- Counsels clients on the applicability of coverage under liability, property, and professional liability and insurance policies for high technology, environmental, and professional liability.
- Represented property-casualty insurers in high-stakes, large-scale litigation regarding insurance coverage for asbestos, pharmaceutical, World Trade Center, Y2K and information technology failure, hazardous waste, and other significant losses.
- Lead U.S. counsel for Winterthur Swiss Insurance Company in \$850 million "baseball arbitration" regarding valuation of outstanding and incurred but not reported claims of two insurers divested by Winterthur.

Practice Areas

Health Care
Insurance
Litigation

Credentials

Education

J.D., Yale Law School

A.B., *cum laude*, Columbia University

Bar and Court Memberships

District of Columbia Bar

Supreme Court of the United States

U.S. Courts of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, and District of Columbia Circuits

- Counseled and represented numerous insurers in addressing wide variety of business issues including evaluation of categories of claim and significant individual claims, mergers and acquisitions, negotiation of reinsurance, and other arrangements, etc.
- Represents health and property/casualty insurers in anti-fraud activities. Lead counsel for groups of health insurers in civil Racketeer Influenced and Corrupt Organizations Act (RICO) and other challenges to health care fraud that have recovered about \$250 million in litigation and investigations targeting abuses in for-profit psychiatric hospital, clinical laboratory, and other fields.
- Represented the Equal Rights Center (ERC) and a class of 17,000 Metro riders of the MetroAccess paratransit system for people with severe disabilities in a major class-action lawsuit which resulted in a landmark settlement. The firm received a 2008 Outstanding Achievement Award from the Washington Lawyers' Committee for Civil Rights and Urban Affairs for this representation.
- General counsel and partner of LeapFrog Investments, an impact investment firm supporting companies that provide microinsurance to low income people in Asia and Africa.

Professional Experience

- Adviser, The American Law Institute project "Principles of the Law of Liability Insurance" (2010-2014)

Affiliations

- The American Law Institute
- Co-Chair, Board of Directors, Washington Lawyers' Committee for Civil Rights and Urban Affairs (2008-2009)

Recognitions

- Recipient of the "Wiley A. Branton Award" for Civil Rights Advocacy from The Washington Lawyers' Committee for Civil Rights and Urban Affairs (2012)
- Named one of Washington's "Best Lawyers" by *Washingtonian* magazine (2011)
- Recipient of the "Rock the Law Award" for Outstanding Achievement for Pro Bono Causes from the Jewish Foundation for Group Homes (2009)
- Listed by *Chambers USA* as one of "America's Leading Lawyers for Business" in Insurance (2002-2018)
- Named one of DC's "Super Lawyers" for Antitrust Litigation by *Super Lawyers* magazine (2007-2019)
- Included in *The International Who's Who of Insurance & Reinsurance Lawyers* (2005-2016) and *The Who's Who in America* (2008)
- Included in *The Best Lawyers in America* directory for Insurance Law and Commercial Litigation, for more than a decade

- AV Peer Review Rating, Martindale-Hubbell's highest ranking by peers for general ethical standards and legal ability