

**REQUEST FOR STATEMENT OF INTEREST (“RSI”)  
October 11, 2017**

The New York Liquidation Bureau (the “NYLB”) is seeking to reconstitute its panel of outside law firms in the following specialty areas:

- Automobile Accidents
- Construction/Labor/Indemnity
- Environmental/Toxic Torts
- Lead Paint
- Premises Liability
- Products Liability
- Subrogation
- Medical Malpractice
- Fidelity and Surety
- Insurance Coverage
- Reinsurance Recovery
- Affirmative directors and officers recovery
- Articles 74 and 76 of the N.Y. Insurance Law
- Labor and Employment

The NYLB will select a limited number of experienced and skilled law firms and sole practitioners (the “Panel”) to provide expertise and regional coverage to the NYLB throughout New York State on an as-needed basis.

Law firms will be selected for the Panel on the basis of the minimum criteria set forth in this Statement of Interest, demonstrated expertise in one or more practice areas described herein and anticipated legal needs. Interviews may be held at the discretion of the reviewing committee and the Acting Chief Compliance Officer. Attorneys on the existing Panel must submit a new Statement of Interest pursuant to this RSI in order to be eligible to receive assignments after the reconstitution of the Panel is completed.

Selected firms will be paid according to the Fee Schedule set forth in Schedule A. The NYLB may limit the size of the panel for each specialty area and may decide not to select any firms for a specialty area. Selection as a panel firm does not guaranty assignment of any matters.

**About the NYLB**

The NYLB serves as the staff of the Superintendent of Financial Services of the State of New York in her capacity as liquidator, rehabilitator, conservator or ancillary receiver (the “Receiver”) of impaired and insolvent insurance companies pursuant to Articles 74 and 76 of the New York Insurance Law. A list of companies under receivership may be found at <http://www.nylb.org/Estates.htm>

The Superintendent is also charged with administration (the “Administrator”) of the Property/Casualty Insurance Security Fund, Public Motor Vehicle Liability Security Fund and Workers’ Compensation Security Fund (collectively, the “ Security Funds”). The NYLB assists the Administrator in determining whether claims are covered by one or more of the Security Funds and resolving and paying claims eligible for coverage under the Security Funds.

### **Minimum Eligibility Requirements for Acceptance to the Panel**

Each law firm applying for the Panel and each attorney at such firm must:

- Have practitioners admitted to the Bar in New York or in such other jurisdiction as an assignment may require and be in good standing in such jurisdiction;
- Have demonstrated expertise and experience in the selected practice area(s);
- Maintain adequate staffing to handle the assigned matter to;
- Demonstrate that the Firm maintains a strict conflict-of-interests screening process;
- Accept the hourly rate set forth on the Fee Schedule attached hereto; and
- Be of high ethical and reputational standing.

### **Instructions**

Submit the attached Statement of Interest electronically:

The New York Liquidation Bureau

Pyak@nylb.org

110 William Street

New York, New York 10038-3901

Attn: Patricia Yak

Acting Chief Compliance Officer

Questions may be sent by email to Patricia Yak at the above email.

**Deadline:** Statements of Interest must be received no later than **5:00 p.m. on November 17, 2017.**

## STATEMENT OF INTEREST

### Firm Background

Firm Name:

Name of Lead Attorney Applying to the Panel:

States in which Lead Attorney is admitted to the Bar:

Date(s) of Admission:

Applicable Attorney Registration # or Juris #:

Law School Attended and Year Degree Awarded:

Advanced Legal Degrees (e.g. LLM) and concentration (if any):

Professional liability insurance carrier:

Business Address:

Phone:

Email

Website URL :

If Lead Attorney has been with current firm fewer than 5 years, most recent prior employer of Lead Attorney:

Business Address of Firm:

Phone:

Email

Website URL:

### Disciplinary History

Within the past 10 years, have you, your firm or any attorneys at your firm been, or are proceedings pending in which you or any attorneys at your firm may be:

1. Denied a professional or occupational license or censured, sanctioned, reprimanded or disbarred by a licensing authority?  Yes  No
  
2. The subject of a professional malpractice, negligence or malfeasance claim resulting in a payment greater than \$10,000?  Yes  No

If the answer is yes to any of the above questions, set forth the details of each matter with relevant dates, attorney's name and related circumstances.

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### Related Representation

- A. List cases your firm has handled involving a New York state receivership or Security Fund matter commenced or pending within the last five years.

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- B. List any cases your firm handled involving a receivership or Security or Guaranty Fund in another state, commenced or pending within the last 5 years.

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**Conflicts**

Are you, your firm or any attorneys at your firm, currently:

- 1. Owner of more than five percent interest in an insurance company?  Yes  No
  
- 2. Related by blood or marriage to and/or living in the same household as any NYLB employee(s)?  Yes  No
  
- 3. Representing any interested party or appearing in any matter that is adverse to or involves the NYLB, the Security Funds, or one of the receiverships under the NYLB’s supervision?  Yes  No

If the answer is yes to either of the above questions, provide details.

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3. List all current employees of your firm who, to the best of your knowledge, were formerly employed by the NYLB:

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**Desired Appointment/Expertise**

Identify the counties or regions in New York in which you are available for assignments. Also identify whether you are available for assignments in New Jersey, Connecticut or Pennsylvania.

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Choose the category or categories of desired appointment(s) by checking the box next to the practice area corresponding to the number of cases handled in that category by your firm.

1. Torts	No. of Cases Handled In the past 5 years:		No. of Years Experience in Practice Area
	0-10	10-50	
<i>Automobile Accidents</i>	_____	_____	_____
<i>Construction/Labor/Indemnity</i>	_____	_____	_____
<i>Environmental/Toxic Torts</i>	_____	_____	_____
<i>Lead Paint</i>	_____	_____	_____
<i>Premises Liability</i>	_____	_____	_____
<i>Products Liability</i>	_____	_____	_____
<b>2. Subrogation</b>	_____	_____	_____
<b>3. Medical Malpractice</b>	_____	_____	_____
<b>4. Fidelity and Surety</b>	_____	_____	_____
<b>5. Insurance Coverage</b>	_____	_____	_____
<b>6. Receivership Matters</b>	_____	_____	_____
<i>Reinsurance Recovery</i>	_____	_____	_____
<i>Affirmative directors and officers recovery</i>	_____	_____	_____
<i>Articles 74 and 76 of the N.Y. Insurance law</i>	_____	_____	_____
<i>Labor and Employment</i>	_____	_____	_____

**Additional facts establishing Applicant’s Expertise:**

Please provide citations to published opinions or dispositive motions representing your firm’s expertise (limit to four or fewer examples):

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**Staffing:** Identify the lead attorneys at your firm with the expertise identified above who are available for assignments from the NYLB and their title, number of years of experience, accreditation and law school attended:

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**Affirmation**

On behalf of myself and my firm, I hereby affirm that the statements contained in this Statement of Interest are true, accurate and complete to the best of my knowledge and that my firm meets the minimum eligibility requirements for acceptance to the Panel.

Affirmed by (sign): \_\_\_\_\_

Print name: \_\_\_\_\_

Date: \_\_\_\_\_

**Schedule A**  
**Fee Schedule**

**Partner /Associate  
Blended Rate**

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|-------------------------------------|---|
| <b>1. Torts/Fidelity and Surety</b> | \$165 per hour  |
| <b>2. Medical Malpractice</b>       | \$185 per hour  |
| <b>3. Receivership Matters</b>      | \$375 per hour  |
| <b>4. Insurance Coverage</b>        | To be determined depending on complexity.                                   |
| <b>5. Subrogation Cases</b>         | will be paid on a standard contingency basis from the net recovered amount. |