



## News

### Commentary in Mealey's Litigation Report – Emerging Insurance Disputes: A Review Of Emerging Trends In Mergers & Acquisitions And Representations & Warranties Insurance

April 7, 2021

In a new commentary published in *Mealey's Litigation Report: Emerging Insurance Disputes*, partners Scott Seaman—co-chair of the firm's global Insurance Services Practice Group—and Judy Selby review recent developments in the area of mergers & acquisitions (M&A) and representations & warranties (R&W) insurance.

The authors describe how buyers in M&A transactions have traditionally insisted on including many protective provisions in transaction documents—as well as other protections—and that negotiation of these measures is often "contentious and time-consuming, creating delays and other roadblocks to finalizing the transaction." As a result, parties to M&A deals have increasingly "looked to transactional or . . . M&A insurance to avoid or limit some of these deal impediments."

After reviewing the particulars of M&A and R&W insurance and policy provisions, Seaman and Selby discuss trends in claims and coverage litigation. They conclude by addressing underwriting and claims evaluation issues that insurers should consider when underwriting M&A and R&W insurance policies or evaluating claims.

[Read the full \*Mealey's Litigation Report\* article \(PDF\)](#)

"A Review Of Emerging Trends In Mergers & Acquisitions And Representations & Warranties Insurance " was published by *Mealey's Litigation Report: Emerging Insurance Disputes*, April 2021.

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#### Service Areas

Business & Commercial  
Transactions

Mergers & Acquisitions