



News

Hinshaw's Ed Lenci Publishes "Expert Analysis" in the New York Law Journal on Second Circuit's Possible Reconsideration of Reverse-Preemption of NY Convention By the McCarran-Ferguson Act

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On September 11, 2023, the *New York Law Journal* published, as an "Expert Analysis," Hinshaw New York partner Ed Lenci's article that examines the prospects for the Second Circuit's reconsideration of its previous holding that the McCarran-Ferguson Act (MFA) reverse-preempts the New York Convention such that state prohibitions on the arbitration of disputes between policyholder and their insurers control over the Convention's pro-arbitration policy. There is a split in the Circuits over the issue: the First, Fourth, Fifth, and Ninth Circuits have held that the Convention preempts the MFA, while the Second and Eighth Circuits have held that the MFA reverse-preempts the Convention. Lenci is the long-time chair of the Reinsurance Section of Hinshaw's global Insurance Services Practice Group.

[Read the full article](#) (*subscription required*)

"Reverse-Preemption of NY Convention by the McCarran-Ferguson Act" (*New York Law Journal*, September 11, 2023).

* You can read a version of this article [on our website](#)

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