



SEIGER GFELLER LAURIE ^{LLP}
ATTORNEYS AT LAW

KATHERINE A. SCANLON

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Katherine A. Scanlon practices commercial litigation in state and federal courts throughout the country. She has extensive experience representing insurance industry clients including life insurance and annuity product litigation and regulatory issues. Kathy's experience includes secondary market issues relating to structured settlement annuities and life settlements, ERISA litigation, as well as litigation involving a variety of annuity products. Kathy also handles insurance coverage litigation pertaining to data loss and cyber coverage issues.

Kathy frequently handles concurrent litigation in multiple forums relating to annuity payment liability and acts as national coordinator counsel for insurers, overseeing such litigation. She counsels clients on how to avoid liability relating to secondary market issues in matters from Connecticut to California.

Kathy recently worked with Symetra Life Insurance Company, which was facing potential liability caused by a secondary market company's use of arbitration to avoid statutes that regulate transfers of structured settlement annuity payments. After filing an action in the United States District Court for the Southern District of Texas, Kathy successfully obtained a permanent injunction on behalf of Symetra against such use of arbitration, and more recently successfully defended a related interlocutory appeal before the U.S. Court of Appeals for the Fifth Circuit.

Prior to joining Seiger Gfeller Laurie LLP, Kathy practiced for several years in the litigation department of an international law firm. Upon graduating law school, Kathy was a law clerk at the Connecticut Appellate Court. She also worked for the Connecticut Judicial Branch for four years prior to graduating law school. Kathy engages in such "relaxing" activities as long-distance running and competing in triathlons in her spare time.

Practice Areas

- Insurance Coverage and Cyber Insurance Litigation
- Life Insurance Product Litigation
- Complex Civil Litigation
- Appellate Advocacy

Education

- University of Connecticut, B.A.
- University of Connecticut School of Law, J.D.

Admitted to Practice

- Connecticut
- Pennsylvania
- U.S. District Court, District of Connecticut
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Fifth Circuit

- U.S. Court of Appeals for the Eleventh Circuit

Professional Affiliations

- Member, Advisory Committee, Connecticut Attorney Assistance Program
- Associate member, National Structured Settlements Trade Association

Publications and Events

- Anti-STOLI Legislation, (reprinted with permission of Thomson Reuters).

Representative Experience

- Successfully defended appeal before the Fifth Circuit Court of Appeals concerning issues of FAA preemption and the McCarran-Ferguson Act. See *Symetra Life Ins. Co. v. Rapid Settlements, Ltd.*, --F.3d--, 2009 WL 1277736 (5th Cir. May 11, 2009).
- Obtained permanent injunction on behalf of life insurance company, enjoining use of arbitration to violate state statutes governing transfers of structured settlement annuity payments. See *Symetra Life Ins. Co. v. Rapid Settlements, Ltd.*, 599 F. Supp. 2d 809 (S.D. Tex. 2008).
- Successfully assert statutory and contractual rights of insurers and annuity obligors in various venues. See e.g., *In re: J.G. Wentworth, S.C.C.*, 2002 WL 33006575 (Ohio Prob. Ct., Jan. 14, 2002); *In re: Transfer of Structured Settlement Payment Rights by Phillips*, 2005 WL 2009405 (Pa. Com. Pl., Jul. 22, 2005).