

Law360: 2nd Circ. Arb. Ruling May Give Foreign Insurers An Edge

In "2nd Circ. Arb. Ruling May Give Foreign Insurers An Edge," (Expert Analysis, Law360, May 29, 2025), Felicello Law managing partner Rosanne Felicello discusses when insurers can compel arbitration of claims against insureds even in states that do not allow insurers to compel arbitration.

As a result of a recent U.S. Court of Appeals for the Second Circuit decision, *Certain Underwriters at Lloyds, London v. 3131 Veterans Blvd LLC*, foreign insurers may be able to compel arbitration even in states where domestic insurers are required to try disputes with insureds in court.

She cautions that, "Insureds should be prepared that they may be compelled to arbitrate their surplus lines claims. They should pay careful attention to the arbitration provision in their insurance agreements and consider whether they can negotiate for certain protections within the provision itself, such as a choice of a particular arbitration forum or a requirement that the insurer advance the costs of arbitration."

To read the full article, click [here](#).