



Andrew T. Frankel

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Andy Frankel is Head of Simpson Thacher's Insurance and Reinsurance Practice and a Partner in the Firm's Litigation Department. He has more than 30 years of experience successfully representing clients in a wide variety of complex disputes, including insurance, securities, product liability and other commercial litigation and investigations. Andy has successfully litigated cases in state and federal trial and appellate courts throughout the United States and in domestic and international arbitrations. Andy was recognized by *Law360* as a 2019 "MVP" in Insurance for his work representing insurers in several high-profile disputes, including asbestos-related direct actions and coverage disputes involving other mass tort litigations. He has been named a "Litigation Star" by Euromoney's *Benchmark Litigation*, which has highlighted the enthusiastic praise he consistently receives from his peers. Andy has also been recognized by *The Legal 500 U.S.*, *Best Lawyers in America* and as a "Thought Leader" in *Who's Who Legal*.

Andy's engagements include:

- Representation of financial institutions including RBS, Deutsche Bank and UBS as issuers and underwriters in numerous residential-mortgage-backed securities litigations, including suits brought by the FHFA, the FDIC and other purchasers of mortgage-backed securities.
- Representation of Travelers Indemnity Company in *Travelers Indemn. Co. v. Bailey*, 557 U.S. 137 (2009), in which the Supreme Court resolved important issues concerning the finality and permissible scope of bankruptcy court injunctions.
- Representation of insurers and other parties as creditors in numerous bankruptcy proceedings and appeals, including in *In re Johns-Manville Corp.*, *Hillsborough Holding Co.*, *North American Refractories Corp.*, *Global Industrial Technologies*, *Mid-Valley*, *API*, *The Muralo Co.*, *ACandS*, *Western MacArthur*, *Plant Insulation* and *Specialty Products Holding Corp.*

Practice Focus:

- Litigation
- Insurance and Reinsurance
- Product Liability and Mass Tort
- Appellate
- International Disputes and Arbitration
- Complex Commercial Litigation
- Environmental, Social and Governance (ESG) and Sustainability

Industries:

- Financial Services
- Insurance and Reinsurance
- Consumer Products

- Representation of defendants in private actions and government-initiated proceedings involving disparate impact and disparate treatment claims under the Fair Housing Act and state fair housing laws and regulations.
- Representation of insurers and other parties in numerous high-stakes coverage-related disputes, including *Continental Insurance Co. v. Honeywell Int'l Inc.* (New Jersey Supreme Court); *Plant Insulation Co. v. Fireman's Fund Ins. Co.* (Super. Ct. San Francisco); *Bondex Int'l, Inc. v. Hartford Accident & Indem. Co.*, 667 F.3d 669 (6th Cir. 2011), *Travelers Casualty and Surety Company v. Honeywell Int'l Inc.*, (New York and New Jersey state courts); *E.I. DuPont Nemours and Co. v. Travelers Casualty and Surety Co.* (Texas state court); *Montrose Chemical Corp. v. Canadian Universal Ins. Co.* (Super. Ct. Los Angeles); *In re Liquidation of Midland Insurance Co.* (multiple New York appeals).
- National Counsel for insurance defendant in state and federal product liability actions.
- Representation of Travelers in what may be one of the largest coverage actions filed in the State of New Jersey, *Atlanta Int'l Ins. Co. v. Johnson & Johnson* (Middlesex Cty. Super. Ct.).

Andy successfully represented B.A.T Industries plc in numerous healthcare expense reimbursement actions seeking billions of dollars in damages, and has represented clients in a range of other complex commercial disputes, including antitrust disputes, corporate investigations, and white-collar criminal proceedings.

On a pro bono basis, Andy appeared at the trial court level and on appeal in *McWade v. Kelly*, 460 F.3d 260 (2d Cir. 2006), on behalf of the Washington Legal Foundation, Families of September 11, Inc. and a number of federal, state and local officials as *amici curiae* in support of the constitutionality of New York City's subway bag inspection program and assisted the City of New York and the New York Police Department in connection with numerous lawsuits against the City.

Andy joined Simpson Thacher in 1992 and became a Partner in 1999. Prior to joining the Firm, Andy clerked for Judge Morton I. Greenberg of the U.S. Court of Appeals for the Third Circuit, and Judge Mitchell H. Cohen of the U.S. District Court for the District of New Jersey. He is a 1990 graduate of Brooklyn Law School, where he was a member of the *Brooklyn Law Review*.