

# Fred W. Reinke

## Partner



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Washington, DC

D +1 202 496 7160

fred.reinke@dentons.com

## Overview

Fred W. Reinke is a US leader of Dentons' global Litigation and Dispute Resolution practice. He focuses his practice on the representation of US, European and Latin American insurers, reinsurers and other financial institutions in complex litigation. He has advised and represented clients in all types of insurance coverage disputes, governmental and internal corporate investigations, class actions, banking- and financial transaction-related disputes, international commercial cases, civil antitrust litigation, personal jurisdiction defense and appellate matters. He has particular experience advising and representing French, British, German and Brazilian companies and banks on legal issues relating to their operations in, or transactions involving, the US.

Fred regularly advises directors and officers of public and private companies on corporate governance matters. He has represented clients that are the targets or subjects of investigations brought by US federal regulatory agencies, including the Securities and Exchange Commission (SEC), the Department of Justice (DOJ), the Department of Labor (DOL) and the Department of Commerce (DOC). He also has conducted or directed numerous internal reviews and investigations relating to government inquiries and investigations.

## Experience

- **IRB Brasil Resseguros, S.A.:** Lead litigation counsel in representing Brazilian reinsurer in various lawsuits and a court ordered mediation in New York and New Jersey federal courts arising out of insurance coverage disputes relating to a \$100 million+ industrial loss in Brazil. (*National Indemnity Co. v. IRB Brasil Resseguros, S.A.* (S.D.N.Y.))
- **AXA Mediterranean Holding, S.P.:** Lead litigation counsel in representing a unit of global insurance giant AXA in a lawsuit against ING in the Commercial Division of New York County Supreme Court arising out of AXA's purchase of a Mexican subsidiary of ING. (*AXA Mediterranean Holding, S.P. v. ING Ins. Int'l, B.V.*)
- **Major global financial institution:** Lead litigation counsel in representing institutional money management unit of a global financial institution before the SEC, the Department of Labor, and French, UK, and German financial regulators concerning issues arising out of the use of quantitative investment models. Also represented this company in three consolidated class actions in federal court asserting fiduciary breach and ERISA claims.

- **Madoff -- Feeder Fund Clawback Cases:** Lead litigation counsel in defending global investment management affiliates targeted by liquidators of Madoff feeder funds in various lawsuits seeking to claw back investment payouts by Madoff. (*In re Fairfield Sentry Limited, et al., Debtors in Foreign Proceedings, Fairfield Sentry Limited, et al. (In Liquidation), acting by and through the Foreign Representatives thereof, v. Theodoor GGC Amsterdam, et al.* (S.D.N.Y. Bankr.))
- **Artemis S.A.:** Lead litigation counsel in representing Artemis and Francois Pinault in a multi-million dollar lawsuit in California federal court relating to claims asserted by AIG Retirement Services Inc. arising out of the sale of certain insurance company assets of the previously-liquidated Executive Life Insurance Company. Argued appeal in Ninth Circuit. (*AIG Retirement Services Inc. v. Altus Finance S.A., et al.* (C.D. Cal. and Ninth Circuit))
- **World Trade Center Insurance Litigation:** Represented global reinsurer in dispute concerning insurance recovery arising out of September 11, 2001 terrorist attack on the World Trade Center, including monitoring two separate jury trials. (*SR Int'l Business Ins. Co. Ltd. V. WTC Properties LLC, et al.* (S.D.N.Y.))
- **World Trade Center Clean-Up Litigation:** Lead litigation counsel in representing European and London-based reinsurers in litigation in New York federal court over insurance coverage relating to alleged respiratory injuries following the clean-up of the World Trade Center site after September 11, 2001. Argued appeal in Second Circuit. (*WTC Captive Ins. Co. v. Liberty Mut. Fire Ins., et al.* (S.D.N.Y.) and (Second Circuit))
- **Global Reinsurer:** Lead litigation counsel in representing a US-based subsidiary of a foreign insurer in connection with a lawsuit brought by Florida insurance regulators in state court arising out of the collapse of a domestic property insurer.
- **Internal Investigations for Boards of Directors:** Lead partner in conducting numerous internal investigations on behalf of various boards of directors for affiliates of global financial institutions and insurance companies.
- **Commerzbank AG:** Lead partner in defending Commerzbank in a lawsuit brought by plaintiff seeking to enforce a letter of credit issued by Commerzbank that was dismissed on the ground of lack of personal jurisdiction. (*RZS Holdings v. Commerzbank AG* (E.D. Va))
- **Merck KGaA:** Represented Merck KGaA and affiliates in the various federal and state cases arising out of antitrust claims with respect to the sale of vitamins. (*In re Vitamins Antitrust Litigation* (D.D.C.))

## Activities and Affiliations

### Presentations

- "Representation and Warranties Insurance," Annual Intermediary and Reinsurance Underwriters Association (IRUA) Member Meeting and Conference, April 5–7, 2017
- "Global Insurance Trends: What Every Insurer Should Know," M&A Conference, February 23, 2015
- "World Recognition of Distinguished General Counsel: George Stansfield of AXA," the Directors Roundtable, October 29, 2014
- "Cross-Border M&A: Possible Pitfalls in Doing Mergers, Acquisitions and Corporate Finance Deals Outside the US," M&A Conference, April 8, 2014
- "US Court Rulings: Focus on Important Cases Impacting Companies," Association of Insurance & Reinsurance Run-Off Companies (AIRROC), March 11–12, 2014

### Memberships

- Board member, American Institute for Contemporary German Studies

- Board member, Aspen Institute Germany
- Chair, Friends of Aspen Germany
- Member, American Council on Germany

## Prior and Present Employment

- Robert Bosch Foundation Fellow in Germany, 1987–1988

## Areas of focus

### Practices

- Litigation and Dispute Resolution
- Financial Services Litigation
- Class Action Defense

### Industry sectors

- Financial Institutions
- Insurance Litigation and Arbitration
- Reinsurance

## Education

- Columbia University Law School, 1987, JD, Harlan Fiske Stone Scholar; editor, Journal of Transnational Law
- University of Hamburg, 1984, Fulbright Scholar
- St. Olaf College, 1983, BA, *cum laude*

## Admissions and qualifications

- District of Columbia
- New York
- US Court of Appeals for the District of Columbia Circuit
- US Court of Appeals for the Fourth Circuit
- US Court of Appeals for the Ninth Circuit
- US Court of Appeals for the Second Circuit
- US Court of Federal Claims
- US District Court for the Eastern District of New York
- US District Court for the Southern District of New York
- US Supreme Court

# Languages

- German