

## Wm. Carlisle Herbert

### Partner/Retired



Wm. Carlisle Herbert, distinguished professor in residence at Loyola University Chicago School of Law, is a retired partner with Foley & Lardner.

Carlisle has represented clients in jury trials, bench trials, administrative proceedings and estate proceedings, and his cases have involved issues in the substantive areas of insurance guaranty association law, ERISA, thrift regulation, energy regulation, accounting standards, RICO, federal preemption, media law, antitrust, civil rights and commercial relations. He has represented clients in court proceedings in New York City, Los Angeles, Alabama, Alaska, Arizona, Florida, North Carolina, Pennsylvania and Texas, as well as Illinois.

Carlisle received his law degree from Northwestern University (J.D., *cum laude*, 1976), where he served as executive editor of the *Northwestern Law Review*. He received his master's degree from the Medill School of Journalism (M.A., 1970) and his undergraduate degree from Princeton University (A.B., 1969). He was a law clerk to the Hon. Latham Castle on the Seventh Circuit U.S. Court of Appeals.

Carlisle is a fellow of the American Bar Foundation. He has been named a "Leading Lawyer" in Illinois and is listed in the *Marquis Who's Who in America* and *Who's Who in the World*. He was also Peer Review Rated as AV® Preeminent™, the highest performance rating in Martindale-Hubbell's peer review rating system.

### **Presentations and Publications**

- "When Jurisdictions Collide: Determining Judicial Roles When Bankruptcy Court and Insurance Receivership Court Responsibilities Overlap," American Bar Association's *Tort Trial & Insurance Practice Law Journal*, Vol. 42, No. 4, p. 941 (Summer 2007)
- "Seeking Equity in a Reinsurer's Obligations to an Insolvent Life Insurer: The Role of the Market Value Adjustment," *Mealey's Litigation Report: Reinsurance* (Vol. 17, #15, December 7, 2006)
- "Keeping the Equity in ERISA: Limiting Judicial Relief to What is 'Appropriate,'" *Journal of Academic Legal Studies*, Vol. 2, p. 4 (June 2006)

- “Remodeling at the Core of Insurance Insolvency: The New Insurer Receivership Model Act and Rights-Fixing,” *Mealey’s Litigation Report: Insurance Insolvency*, Vol. 18, No. 1, p. 24 (May 2006) and *Mealey’s Litigation Report: Reinsurance*, Vol. 17, No. 2, p. 22 (May 2006)
- “Designing a Federal Guaranty: A Glance Back at the Original Design of the State Guaranty Laws,” *NOLHGA Journal*, Vol. VII, No. 4, p.4 (Fall 2001)
- *Libel and Slander Depositions* (Juris Publishing, 1999), with Michael M. Conway
- “Criminal Rights in Civil Antitrust Litigation: the Roles of Grand Jury Secrecy and the Right against Self-Incrimination,” a chapter in *Antitrust Counseling and Litigation Techniques* (Matthew Bender, 1992), with Mark Crane