

## Andrew M. Meerkins

### Partner

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Andy Meerkins advocates for long-term solutions, not just immediate victories. He understands that goal posts can move at any time, in court or in arbitration, and his job is to recognize changes in the flow of the case as they occur and react without sacrificing his client's goals. He crafts well-developed arguments, forges durable resolutions that satisfy client needs, mitigates problems as they arise, and preserves and fosters connections.

As an experienced litigator focusing on complex commercial disputes in the areas of insurance and reinsurance, Andy has represented and counseled ceding companies and reinsurers in a variety of disputes involving property, casualty and life, accident, and health care businesses. He has arbitrated high-stakes disputes involving yearly renewable term life reinsurance premium rate increases as well as property-casualty disputes involving numerous complex issues.

Andy further represents insurers in direct-coverage disputes in both court and arbitration. He has litigated coverage disputes in cases involving disputes over trigger of coverage, allocation of losses, and number of occurrences, among other complex issues. He also regularly counsels Foley's clients on matters touching on insurance coverage. And in addition to handling insurance and reinsurance issues, Andy has notable experience with disputes involving distribution and franchise, antitrust and unfair competition, and patent infringement.

Before entering private practice, Andy served as a law clerk to the Honorable Joel Flaum, United States Court of Appeals for the Seventh Circuit. He was a Teach for America corps member, teaching high school History and Government on Chicago's west side, prior to launching his legal career.

Andy Meerkins has tried cases both in court and in arbitration proceedings. The cases he has brought to trial span issues from insurance and reinsurance disputes to copyright infringement to trade-secret misappropriation. The core of Andy's practice today is trying reinsurance and insurance-coverage disputes. This has included significant life-reinsurance disputes involving eight-figure claims, an area in which Foley

has developed a strong reputation and notable expertise. It has also included property/casualty disputes both in the reinsurance and direct-coverage context. Working with others on Foley's trial team, Andy has delivered resounding victories for our clients on difficult-to-win cases. Andy prides himself on working closely with witnesses to ensure they are prepared and equipped to give great performances at trial and in developing effective trial themes and arguments.

## Representative Experience

- Arbitrated dispute between insurer and policyholder concerning myriad disputed issues under Bermuda Form policy.
- Prevailed on behalf of multiple ceding companies in multimillion-dollar reinsurance arbitrations involving rate increases under yearly renewable term life-insurance contracts.
- Prevailed on behalf of a ceding company in a complex workers' compensation arbitration with a reinsurer.
- Successfully represented numerous insurance carriers in declaratory-judgment actions with policyholders involving complex coverage issues.
- Tried successfully a trade secret and unfair competition case on behalf of an oilfield services company.
- Represented a waste management company in a post-acquisition dispute with a selling company.
- Represented a manufacturer in a dispute with an unauthorized reseller in a case involving Lanham Act and antitrust claims.
- Represented a medical device manufacturer in antitrust litigation related to insurance coverage.

## Awards and Recognition

- *Wisconsin Super Lawyers*® Rising Star – Business Litigation (2021 – 2023)

## Presentations and Publications

- Co-author, "In Search for Clarity," *ARIAS-U.S. Quarterly* (2d ed.) (2023)
- Co-author, "Constitutional Challenges to Proposed Retroactive COVID-19 Coverage Legislation," *FORC Journal* (3rd ed., Vol. 31) (2020)
- Co-author, "Dworkinian Antitrust," *Iowa Law Review* (Vol. 10, Rev. 1) (2016)
- Co-author, "Avoiding Double Damages: 3 Practical Tips and a Hail Mary," *Law360* (July 2016)
- Co-author, "Atypical Coverage Charts and Knotty Allocation Issues," *DRI Insurance Coverage and Claims Institute* (2015)
- Author, "Distressing Speech After Snyder: What's Left of IIED," *Northwestern University Law Review* (Vol. 107, No. 2, Rev. 999) (2013)

## Sectors

- [Racial Justice & Equity](#)

## Practice Areas

- [Commercial Litigation](#)

- [Litigation](#)

## Education

- Northwestern University Pritzker School of Law (J.D., 2013)
  - Senior Articles Editor, *Northwestern University Law Review*
  - Williams Jennings Bryan Award for winning intramural moot-court competition
  - Wigmore Scholar
  - Order of the Coif
- University of Wisconsin-LaCrosse (B.S., 2008)

## Admissions

- Wisconsin
- Illinois
- Minnesota
- U.S. District Court for the Western District of Wisconsin
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Southern District of Illinois
- U.S. District Court for the District of Minnesota
- U.S. Court of Appeals for the 7th Circuit
- U.S. Court of Appeals for the 3rd Circuit
- U.S. Court of Appeals for the Federal Circuit