

Sean C. Hyatt Counsel

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Sean Hyatt serves as counsel with Alston & Bird's Litigation & Trial Practice Group and is a member of the Insurance Litigation & Regulation Team. He primarily concentrates his practice on insurance coverage and regulatory matters. Sean is an experienced litigator in insurance coverage and other complex disputes. He regularly assists insurance professionals and companies and other types of businesses with transactions involving insurance issues. For example, Sean has extensive experience advising clients regarding health insurance regulation, cyber insurance coverage, product development, reinsurance and captive formation, risk retention and risk purchasing groups, unfair trade practice laws, premium finance laws, corporation-owned life insurance issues, life-settlement questions, regulations related to commissions, privacy issues, licensing requirements, corporate guarantees and numerous other matters across virtually all lines of insurance. Sean also frequently speaks on insurance topics and, in particular, cyber insurance issues.

Before joining the firm, Sean worked as the interim assistant director of contracts for a prominent medical school.

Representative Experience

- Regularly advises clients across a wide variety of industries, including media, financial services, food, and retail companies, on cyber insurance needs and coverage issues.
- Represents and advises wireless carrier and handset protection provider clients on handset protection insurance and service contract regulatory compliance issues, as well as related transactions.
- Advises health insurance companies and producers on health insurance regulations and compliance issues.
- Represents clients in negotiating contracts involving complex insurance regulatory issues, such as the transfer of insurance policies and third-party administrator services.
- Provides guidance to numerous clients on whether certain proposed products and services constitute the business of insurance, such as price guarantees, buyer incentive programs, and marketing/sales efforts.
- Counsels insurance companies on the issuance of stop-loss insurance to insure liability of self-funded ERISA health plans.
- Assists clients with the formation and operation of risk retention and risk purchasing groups.
- Advises insurance companies on the implementation of new payment methods and modes.
- Represented a credit card payment processor in an insurance declaratory judgment action relating to insurance coverage for costs and fines stemming from a large-scale data security breach.
- Represented an insurance carrier regarding a \$43 million loss in which the insured sought coverage under a D&O policy for claims made under Alabama's Quo Warranto Act. This case settled before trial under very favorable terms.

- Represented an insurance carrier in a complex insurance coverage dispute in Georgia arising from the tragic death of a young child. The trial court granted summary judgment to the client in this matter, and the appellate court affirmed.
- Acted as dedicated counsel for a U.S. insurance carrier's regulatory compliance group, providing research and advice on a host of statutes and regulations implicating property and casualty insurance coverage and related programs.
- Defended a producer against claims of fraud, negligence and breach of contract arising from the sale of a \$4 million deferred compensation program involving a variable life insurance policy.
- Represented defendants in various personal injury and complex commercial litigation cases outside of the insurance context.
- Member of the team of lawyers that conducted the bankruptcy examination of Enron in 2002 and 2003.

Education

- The University of North Carolina at Chapel Hill (J.D., 2002)
- Miami University (B.A., 1999)

Admitted to Practice

- Georgia

Related Services

Litigation | Commercial | Insurance | Health Care | Insurance Litigation & Regulation | High Exposure Claims, Coverage & Bad Faith Defense | Insurance Regulatory Guidance | Insurance-Related Antitrust Defense | Policy Drafting and Product Development | Policyholder Class Action Defense