

# Gregory Stephen Arnold, JD, LL.M (Insurance Law)



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📍 910 Quest Parkway, Office Suite 9  
Cedar Park, TX 78613

## Experience

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**October 2023 –  
Present**



### **Surety Claims Expert Witness**

Surety Lexpert Witness Services  
Cedar Park, TX · Worldwide – Hybrid  
[www.TexasLexas.com](http://www.TexasLexas.com)

Retained by law firms to serve as a surety claims expert witness. I have an upcoming ad in the ABA TIPS FSLC Directory, plus I advertise via [www.ExpertPages.com](http://www.ExpertPages.com), [www.SEAK.com](http://www.SEAK.com), my own website, plus print mail.

**March 2021 –  
Present**



### **General Counsel**

Tribal Association of Insurance Commissioners, Inc. ("TAIC")  
Tulsa, OK · Hybrid and part-time  
[www.TAIC.online](http://www.TAIC.online)

TAIC is a voluntary membership organization serving tribal domiciles that charter private insurance and reinsurance companies. Services are similar to those provided by the NAIC, but dedicated exclusively to indigenous communities in Canada, Republic of Chile, Mexico, the United States, and other locations throughout the world.

# Gregory Stephen Arnold, JD, LL.M (Insurance Law)

**April 2013 – Present**



## **Insurance and Surety Claims Expert Witness**

Tex Lex, Inc.

Cedar Park, TX

[www.TexasLexas.com](http://www.TexasLexas.com)

October 2018 – Present · 5 yrs. 2 mos.

April 2013–October 2018

Gregory S. Arnold (no company name)

Worldwide · Hybrid, part-time

Claims expert available for retention by law firms as a testifying insurance claims expert witness. Assignments have been throughout the United States and one assignment in the Northern Mariana Islands. I have been retained directly by law firms and through expert services, such as Insurance Expert Network ("EIN") and Intelligent Management Services Expert Service ("IMS"). I advertise via [www.ExpertPages.com](http://www.ExpertPages.com), my own website, and occasional print mail.

**January 2021 – Present**

## **Tribal Attorney General & Tribal Commissioner of Financial Services**

Tribal Domicile. Chiricahua Apache Mimbres Band Tribal Nation, Benson, AZ · Hybrid, part-time

[www.CAMBNation.org](http://www.CAMBNation.org)



Tribal Domicile development for insurance and reinsurance companies both owned by tribes and chartering of private insurers and reinsurers that are privately owned. Treaty of Santa Fe, 1852. Cochise-Howard Peace Treaty, 1872. Treaties with Mexico and its Provinces (now States) of Chihuahua and Sonora. A tribal domicile for insurance and surety companies, reinsurers, and financial depository companies. Expansion of economic security and self-determination for tribes and Indians throughout all of Indian Country. Tribal Insurance Domicile ([www.CamBnNation.org](http://www.CamBnNation.org)).

## July 2019 – Present



### General Counsel

First Sovereign Risk Managers International, LLC  
Tulsa, OK · Hybrid, self-employed  
[www.FirstSovereign.org](http://www.FirstSovereign.org)

Provide risk management and related services to tribal insurance companies and those looking for Indian tribal domiciles; feasibility studies for domicile choices; regulatory compliance; trustee services; Indigenous Medical Board regulation and oversight; and due diligence.

## May 2019 – Present



### General Counsel

First Sovereign Lloyd's Trust & Guarantee Ltd ·  
Tulsa, OK · Hybrid, part-time  
[www.FirstSovereign.org](http://www.FirstSovereign.org)

An insurer writing tribal law advocate malpractice insurance as a gap coverage where traditional malpractice policies do not cover practice in Indian County.

## September 2018 – Present



### Tribal Law Advocate

Private Advocates Tribal Law, PLLC  
Tulsa, OK · Hybrid, self-employed  
[www.PrivateAdvocates.com](http://www.PrivateAdvocates.com)

As a Private Advocate, provide legal representation to clients pursuant to the law of Indian tribes, in the Indian Tribal Courts. Provide services for the eastern part of Indian Country. Same as the services performed under another firm name, Sovereign Roots Tribal Law PLLC.

## March 2016 – Present



### General Counsel

Sovereign Nation Surety Company  
Toppenish, WA  
[www.SovereignNationSurety.org](http://www.SovereignNationSurety.org)

Owner/organizer of a small surety company organized pursuant to the laws of the Yakama Nation. Bail bonds for defendants in Indian tribal courts at the direction of tribal court staff.

## April 2013 – Present



### Tribal Law Advocate

Sovereign Roots Tribal Law, PLLC  
Seattle, WA · Remote, self-employed  
[www.Sovereign-Roots.org](http://www.Sovereign-Roots.org)

As a Private Advocate, provide legal representation of banks, insurance companies, surety companies, construction companies, other businesses, and individuals, in all levels of the Indian tribal courts and tribunals of the Bureau of Indian Affairs.. Commenced special training and the obtaining of tribal bar licenses in 2012, commenced practicing April 2013. Service clients in the western part of Indian Country. See Private Advocates Tribal Law for legal services offered in tribal courts in the Oklahoma Indian Territory.

I do not practice in State or federal courts. I am available to other tribal practice lawyers as first or second chair, depending upon the needs and desires of your clients.

# Gregory Stephen Arnold, JD, LL.M (Insurance Law)

**April 2013 – Present**

## **Senior Writer**

Artistry in Legal Briefing *aka* ATX Lex  
Austin, TX · Remote, part-time, self-employed

Clients are law firms. Appellate brief writing, plus motions and oppositions to motions. Meet and confer letters per code. Also, legal research and writing for small law firms and solo practitioners. Custom demand letters for personal injury lawyers. All 50 states. Nuance research and writing for tribal law and federal Indian law practitioners, including practices in tribal probate and estates.

**March 2019 –  
February 2021**

## **Tribal Attorney General & Tribal Insurance Commissioner**

Chiricahua Apache Mimbreno Ndé Nation · Contract  
Willcox, AZ · Hybrid

Helped this tribe prepare laws and develop business for economic security and self-determination. Accomplished objectives and then negotiated a similar contract with another tribe.

**September 2012 –  
April 2013**

## **Director of Operations and Surety Claims**

Hudson Insurance Group  
New York, NY · On-site, full-time

The first in-house surety claims person hired by Hudson. Managed payment and performance bond claims. Managed the activities of managing general agents that procured bond clients for Hudson. No involvement with other lines of insurance. No involvement with Tribal First or Alliant. Some involvement with Hudson's owner, Odyssey Re.

**January 2010 –  
September 2012**

## **Surety Claims Consultant**

Claims Desk, LLC  
Insurance Company of the West, Inc  
1099 Contract  
San Diego, CA  
[www.Claims-Desk.com](http://www.Claims-Desk.com)

Handle payment and performance bond claims, plus subdivision bond claims. Mentored and trained less experienced claims handlers. Attended trials, mediations, and gave fact witness deposition and fact witness trial testimony on behalf of clients. Two years and nine months were devoted to one client, Insurance Company of the West, Inc., from January 2010 to September 2012; followed by occasional assignments, mostly related to tribal law issues..

Available to insurance and surety companies, and law firms, for consulting work. My brand of consulting is temporary desk relief. Claims include contract surety claims against performance bonds, payment bonds and supply bonds; subdivision bonds; commercial and miscellaneous bonds; and fidelity. My expertise includes most lines of insurance, including CGL; property; homeowners; and products liability. Expertise focus is surety. I am occasionally retained by a surety company to review issues of federal Indian law and tribal law.

**June 2009 –  
January 2012**

## **Real Estate Broker-Principal (Inactive)**

Arnold Elite Homes Realty · Self-employed  
Connecticut and Massachusetts

Inactive Real Estate Broker. Relocated from New England to the Pacific Northwest to pursue a tribal law practice.

Broker License is eligible for reactivation with payment of fees and proof of continuing education courses in real estate.

**March 2005 – April 2009**

**Senior Bond Claims Representative II**

Hanover Insurance Company · Full-time  
Worcester, MA · On-site

Hanover was the 10th largest surety in the United States in 2009. I provided claims expertise to underwriters and claims staff on complex issues regarding collateral, indemnity, and agency. Handled complex bond claims, including contract (performance, payment, and supply), commercial, miscellaneous, and fidelity, with impressive LAE results. Drafted selected portions of bonds, contracts, and addenda to assist the underwriting team. Provided expertise in documenting undertakings with Native American tribes and their corporations. Managed other team members and outside professionals in the pursuit of salvage and subrogation activities. Utilized managerial, supervisory, training, and mentoring skills in the development of talented, new claims and underwriting professionals.

**July 2002 – March 2005**

**Acting Bond Claims Manager**

The Guarantee Company of North America, USA  
("CGNA USA")  
Southfield, MI · On-site, full-time.

**July 2003 –  
March 2005**

Full-time employee of GCNA USA (Which Purchased MSSC).

**July 2002 –  
July 2003**

Full-time desk relief/consulting in offices of Mid-States Surety Corporation MSSC"), under my own company, Claims Management Associates, Inc.

# Gregory Stephen Arnold, JD, LL.M (Insurance Law)

**July 1996 – July 2003**

## **President**

Claims Management Associates, Inc.  
Houston, TX

Owner of a third-party claims administration, consulting, and adjusting company. Conducted claims investigations; attended mediations; negotiated claim settlements; and performed other claims functions for sureties with limited or transitional staffing. Handled contract, subdivision and commercial surety claims plus fidelity claims. Retained, trained, managed and mentored a staff of twelve (including attorneys in several states); paralegals; adjusters; administrators and construction experts/engineers. Essentially the same work performed under the later company name, Claims Desk, LLC (see above).

**October 1988 –  
July 1996**

Highlands Insurance Company  
Houston, TX · On-site, full-time.

**1991 – 1996**

## **Assistant Vice President of Claims and Bond Claims Superintendent**

**1989 – 1991**

## **Assistance Secretary of Claims, Bond Claims Superintendent, and Director of SIU**

**1988 – 1989**

## **Bond Claims Superintendent**

Directly handled world-wide program of contract and commercial surety claims. Supervised handling of fidelity claims (including financial institution bonds) by property adjusters countrywide. Supervised all Probate Bond claims. Trained to handle and supervise property claims nationwide while running off surety claims (1995–96). Legal research and consultation for claims staff from auto; property; liability; inland marine; workers comp.; and aviation.



**October 1988 –  
July 1996**

Highlands Insurance Company (Continued)  
Houston, TX · On-site, full-time.

Assisted with the panel attorney list and litigation plan. Managed a full-scale law library. While running off surety claims as a consultant (see Claims Management Associates, Inc.), I also filled the role of Director of Surety (an underwriting position), executing new bonds while exiting the surety market, handling routine surety underwriting matters with the assistance of a long-term Highlands Surety Underwriting Department employee, and transferring bonds from Highlands to another surety company (1996-98).

Formed/headed Special Investigations Unit/Fraud Division. Supervised and audited SIU function of Workers' Comp. field adjusters in U.S. and UK. Directed preparation of trial evidence notebooks for use by Districts Attorney. Provided guidance to all levels and lines of the company in combating fraud and in subrogation efforts. Obtained restitution and instrumental in significant avoidance of proven fraudulent claims.

Recognized for leadership, resulting in a number of promotions; cross-trained in insurance and developed expertise in specialty insurance products such as maritime and marine claims; and ensured excellent customer service to all claimants, company personnel, agents and brokers.

# Gregory Stephen Arnold, JD, LL.M (Insurance Law)

**May 1984 – October 1988**

**Great American Insurance Company**

**January 1988 –  
October 1988**

**Bond Claims Manager for the Midwest**

On-site, full-time

Transferred from Orange, CA to Cincinnati, OH.

**May 1986 –  
January 1988**

**Bond Claims Trainee and then  
Bond Claims Manager for the West Coast**

Orange County, CA then Cincinnati, OH · On-site, full-time.

Roughly the 20th largest surety in the United States at the time. Trained under the tutelage of Bernon “Bernie” Floyd Miller, Esq. Handled performance bond claims, payment bond claims, and fidelity bond claims.

**May 1985 –  
May 1986**

**Adjuster Trainee, Great American Insurance Company**

California Litigation Office, handling construction defect and business litigation claims.

Orange, CA · On-site, full-time.

**May 1984 –  
May 1985**

**Law Clerk, House Counsel to Great American Insurance Company**

Orange, CA · On-site, full-time.

**August 1982 – May 1984**

**Law Clerk Certified for Trial Practice**

Law Offices of Matthew Kurilich · Freelance

Newport Beach, CA · On-site, part-time.

While attending law school, I had this position as a Law Clerk to solo practitioner Matthew (“Matt”) Kurilich, a well-known Orange County criminal defense attorney. I was certified by the State Bar of California to assist as second chair in motions and trials; conducted legal research; drafted motions including points and authorities; propounded and responded to written discovery documents; interviewed clients and witnesses; and related responsibilities.

**January 1982 – May 1982**

**District Attorney Intern**

Orange County District Attorneys' Office · Internship  
Santa Ana, CA · On-site.

Internship with the Orange County District Attorneys' Office. An elective for credit while attending law school.

**August 1981 –  
December 1981**

**Public Defender Intern**

Orange County Public Defenders' Office · Internship  
Santa Ana, CA · On-site, part-time.

Internship with the Orange County Public Defenders' Office. An elective for credit while attending law school.

**May 1980 – January 1981**

**Photo Typesetter**

Lawrence Advertising  
Buena Park, CA · On-site, full-time.

Photo typesetting for an advertising agency. First job in California after graduating from Union College in Schenectady and driving to Southern California to start law school in January 1981.

**September 1974 –  
August 1976**

**Military Special Courts-Martial Reporter**

Legal Battalion, USMC  
United States Marine Corps  
Okinawa, Japan; Oceanside, CA; Parris Island, SC



Entered the Marines after graduating from high school. As a military court reporter, reported cases conducted pursuant to the Uniform Code of Military Justice ("UCMJ"); misdemeanor, felony, and capital cases. Meritorious Promotion. Participated in the Annual Marine Corps Trial Team Delegation to U.S. Naval Base, Subic Bay, Philippines. Advanced to the Non-Commissioned Office ("NCO") rank of E-4, Corporal.

## Education

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**2015 – 2015**



### **Seattle University School of Law**

Certificate in Indian Law, Building Business in Indian County

**August 2005 –  
December 2008**



### **University of Connecticut School of Law**

LL.M, Master of Laws – Insurance Law

Activities and societies: Phi Alpha Delta.

A program that can be completed in one year. Last semester was Fall 2008, ending 12/19/2008. The graduation ceremony was in 2009.

Courses were:

Fidelity and Suretyship Law (with Prof. John Harris);  
London Insurance Markets;  
Principles of Insurance Law;  
Principles of Reinsurance Law;  
Liability Insurance Law;  
Insurance Solvency;  
Insurance Regulation in The United States;  
Insurance Regulation in the European Union; and  
American Indian Law (with Prof. Bethany Berger).

**1981 – 1984**



### **Western State College of Law**

Juris Doctorate, Law

Activities and societies: Law Review Editor; Honors Moot Court Awards for Oral Argument and Written Brief.

Classes in Trial Practice; Remedies; and Legal Research and Writing. Participated in the Don Writing Program. Delta Theta Phi International Law Fraternity, Vice Dean. Student Bar Association, Treasurer. Writer for the Dictum, school newspaper. On-Campus Veterans' Representative. AmJur High Grade Award – Criminal Procedure

**1983 – 1983**



## **University of San Diego School of Law**

Certificate of Completion, Certificate in International Law,  
Institute on International and Comparative Law

Two Courses, Summer 1983: Comparative Civil Liberties  
and International Human Rights.

**July 1981 – August 1981**

## **Union Graduate College**

(now Clarkson University Graduate School)  
No degree or certificate, Business and Finance

Activities and societies: Full tuition Alumni Scholarship; took  
a graduate course during summer break from law school.  
The course title was Monetary Economics, essentially a  
class in money and banking. Then I returned to law school  
to complete my 1L year.

Union Graduate College merged into Clarkson University  
on February 1, 2016, becoming the "Clarkson University  
Capital Region Campus".

**August 1978 – May 1980**



## **Union College and University**

B.A., Political Science with a minor in Economics;  
Departmental Honors in Political Science

Activities and societies: Phi Sigma Kappa which merged with  
Phi Sigma Epsilon in 1985; rugby; Concordances Newspaper  
(contributing writer); WRUC College Radio (first college radio  
station in the U.S., DJ, news caster); tennis and, racquetball.

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**August 1978 – May 1980**

## **Union College and University (Continued)**

Courses included:

Jacksonian America;

The Soviet Period;

Marxism & Millenium Seminar (not an indication of my political leanings);

Politics of the Middle East;

International Politics;

American Politics Seminar;

Contemporary American Politics;

Contemporary Political Analysis;

Political Parties;

Legislative Observers (Albany, New York Program, Intern to Sen. Halpern, Insurance Committee);

Law and Public Policy;

Political Science Junior Seminar;

Political Science Senior Seminar;

Statistics – Social Data Statistical Analysis;

Classical Boolean Logic II;

Microeconomics; and

Macroeconomics.

**August 1977 – May 1978**

## **Fulton-Montgomery Community College, Johnstown, NY**

Associate of Arts and Sciences – AAS, Criminal Justice

Award: Distinguished Graduate in Criminal Justice

**August 1976 – May 1977**

## **Hudson Valley Community College**

Criminal Justice Program, Troy, NY

**January 1976 – May 1976**

## **Los Angeles Metropolitan College**

Overseas Extension for Military. Concepts in Criminal Law, one course.

I took this one college correspondence course while stationed with the U.S Marine Corps in Okinawa, Japan.

## Certificates of Achievement

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**April 2012**

**Certificate in Tribal Court Advocacy**

National Indian Justice Center, Santa Rosa, CA



**April 2012**

**Tribal Court Advocacy Training and Certification**

Pascua Yaqui Tribe, Tucson, AZ

Also, see the certificates under Seattle University School of Law and University of San Diego School of Law, above.

## Awards

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**High Letter Grade**

Fidelity and Surety Course. (High grade for those electing other than Pass/Fail Option)

University of Connecticut School of Law, LL.M Program in Insurance Law

**Excellence in Professionalism Appreciation Award**

Hanover Insurance Company

Negotiating a termination for convenience on a performance bond claim on a bridge sandblasting and repainting project, Kentucky.

**Honors Moot Court**

Second Place Awards for Both Brief and Oral Advocacy

"The Right to Die"

Western State College of Law.

**American Jurisprudence ("AmJur") Award, Criminal Procedure.**

Highest grade in Criminal Procedure Class.

Western State College of Law.

**Eagle Scout Award**

Boy Scouts of America, 1971

## **Publications** *(see also presentations, below)*

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1. ***Performance Bonds***, in ***Construction Law Handbook***  
Wolters Kluwer Publishing, co-author with Roger P. Sauer, Esq.  
August 12, 2013 –**Present**, 10 yrs., 4 mos.  
Updated the case law from 2009 forward, plus technical editing and cite checking. I consider this one of my greatest accomplishments. The invitation to participate by the authors of the original work has been one of my highest honors. It was a privilege to work with Roger Sauer, who is widely regarded as one of the best legal writers and mentors of our time.
2. ***Judicial Profile: Chief Judge William D. Johnson, Umatilla Tribal Court***  
The Federal Lawyer magazine April 1, **2015**
3. ***Employment Law in Indian Country: Finding the Private-Action Jurisdictional Hook Is Not Easy***  
An At Side Bar column, The Federal Lawyer magazine for the Federal Bar Association, April 1, **2015**.
4. ***Enhanced Recognition of Inherent Tribal Sovereignty Creates Greater Need for Criminal Defense Counsel in Indian Country***  
An At Side Bar column, The Federal Lawyer magazine for the Federal Bar Association January 2, **2014**.  
  
An overview of the expanding rights of Native American criminal justice systems to adjudicate serious matters within their own systems, including jurisdiction over non-Indians in domestic violence cases, and enhanced or expanded sentencing in felony matters. Specific focus upon The Tribal Law and Order Act of 2010 (TLOA) and The Violence Against Women Act 2013 (VAWA): Co-author, Todd Albert.
5. ***Recent Developments in the Financial Products and Services Industry***  
43:2 The International Lawyer, 648 (2009), American Bar Association January 1, **2009**  
A peer-reviewed, year-end summary of international financial developments
6. ***Doubtful Impact of an Optional Federal Charter on the Reinsurance Collateral Debate***  
43 Tort Trial & Ins. Prac. L.J., 79 (2008), American Bar Association Journal December 1, **2008**.  
Debunks the notion that an optional federal charter of insurance companies would, of itself, remove requirements that unlicensed, non-U.S. reinsurers post collateral.



## **Publications**

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- 7. Issues and Practical Considerations for the Surety in Using Subcontractor Ratification Agreements**  
Seventeenth Annual Northeast Surety and Fidelity Claims Conference September 21, **2006**  
Both a paper and a panel presentation to a group of surety claims professionals, including in-house surety claims specialists and outside surety consultants, and outside surety attorneys. Atlantic City, NJ. Other authors: Matthew Horowitz and Christopher Morkan.
- 8. CGL / Builders Risk Monograph**  
Tort Trial and Insurance Practice Section, American Bar Association January 1, **2004**  
A monograph. I was a contributing researcher and author. Matthew Horowitz, Larry Lerner, Patrick J. O'Connor, Jr., David Olson, eds.
- 9. *Treatment of Pay-When-Paid Clauses Under Federal Law on Bonded Projects in Virginia***  
The Surety Association of South Texas, San Antonio, TX May 17, **2000**  
Both a paper and a presentation for a group of surety underwriters, presented at their monthly meeting. A discussion of my experiences in the *Moore Brothers v. Brown & Root and Highlands Insurance Company* case.
- 10. *Surety's Good Faith Investigation***  
Construction Management Associates Group, Inc.  
CMA National Claims Conference, Chicago, IL April 25, **1989**  
Both a paper and a presentation about good faith claims handling of payment and performance bonds, presented to a group of surety claims professionals, at the invitation of Roy Adams, President of Construction Management Associates Group, Inc.
- 11. Political Party Structure of Schenectady County, New York**  
Archived at Schaffer Library, Union College and University May 1, **1980**  
A senior thesis requirement for Honors Graduate Program status at Union College and University. My advisor was the late Professor Charles ("Charlie") M. Tidmarsh, Political Science Department. The thesis detailed the stratarchy vs. hierarchy of the political dynamics in a small upstate New York county.

## **Presentations** *(see also publications, above)*

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**1. *The Bare Essentials: The ABC's of Payment Bond Claim Handling***

Western States Surety Conference April 20, **2012**

A panel presentation before a group of approximately 160 attorneys; consultants; surety company claims handlers; agents; and underwriters. The sole author and moderator, Loren D. Podwill, invited panelists, Jennifer Haims of ICW, Paul Harmon, Jordan Rosenfeld, and myself. The invited panelists did not author the paper.

**2. *The Art of Effective Communication Among Company People, Outside Consultants and Outside Attorneys***

Surety Claims Association of Los Angeles, CA.

A short presentation at a monthly meeting October 27, **2011**

A slide presentation discussing how company people and outside professionals can better their communications.

**3. *The Art of Effective Communication Between Company People and Consultants***

National Bond Claims Association October 13, **2011**

A panel presentation before a large group of surety company professionals plus outside attorneys and outside consultants. This was at the Annual Conference of NBCA in Pinehurst, NC.

**4. *Fidelity Law and Claims Handling Seminar***

University of Connecticut School of Law, Insurance Law Center and Hanover Insurance Company February 28, **2007**

I organized and moderated this program for fidelity claims handlers. The seminar was in a law school courtroom on the campus of the School of Law in Hartford, CT.

**5. *The Good, Bad and Ugly: Lawyers, Consultants and Company People Traveling Down the Same Road***

National Bond Claims Association October 13, **1994**

A panel presentation at the Annual Conference, Pinehurst, NC.

Other authors: Vince Fasano

## Teaching Experience

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**Summer 2015**

**Lewis & Clark School of Law**

Criminal Jurisdiction in Indian Country

Guest Lecturer at the request of Professor Todd Albert on the subject of right to counsel.

**Spring 2009**

**Roger Williams University**

Construction Law

Guest Lecturer at the request of Professor Joseph Quinn on the subject of contract surety, subrogation and indemnity.

## Volunteering

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**Volunteer Board Member**

Cypress Creek United Civic Associations

Jan 1993 – Aug 1996 · 3 yrs. 8 mos.

Education and training of homeowner association volunteer Boards of Directors in Greater Harris County, Texas. CCUCA was comprised of volunteer managers of HOAs and paid, professional community managers. I was a presenter at an annual conference and held the office of Secretary.

**Volunteer Leader**

Boy Scouts of America

Committee Chairperson, Boy Scout Troops and Cub Scout Packs

Houston, TX

**Student Bar Association Treasurer**

Western State College of Law

**Vice Dean**

Delta Theta Phi Professional Law Fraternity

Western State College of Law

## **Licenses**

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Property and Casualty Adjuster  
Texas Department of Insurance

Licensed to practice law by several Indian tribal courts  
throughout the United States. See the attached list.

## **Bar Association Memberships**

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American Bar Association, Attorney Member, No. 656656

Federal Bar Association, Attorney Member (expired)

Tribal Advocates National Bar Association

Oklahoma Indian Law Bar Association (not part of the Oklahoma  
Bar Association)

Several Indian Tribal Bar Associations for Individual Tribes

## Tribal Court Jurisdiction Bar Admissions

All of the following are Courts of federally recognized Indian Tribes and Nations in the United States Territories and Recognized by the American Bar Association

<i>Tribal Court</i>	<i>Bar Number</i>	<i>Initial License</i>	<i>State</i>	<i>Status Active</i>	<i>Status Expired</i>
Bands and Tribes of the Yakama Nation	No number	7/18/2014	Washington	X	
Coquille Indian Tribal Court - expired 12/2016	CIT Bar No. 13-03	7/1/2013	Oregon		X
Confederated Tribes of the Umatilla Indian Reservation	No number	5/8/2012	Oregon	X	
Delaware Tribe of Indians of Oklahoma	Cert. 2023-0308.01	7/9/2018	Oklahoma	X	
Grand Ronde Community of Oregon - expired 2/2015 (admitted for one case)	No number	7/18/2014	Oregon		X
Mashpee Wampanoag - expired 5/2015	Juris Number: 014	6/6/2012	Massachusetts		X
Nambe Pueblo	No number	8/7/2019	New Mexico		X
Nez Perce Tribe	No number	1/13/2014	Idaho	X	
Pascua Yaqui Tribe - expired 4/2014	Bar No. 10215	4/26/2012	Arizona		X
Port Gamble S'Klallam Tribe	No number	7/9/2018	Washington	X	
Puyallup Tribe	No number	4/19/2012	Washington	X	
Sac & Fox Tribe	No number	7/11/2020	Oklahoma	X	
Shoalwater Bay Tribe	No number	11/24/2014	Washington	X	
Skokomish Tribe	No number	7/8/2020	Washington	X	
Spokane Tribe	No number	7/6/2016	Washington	X	
Snoqualmie Tribe	No number	5/1/2012	Washington	X	
Tulalip Tribe (expired, non-renewed June 2022)	No number	5/8/2012	Washington		X
Warm Springs Tribe	No number	8/20/2013	Oregon	X	

<i>Other Than a Tribal Court</i>	<i>Bar Number</i>	<i>Initial License</i>	<i>State</i>	<i>Status Active</i>	<i>Status Expired</i>
American Bar Association - Full Attorney Member	656656	7/4/2012	Tribal	X	
Oklahoma Indian Bar Association	No number	7/15/2023	Private Bar	X	
Tribal Advocates National Bar Association	No number	7/10/2018	Private Bar	X	
BIA Office of Hearings and Appeals - Probate Division (New Town, ND)	No number	7/11/2019	USA	X	

The American Bar Association recognizes members of tribal bar associations of federally recognized Indian tribes and nations as full members of the ABA. This squarely puts tribal court bar membership on equal footing with the bars of states and territories of the United States. The Constitution of the American Bar Association, Rule 3.1, states as follows:

*"Members. Any person of good moral character in good standing at the bar of a state, territory, possession, or tribal court of any federally recognized tribe of the United States is eligible to be a member of the Association in accordance with the Bylaws."*  
See 2022-2023 C&B (americanbar.org)

Tribal court bar associations require their licensees to follow the rules of professional conduct of the tribe. Tribal courts typically adopt and/or are guided by the rules of professional conduct of the state bars in the states in which those tribes are located. Failure to comply with those rules of conduct subject the attorney to sanctions by the tribal court, including disbarment and license revocation.



# Expert Activity Statistics - Gregory Stephen. Arnold, JD, LL.M (Insurance Law)

## Both Retained Expert and Hybrid Expert and Fact Witness

### Activity by Claim Type

#### Total Deposition Testimony - Never had testimony excluded in whole or in part

##### Last Five Years

1/23/2024	<i>Advanced Drilling, LLC v. Western Surety Company and Hasse Contracting, Inc ., Albuquerque, NM</i>	1
2/22/2023	<i>Water Services Group, LLC. v. Bolt Construction &amp; Excavating, LLC and The Ohio Casualty Insurance Company, Birmingham, AL</i> BF Payment Bond	1
5/20/2022	<i>Manko Window Systems v. All Star Glass &amp; Granite Re, Denver, CO.</i> Bad faith Payment Bond dispute.	1
2021	<i>Wright Construction Services v. Liberty Mutual Insurance Company, et al. , St. Louis, MO.</i> Two depositions. Indemnity dispute.	2

##### Before Last Five Years

5/30/2018	<i>Alpert v. Nationstar, et al. ,</i> force-placed insurance dispute (WA).	1
2015	<i>Stellar J. Corporation v. Unison, et al .</i> (WA).	1
2012	<i>KCK v. ICW, City of Colonie, Texas.</i> Subdivision bond dispute.	1

8

#### Total Trial or Hearing Testimony - Never had testimony excluded in whole or in part

##### Last Five Years

2022	<i>Manko Window Systems, Inc. v. All Star Glass, LLC and Granite Re, Inc .</i>	1
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##### Before Last Five Years

1997	<i>Bank One, Texas N.A. v. Brown Carpenter, Highlands Ins. Co., et al. , Houston, TX</i>	1
2009	<i>Hanover, Global Construction v. USA , Atlanta, GA</i> (Hearing)	1
2014	<i>Excel Masonry v. ICW, Birmingham, AL</i>	1

4

#### Total Written Reports - Never had a report excluded in whole or in part

##### Last Five Years

2021	Draft Expert Report (Final Never Requested), <i>Wright Construction Services v. Liberty Mutual Insurance Company et al., St. Louis, MO.</i> Indemnity Dispute with Performance Bond Surety Plus, a previous draft report in the same case.	2
2022	<i>Manko Window Systems.</i> Final. Plus, a draft report in the same case.	2
2023	<i>Water Services Group, LLC</i> - no written report.	
2024	Preliminary and Supplemental Expert Report, <i>Champion Mill v. PCS and Nationwide Mutual Insurance Company</i> (OH)	1

##### Before Last Five Years

2017	<i>Provisional Expert Report in Anticipation of Mediation, Alpert v. Nationstar Mtg., et al. ,</i> force-placed insurance cas (WA).	1
2014	Expert Report, Expert Report of Stellar J. Corporation in Connection with the Mediation Commencing April 30, 2014. Plus, a draft report in the case.	2

8

#### Total Case Reviews (including cases with no written reports or testimony)

Last Five Years	9
Before Last Five Years	3

12

Activity by Party Type

A. Reports and/or Testimony:		
1. For contractor/indemnitor/subcontractor/policyholder/obligee: WCS (MO), <i>Manko</i> (CO), <i>Alpert</i> (WA) , <i>Stellar</i> (WA), <i>WSG</i> (AL), <i>Sterling</i> (WA)	6	10
2. For surety / insurer: <i>KCK</i> (TX); <i>Bank One</i> (TX); <i>Excel</i> (AL); <i>Global</i> (GA)	4	
B. Not Involving Reports and/or Testimony:		
1. For policyholder: <i>Hong v. BOA, QBE, force-laced insurance</i> (WA)	1	13
2. For Obligee on Performance Bond: <i>Commonwealth Airport Authority, Northern Mariana Islands v. F &amp; D of Maryland</i> (N. Mariana Islands)	1	
3. For Subcontractor on Payment Bond: None.		
4. For Insurer: <i>Liberty Surplus Insurance Company v. Seabold Const. Co.</i> (OR)	1	



# Hybrid Fact/Expert & Expert Statistics, in Alphabetical Order



<u>Total Expert Assignments</u>	<u>Bad Faith</u>
1. <i>Advanced Drilling, LLC v. Western Surety Company and Hasse Contracting Company, Inc.</i> (Payment Bond claim dispute) (2023)	Yes
2. <i>Bank One, Texas, N.A. v. Highlands Insurance Company</i> (1997) (Twenty-one performance bonds, for surety in dispute with bank)	No
3. <i>Champion Mill v. Nationwide Insurance Company</i>	Yes
4. <i>Commonwealth Airport Authority, Northern Mariana Islands v. F &amp; D of Maryland</i> Performance bond dispute, for obligee (2020-pending)	No
5. <i>Dr. Sandy Mondanato v. The Dentist Insurance Company</i> (2023)	Yes
6. <i>Excel Masonry, Inc. v. K &amp; B Quality Masonry, Inc. and ICW</i> (2014) (Common law payment bond dispute, for surety)	No
7. <i>Hanover, Global Construction, Inc. v. United States of America</i> (2009) (Performance bond dispute, for surety and contractor)	No
8. <i>KCK Utility Contractors, Inc. v. City of the Colony, Texas</i> (2012) (Subdivision bond dispute, for surety)	No
9. <i>Liberty Surplus v. Seabold</i> (2015) (CGL and contract surety overlap issues, for general contractor/obligee)	No
10. <i>Manko Window Systems, Inc. v. All Star Glass, LLC and Granite Re</i> (2021-2022) (Payment bond dispute, for claimant window supplier)	No
11. <i>New England Consortium</i> (2019) (On behalf of auto repair industry against insurers)	No
12. <i>Spencer Alpert v. Nationstar Mortgage, et al.</i> (Force-placed insurance) (for homeowner/insured) (2018)	Yes
13. <i>Stellar J. Construction v. Unison Solutions, Inc., Argonaut Surety, et al.</i> (2012-2015) (Supply bond dispute, for obligee general contractor)	Yes
14. <i>Sterling and Wilson Solar Solutions, Inc., v. Fidelity and Deposit Company of Maryland, and Zurich American Insurance Company</i> (Performance Bond claim dispute) (2023).	Yes
15. <i>Sue Hong v BOA, QBE</i> (Force-placed insurance) (for homeowner/insured) (2019-2022)	Yes
16. <i>Water Services Group, LLC, et al. v. Bolt Const. &amp; Excavation, LLC and Ohio Casualty Insurance Company</i> (Payment Bond claim dispute (2023).	Yes
17. and 18. <i>Wright Construction Services, Inc., et al v. Liberty Mutual Insurance Company, et al.</i> (2020-pending) (Indemnity dispute, for principal/indemnitors against performance Bond surety)	Yes
19 <i>Champion Mill v. PCS and Nationwide Mutual Insurance Company</i> (2024-pending)(Sufficiency of Notice Pursuant to Section 3.3 to AIA A312-2010)	Yes



# Hybrid Fact/Expert & Expert Statistics, by Litigation Stage



## Trial Testimony

## Bad Faith

### Hybrid

- |  |    |
|--|----|
| 1. <i>Bank One, Texas, N.A. v. Highlands Insurance Company</i> (1997)<br>(For the surety, Highlands)   | No |
| 2. <i>Excel Masonry, Inc. v. K &amp; B Quality Masonry</i> (2014) (for the surety, ICW)                | No |
| 3. <i>Global Construction, Inc. v. United States of America</i> (2009) (for the<br>general contractor) | No |

### Retained

- |   |     |
|---|-----|
| 4. <i>Spencer Alpert v. Nationstar Mortgage, et al. (Force-placed insurance) (for<br/>homeowner/insured)</i> (2018)       | Yes |
| 5. <i>Manko Window Systems, Inc. v. All Star Glass, LLC and Granite Re</i> (2022)<br>(for subcontractor, window supplier) | Yes |



## Deposition Testimony

## Bad Faith

### **Deposed 6 Times as a Retained Expert**

- |   |     |
|---|-----|
| 1. <i>Advantage Drilling, LLC v. Western Surety Company and Hasse Contracting, Inc.</i> , for subcontractor, 2024           | Yes |
| 2. <i>Manko Window Systems, Inc. v. All Star Glass, LLC and Granite Re</i> (2022)   | Yes |
| 3. <i>Spencer Alpert. v. Bank and Insurer</i> , force-placed insurance (2018)<br>(For homeowner/insured)                    | Yes |
| 4. <i>Stellar J. Construction v. Unison Solutions, Inc., Argonaut Surety, et al.</i> (2015)<br>(For the general contractor) | Yes |
| 5. <i>Wright Construction Services, Inc. v. Liberty Mutual Insurance Company</i><br>(first of two 2021 depositions)         | Yes |
| 6. <i>Wright Construction Services, Inc. v. Liberty Mutual Insurance Company</i><br>(second of two 2021 depositions)        | Yes |



## Mediation Attendance Testimony

## Bad Faith

1. *Stellar J. Construction v. Unison Solutions, Inc., Argonaut Surety, et al.*  
(2015) (For the general contractor)

Yes

# Hybrid Fact/Expert & Expert Statistics, by Litigation Stage



Surety **Lexpert**  
Witness Services

## Written Reports

## Bad Faith

- |  |     |
|--|-----|
| 1. <i>Manko Window Systems, Inc. v. All Star Glass, LLC and Granite Re</i><br>(Draft, 2022)  | Yes |
| 2. <i>Manko Window Systems, Inc. v. All Star Glass, LLC and Granite Re</i><br>(Final, 2022)  | Yes |
| 3. <i>Spencer Alpert. v. Nationstar Mortgage, et al.</i><br>(Force-placed insurance, for homeowner/insured/policyholder (2018)                         | Yes |
| 4. <i>Stellar J. Construction v. Unison Solutions, Inc., Argonaut Surety, et al.</i><br>(2015) (For the general contractor)                            | Yes |
| 5. <i>Sue Hong v. BOA, QBE</i><br>(Force-placed insurance, for homeowner/insured/policyholder (2019)   | Yes |
| 6. <i>Wright Construction Services, Inc. v. Liberty Mutual Insurance Company</i><br>(Draft and final, 2021)  | Yes |
| 7. <i>Wright Construction Services, Inc. v. Liberty Mutual Insurance Company</i><br>(Draft and final, 2021)  | Yes |
| 8. <i>Dr. Sandy Mondanato v. The Dentist Insurance Company, 2023</i>   | Yes |
| 9. <i>Advantage Drilling, LLC v. Western Surety Company, Hassee Contracting, Inc.</i> (payment bond claims x 2)  | Yes |
| 10. <i>Champion Mill v. PCS and Nationwide Mutual Insurance Company</i> (2024-pending)(Sufficiency of Notice Pursuant to Section 3.3 to AIA A312-2010) | Yes |

## Publications by Type

**Gregory S. Arnold, J.D., LL.M (Insurance Law)**  
**Insurance, Fidelity and Surety Subject Matter, Bad Faith Expert**  
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- **Treatises:**

Construction Law Handbook, Cushman and Myers, eds. Roger P. Sauer and Gregory S. Arnold, authors, Chapter 34, "Performance Bonds", 3rd ed., 2018.

- **Law Journal Articles:**

*The Doubtful Impact of an Optional Federal Charter on the Reinsurance Collateral Debate*, 43 Tort Trial & Ins. Prac. L.J., 79 (2008), American Bar Association.

*Recent Developments in the Financial Products and Services Industry*, 43 The International Lawyer (2009), American Bar Association.

- **Magazine Articles:**

"Employment Law in Indian Country: Finding the Private-Action Jurisdictional Hook is Not Easy", forthcoming, *The Federal Lawyer* magazine, April 2015 Indian Law Issue.

"Judicial Profile: Chief Judge William D. Johnson, Umatilla Tribal Court, Confederated Tribes of the Umatilla Indian Reservation, Pendleton, Oregon", forthcoming, *The Federal Lawyer* magazine, April 2015 Indian Law Issue.

"Tribal Law and Order Act and Violence Against Women Act: Enhanced Recognition of Inherent Tribal Sovereignty Creates Greater Need for Criminal Defense Counsel in Indian Country", *The Federal Lawyer* magazine, Jan./Feb. 2014.

- **Claims Conferences:**

*Issues and Practical Considerations for the Surety in Using Subcontractor Ratification Agreements*, Gregory S. Arnold with Matthew Horowitz and Christopher Morkan, Seventeenth Annual Northeast Surety and Fidelity Claims Conference, Atlantic City, NJ, Sept. 21 and 22, 2006. Paper presented in panel format.

Note – Not included are (a) seminar and conference panel presentations where papers were prepared by a lead speaker or moderator but not Gregory S. Arnold, or (b) where there were no papers, or (c) where there were no papers, but a PowerPoint presentation instead.

- **Monographs**

CGL/Builder's Risk Monograph, Gregory S. Arnold, contributing author. Matthew Horowitz, Lawrence

Lerner, Patrick J. O'Connor, Jr., David C. Olson, editors, American Bar Association, 2004.

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### Insurance

**1. *Insurance in Indian Country***

Panel presentation with Terri Patterson of AMERIND Risk and Greg Willie of Aflac. The Gathering 2019 Business Summit, Durant OK, American Indian Chamber of Commerce of Oklahoma. October 7, 2019.

**2. *Ethics Training for Tribal Court Advocates/Will Scriveners***

Presentation with Roberta Armstrong, Stewards of Indigenous Resources Endowment to the San Xavier Tribal Allottees' Association  
San Xavier Indian Reservation, Tucson, Arizona. May 14, 2019

**3. *The Expansion of Reinsurance Domiciles (States, Tribes, and Off-Shore)***

Panel presentation with Brian Feldman, ECP, Inc., moderator; Alan Barnes, Delaware Tribe of Indians; Niguel Streete, Turks and Caicos Islands, Financial Services Commission; and John Kerper, Kerper & Bowron LLC, Alabama.  
Reinsurance Symposium at Agent Summit, Las Vegas, Nevada. September 1, 2021.

**4. *Industrial Hemp Risk Management (Captive Regulation by States and Tribes)***

Panel presentation with Steve Kinion, Captive Insurance Section, State of Delaware Department of Insurance and Donald Ashwood, Captive Coordinator, Oklahoma Insurance Department.  
Oklahoma Hemp Summit 2022, Lawton, Oklahoma. February 17-18, 2022.

### Surety

**1. *The Bare Essentials: The ABCs of Payment Bond Claims Handling***

Panel presentation with Loren Podwill, author of paper and moderator; Jennifer Haims, ICW, Paul Harmon, Travelers Bod and Financial Products, and Jordan Rosenfeld, Suto, Krystad & Rosenfeld  
Western States Surety Conference, Seattle, WA. April 19, 2012.



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- *David M. Schoeggl, Insurance Law Attorney*  
*Lane Powell PC*  
*US Bank Center*  
*1420 Fifth Avenue, Suite 4200*  
*Seattle, WA 98101-2375*  
*206.223.7383, schoeggld@lanepowell.com*

*Liberty Surplus Insurance Company v. Seabold Construction Company*

Circuit Court of the State of Oregon, County of Washington, Case No. C134712CV  
Formally retained on behalf of insurer Liberty Surplus by plaintiff's attorneys David Schoeggl and Matthew Kirkpatrick of Lane Powell PC, in a declaratory relief action. Provided opinions on overlapping CGL and performance bond coverages with respect to construction of an assisted living facility in Portland, OR. Against Travelers Surety. Not a bad faith claim.

- *Joseph J. Straus, Construction Law Attorney*  
*Schwabe Williamson & Wyatt*  
*US Bank Center*  
*1420 Fifth Avenue, Suite 3400*  
*Seattle, WA 98101-2375*  
*206.407.1575, jstrauss@schwabe.com*

*Stellar J. Construction v. Unison Solutions, Inc. et al.*

USDC Western District of Washington, Case No. 3:12-cv-05982 RBL  
Formally retained on behalf of General Contractor, Stellar J. Construction, by Joseph Straus. Major energy project in Washington state. Bad faith claim Against Argonaut Surety.

## Photo - Expert Arnold

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**2020**



# Surety Claims Bad Faith Expert Witness

## Surety Expertise

Gregory S. Arnold, JD, LL.M (Insurance Law)

More than 30 years in-house experience with surety companies, handling thousands of performance bond, payment bond, and fidelity bond claims. Balanced expert experience. Retained both by attorneys who represent surety companies and those who represent obligees, principals, and indemnitors. My expert reports and testimony have never been stricken.

A published surety professional. Co-author, *Performance Bond Chapter, Construction Law Handbook*. Presenter at industry seminars and conferences.

Master of Legal Letters in Insurance Law from the University of Connecticut School of Law. Published in law journals.

Ask for my expert credentials, including detailed statistics on the matters on which I have been retained and the courts that have qualified me as an expert witness. Expert witness credentials are also available at [www.TexasLexas.com](http://www.TexasLexas.com).

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