

Claims-Focused Curriculum Vitae
Gregory Stephen Arnold, JD, LL.M
(Insurance Law)



**Insurance, Fidelity and Surety Subject Matter,
Bad Faith Expert**

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 6229 Lake Teravista Way
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Professional Experience

Expert Witness Experience (2013 - Present)

2013 – Present Bad Faith Claims Expert



Retained by law firms in more than twenty matters as a testifying bad faith surety and insurance claims expert. I have the distinction of being quite likely the only bad faith claims expert to complete a law school course in surety and fidelity and to hold an LL.M. in Insurance Law.

Qualified three times by judges at trial or by way of approving of filing of affidavits or declarations or draft expert reports in litigated matters. These include the following:

1. *Stellar J. Corporation v. Unison Solutions, Inc., Argonaut Surety, et al.*, (2015). Retained as the bad faith surety claims expert for general contractor obligee against surety. My expert report was filed in the Court record. The case settled prior to trial. Qualified by Honorable Judge Ronald B. Leighton.
2. *Spencer Alpert v. Nationstar Mortgage, et al.* (2018). Retained as the bad faith insurance claims expert against an insurer in a force-placed insurance matter. My sworn affidavit was used at trial and made a part of the published Court record. Qualified by Hon. Judge Richard A. Jones.
3. *Manko Window Systems, Inc. v. All Star Glass, LLC and Grante Re* (2022). Retained as the bad faith surety claims expert for subcontractor, window supplier against surety. Qualified to testify at trial and address the jury by Hon. Judge Ross B.H. Buchanan, City and County Dist. Court, Denver, CO.

Claims Management and Consulting (1996–2013)

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

Surety Claims Consultant to Insurance Company of the West, Inc., San Diego, CA (Worked as a 1099 independent contractor under the name Claims Desk, LLC)

Handled 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.

Provided consulting services to insurance and surety companies, and law firms. My brand of consulting was temporary desk relief. Claims included contract surety claims against performance bonds, payment bonds and supply bonds; subdivision bonds; commercial and miscellaneous bonds; and fidelity. My expertise included most lines of insurance, including CGL; property; homeowners; and products liability. The primary focus of my expertise was surety. I was occasionally retained by a surety company to review issues of federal Indian law and tribal law.

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 Bond Claims Manager

The Guarantee Company of North America, USA ("CGNA USA") (now Intact Financial Corporation) 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 consulting in offices of Mid-States Surety Corporation MSSC").

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

● July 1996 – July 2002

Claims Management Associates, Inc. Houston, TX

Was the 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 (payment and performance bonds), 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.

Insurance Company Roles (1984–1996)

● **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.

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.

● **May - October 1988**

Bond Claims Manager / Adjuster Trainee / Law Clerk

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.

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

Great American Insurance Company (Continued)

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.

Early Legal and Military Experience (1974 - 1984)

- **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.

Advanced by means of meritorious promotion to the Non-Commissioned Officer ("NCO") rank of E-4, Corporal. Participated in the Annual Marine Corps Trial Team Delegation to U.S. Naval Base, Subic Bay, Philippines. Advanced to the Non-Commissioned Officer ("NCO") rank of E-4, Corporal.

Education

● **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

Summer Term Abroad, Magdalen College, Oxford University, Oxford, UK

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.

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

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.

College correspondence course while stationed with the U.S Marine Corps in Okinawa, Japan.

Certificates of Achievement

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

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 Kentucky bridge sandblasting and repainting project.

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)*

- 1. *Performance Bonds*, in *Construction Law Handbook***
Wolters Kluwer Publishing, co-author with Roger P. Sauer, Esq.
August 12, 2013 –**Present**
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 author 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, such as Lloyd's, post collateral in a bank in the U.S.

Publications

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. Co-authors: Christopher Morkan and Moderator Matthew Horowitz.
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 to 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 the late 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)*

- 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 and the paper was not read at the conference.
- 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** Program for fidelity claims handlers. Moderator Gregory Stephen Arnold. Presenters Dee Studler, M.Acc., CPA, CFF and Ronald G. Mund, JD, MBA. 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

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

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

Property and Casualty Adjuster
Texas Department of Insurance License No. 294047

Licensed to practice law by several Indian tribal courts throughout the United States. See the list attached to the functional CV for Indian Country Experience.

Bar Association Memberships

American Bar Association, Attorney Member, No. 656656

Federal Bar Association, Attorney Member, No. 329531

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 In-House Counsel Association (TICA)

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

Both Retained Expert and Hybrid Expert and Fact Witness

Activity by Claim Type	Activity by Stage	
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.</i> , Albuquerque, NM	1
2/22/2023	<i>Water Services Group, LLC v. Bolt Construction & Excavating, LLC and The Ohio Casualty Insurance Company</i> , Birmingham, AL BF Payment Bond	1
5/20/2022	<i>Manko Window Systems v. All Star Glass & Granite Re</i> , Denver, CO. Bad faith Payment Bond dispute.	1
2021	<i>Wright Construction Services v. Liberty Mutual Insurance Company, et al.</i> , St. Louis, MO. 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</i> , Texas. Subdivision bond dispute. (TX)	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
Before Last Five Years		
1997	<i>Bank One, Texas N.A. v. Brown Carpenter, Highlands Ins. Co., et al.</i> , Houston,	1
2009	<i>Hanover, Global Construction v. USA</i> , Atlanta, GA (Hearing)	1
2014	<i>Excel Masonry v. ICW</i> , Birmingham, AL	1
2014	<i>Stellar J Corporation</i> ; 2017 <i>Spenser Alpert</i>	1
		4 6
Total Written Reports - Never had a report excluded in whole or in part		
Last Five Years (Total Expert Reports (see also Affidavits and Declarations))		
2021	Draft Expert Report (Final Never Requested), <i>Wright Construction Services v. Liberty Mutual Insurance Company et al.</i> , St. Louis, MO. 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.	0
2024	Preliminary and Supplemental Expert Report, <i>Champion Mill v. PCS and Nationwide Mutual Insurance Company</i> (OH)	2
2025	<i>Granite Re v. Mountain Movers</i> (SD)	1
	<i>2025 MEDEX Diagnostics Centers v. Hudson Insurance Co.</i> (NY)	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
		10 11
Total Case Reviews (including cases with no written reports or testimony)		
Last Five Years		10
Before Last Five Years		3
		13

Expert Activity Statistics - Gregory Stephen. Arnold, JD, LL.M (Insurance Law) Both Retained Expert and Hybrid Expert and Fact Witness

Activity by Party Type

A. Reports and/or Testimony: Affidavits, Declarations

1. For contractor/indemnitor/subcontractor/policyholder/obligee: WCS (MO), *Manko* (CO), *Alpert* (WA), *Stellar* (WA), *WSG* (AL), *Champion* (OH), *Mountain* (SD); *MEDEX* (NY); *Sterling & Wilson* (WA) 8 10

2. For surety / insurer:
KCK (TX); *Bank One* (TX); *Excel* (AL); *Global* (GA) 4

12 14

B. Not Involving Reports and/or Testimony: No Affidavits or Declarations

1. For policyholder:
Hong v. BOA, QBE, force-laced insurance (WA) 1

2. For Obligee on Performance Bond:
Commonwealth Airport Authority, Northern Mariana Islands v. F & D of Maryland (N. Mariana Islands), *Sterling and Wilson Solar Solutions v. F&D of Maryland/Zurich* (WA) 2

3. For Subcontractor on Payment Bond:
None. *WSG* involved Payment Bond but a report was written.

4. For Insurer:
Liberty Surplus Insurance Company v. Seabold Const. Co. (OR) 1

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Hybrid Fact/Expert & Expert Statistics, in Alphabetical Order



Total Expert Assignments

Bad Faith

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 Mill1</i> (2024-2025)	Yes
4. <i>Champion Mill v. PCS and Nationwide Mutual Insurance Company Mill 2</i> (2024-2025) (Sufficiency of Notice Pursuant to Section 3.3 to AIA A312-2010)	Yes
5. <i>Commonwealth Airport Authority, Northern Mariana Islands v. F & D of Maryland</i> Performance bond dispute, for obligee (2020-2021)	No
6. <i>Dr. Sandy Mondanato v. The Dentist Insurance Company</i> (2023)	Yes
7. <i>Excel Masonry, Inc. v. K & B Quality Masonry, Inc. and ICW</i> (2014) (Common law payment bond dispute, for surety)	No
8. <i>Hanover, Global Construction, Inc. v. United States of America</i> (2009) (Performance bond dispute, for surety and contractor)	No
9. <i>KCK Utility Contractors, Inc. v. City of the Colony, Texas</i> (2012) (Subdivision bond dispute, for surety)	No
10. <i>Liberty Surplus v. Seabold</i> (2015) (CGL and contract surety overlap issues, for general contractor/obligee)	No
11. <i>Manko Window Systems, Inc. v. All Star Glass, LLC and Granite Re</i> (2021-2022) (Payment bond dispute, for claimant window supplier)	Yes No
12. <i>Granite Re, Inc. v. Mountain Movers, et al.</i> , (2025-present) (Indemnity defense)	Yes
13. <i>New England Consortium</i> (2019) (On behalf of auto repair industry against insurers)	No
14. <i>Spencer Alpert v. Nationstar Mortgage, et al.</i> (Force-placed insurance) (for homeowner/insured) (2018)	Yes
15. <i>Stellar J. Construction v. Unison Solutions, Inc., Argonaut Surety, et al.</i> (2012-2015) (Supply bond dispute, for obligee general contractor)	Yes
16. <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-pending).	Yes
17. <i>Sue Hong v BOA, QBE</i> (Force-placed insurance) (for homeowner/insured) (2019-2022)	Yes
18. <i>Water Services Group, LLC, et al. v. Bolt Const. & Excavation, LLC and Ohio Casualty Insurance Company</i> (Payment Bond claim dispute (2023).	Yes
19. and 20. <i>Wright Construction Services, Inc., et al v. Liberty Mutual Insurance Company, et al.</i> (2020-2024) (Indemnity dispute, for principal/indemnitors against performance Bond surety)	Yes
20 <i>MEDEX Diagnostic Centers</i> (Performance and Payment Bond claims)	Yes
21. <i>Massachusetts Bay Transportation Authority v. Liberty Mutual, et al.</i>	Yes

Hybrid Fact/Expert & Expert Statistics, by Litigation Stage



Trial Testimony

Bad Faith

Hybrid/Non-Retained

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

Retained

4. *Spencer Alpert v. Nationstar Mortgage, et al. (Force-placed insurance) (for homeowner/insured) (Sworn Affidavit used at trial and made a part of the published court record) (2018)* Hon. Judge Richard A. Jones. Yes
5. *Manko Window Systems, Inc. v. All Star Glass, LLC and Granite Re* (2022)
(for subcontractor, window supplier) *Qualified by The Honorable Judge Ross B.H. Buchanan.* Yes
6. *Stellar J. Corporation v. Unison Solutions, Inc., Argonaut Surety, et al.*, 2015
Draft Expert Report filed as part of the Court Record . Qualified by Hon. Judge Ronald B. Leighton. Yes

Hybrid Fact/Expert & Expert Statistics, by Litigation Stage



Deposition Testimony

Bad Faith

Deposed 7 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) (for supplier) | Yes |
| 3. <i>Spencer Alpert. v. Bank and Insurer</i> , force-placed insurance (2018) (For homeowner/insured) | Yes |
| 4. <i>Stellar J. Construction v. Unison Solutions, Inc., Argonaut Surety, et al.</i> (2015) (For the general contractor) | Yes |
| 5. <i>Water Services Group v. Ohio Casualty</i> (2024) (for payment bond claimant, subcontractor) | Yes |
| 6. <i>Wright Construction Services, Inc. v. Liberty Mutual Insurance Company</i> (first of two 2021 depositions) | Yes |
| 7. <i>Wright Construction Services, Inc. v. Liberty Mutual Insurance Company</i> (second of two 2021 depositions) | Yes |

Non-Retained Expert

- | | |
|-------------|----|
| 1. KCK (TX) | No |
|-------------|----|

Hybrid Fact/Expert & Expert Statistics, by Litigation Stage



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



Written Reports

Bad Faith

- | | |
|---|-----|
| 1. <i>Manko Window Systems, Inc. v. All Star Glass, LLC and Granite Re</i>
(Draft, 2022) | Yes |
| 2. <i>Manko Window Systems, Inc. v. All Star Glass, LLC and Granite Re</i>
(Final, 2022) | Yes |
| 3. <i>Spencer Alpert v. Nationstar Mortgage, et al.</i>
(Force-placed insurance, for homeowner/insured/policyholder (2018) | Yes |
| 4. <i>Stellar J. Construction v. Unison Solutions, Inc., Argonaut Surety, et al.</i>
(2015) (For the general contractor) | Yes |
| 5. <i>Sue Hong v. BOA, QBE</i>
(Force-placed insurance, for homeowner/insured/policyholder (2019) | Yes |
| 6. <i>Wright Construction Services, Inc. v. Liberty Mutual Insurance Company</i>
(Draft, 2021) | Yes |
| 7. <i>Wright Construction Services, Inc. v. Liberty Mutual Insurance Company</i>
(Draft, 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> (2024-2025)
(Sufficiency of Notice Pursuant to Section 3.3 to AIA A312-2010) | Yes |
| 11. <i>MEDEX Diagnostic Centers v. Hudson Insurance Co.</i> | Yes |

Publications by Type



- **Treatises:**

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

- **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, editors, American Bar Association, 2004.

- **Magazine Articles:**

"Employment Law in Indian Country: Finding the Private-Action Jurisdictional Hook is Not Easy", *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", *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.



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.



- ▶ **David M. Schoegg, Insurance Law Attorney**
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206.223.7383, schoeggd@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 Schoegg 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**
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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.



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.



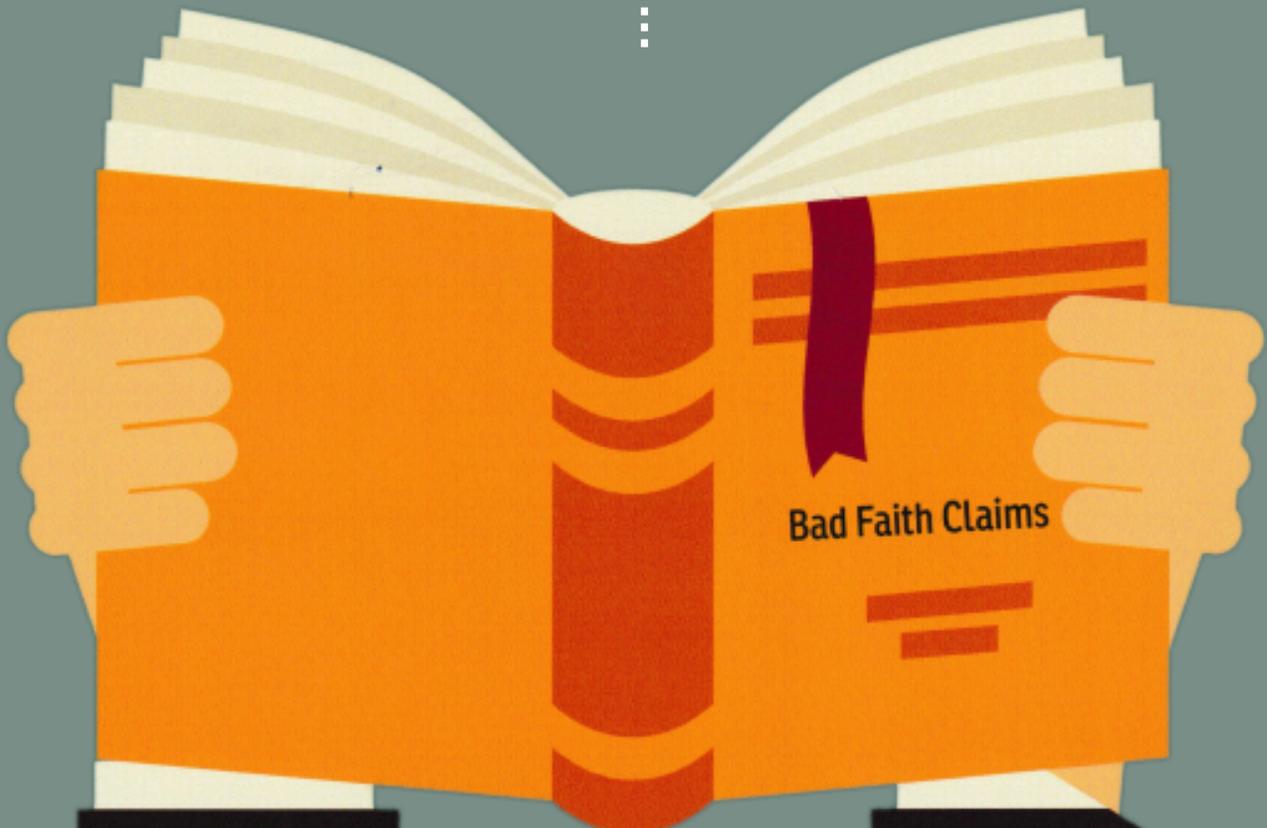
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