

## Mark Chudleigh

### Partner, Bermuda

Commercial Litigation  
 Insolvency  
 Reinsurance  
 Insurance  
 Arbitration



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### Current Scope of Practice

Mark Chudleigh maintains an international practice that serves clients in Bermuda, the United States, Europe and elsewhere. His practice focuses on commercial litigation involving the insurance and financial services sectors.

Mr Chudleigh's insurance/reinsurance practice has covered most classes of business, including general liability (particularly the "Bermuda Form"), directors and officers liability, financial institutions, insurance brokers errors and omissions, products liability, property, environmental liability, marine, cargo, satellites and space, motor, financial reinsurance, personal accident and workers compensation. He was formerly Chair of Sedgwick's firm-wide Reinsurance Practice Group and is listed in the Legal Media Group's *Guide to the World's Leading Insurance and Reinsurance Lawyers*.

His commercial practice also includes litigation, insolvency and insurance matters involving "off-shore" entities in Bermuda, the Cayman Islands and elsewhere, including financial institutions, hedge funds, fund managers and administrators, captive managers, trust companies, accountants and law firms.

In addition to his litigation practice, Mr. Chudleigh provides counseling on complex insurance and reinsurance claims. He also advises on regulatory issues affecting the insurance industry, particularly in relation to the Bermuda market. Mr. Chudleigh has acted as an expert witness on issues of Bermuda law in the context of US court and arbitration proceedings.

### Litigation Matters

Mr. Chudleigh has handled numerous contentious matters, including in the English High Court and in the Supreme Court of Bermuda, as well as arbitrations in England, Bermuda, Switzerland and the United States. In recent years he has participated in arbitrations governed by the English Arbitration Act, the United Nations Model Law on International Commercial Arbitration, the Bermuda International Conciliation and Arbitration Act, the American Arbitration Association Rules, the ARIAS US Rules, the International Chamber of Commerce Rules and the Lloyd's Arbitration Scheme. Mr. Chudleigh has represented clients at several mediations.

### Affiliations, Activities and Accomplishments

Mr. Chudleigh is admitted to the Law Society of England & Wales and to the Bars of Bermuda and California. He is a member of ARIAS, the British Insurance Law Association, the International Bar Association, the Chartered Institute of Arbitrators, the Bermuda Insurance Institute, The American Bankruptcy Institute and the Professional Liability Underwriting Society (PLUS).

### Presentations & Publications

Mr. Chudleigh is Program Director for Sedgwick's Annual Hot Topics Seminar for the Bermuda Insurance Market and a regular speaker at industry conferences and client seminars. His presentations include:

- "An Introduction to the Bermuda Form: A discussion regarding this history and development of the Bermuda Form and a general overview of how the Form works," (Xchanging Learn at Lunch Seminar Series, London, England, January 26, 2012).
- "Captive State: The Reinsurance of Captive Insurers," Sedgwick's Sixth Annual Hot Topics Seminar for the Bermuda Insurance Market (October 2008).
- "U.S., U.K. and Bermuda Markets: A Comparison Study" Mealey's Reinsurance Litigation & Arbitration Conference (February 12, 2008).
- "With Opportunity Comes Risk: The Boom In Private Equity and Hedge Fund Investments and Potential Risks," presentation for Sedgwick client (March 2007).
- "Bermuda Form Disputes," presentation for Sedgwick client (January 2007).
- "Arbitration Practice & Strategy" presentation for Sedgwick client (November 2006)
- Panelist, "Reinsurance Audits: What to Expect and How to Make Them Pay Off," Hot Topics Seminar for the Bermuda Insurance Market (October 2005).
- "Sex, Lies & Reinsurance: The Sphere Drake Case", Hot Topics Seminar for the London Insurance Market, (October 2003).

He is the author of several articles and papers, including:

- "The Weaving Judgment: A Wake-Up Call for Fund Directors," co-author, Sedgwick publication (Oct 2011).
- "An English/Bermuda Law Guide to Anti-Suit Injunctions" (Sedgwick publication) (2011).
- Contributor to the American Bar Association's "Directors & Officers Liability Insurance Deskbook" (2011).
- "Sedgwick Summary: D&O Securities Claims," co-author, Sedgwick publication (May 2009).
- "After Madoff, Where Now For Offshore Hedge Funds?" co-author, *Insurance Day* (May 2009).

- “Bermuda’s Stand on ‘Offshore Secrecy Jurisdictions,’” co-author, *Complanet* (May 2009).
- “Sedgwick Summary: Commutations,” co-author, Sedgwick publication (January 2009).
- Contributor to “Part VII Transfers : A Practical Guide” published by Runoff and Restructuring (2008).
- “A Quick Reference Guide to Arbitration Procedures in the USA, England & Bermuda” (Sedgwick publication) (2008) .
- Contributor to “International Commercial Arbitration : A Handbook for In-house Counsel” (2006).
- “A Journey of Discovery: Obtaining Evidence for Use in United States Court and Arbitration Proceedings From Non-Parties in the United Kingdom and Bermuda” (Sedgwick publication) (2004).
- “Managing Your Managing General Agent” (Sedgwick publication) (2004).
- “Arbitrations: Are They Confidential, or Just Private?” *Insurance Day* (2003).

#### Education

Mr. Chudleigh was called as a barrister at Lincoln’s Inn in 1990, having graduated from the Inns of Court School of Law in London. He received a B.A. (1989), with honors, from the University of Kent at Canterbury. Mr Chudleigh was admitted to the Bar of Bermuda in 1992 and to the California Bar in 1998.