



SHERILYN PASTOR PARTNER NEWARK

PRACTICE GROUP
Insurance Coverage

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EDUCATION
J.D., Seton Hall Law School, *magna cum laude*, 1988, Editor Law Review 1987-1988,
Member 1986-1988
B.A., Seton Hall University, *cum laude*, 1985, Nat'l Political Science Honor Society
Law Clerk, NJ Appellate Division, 1988-1989

ADMITTED TO PRACTICE
New Jersey
New York
U.S. Court of Appeals, Third Circuit
U.S. District Court, District of New Jersey
U.S. District Court, Eastern and Southern Districts of New York

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES
Rated AV Preeminent by Martindale-Hubbell, (2012)
Chambers USA "Leaders in their Field" (2011-Present)
American College of Coverage and Extra-Contractual Counsel (2012-Present)
Director & Officer Liability Insurance Committee of the International Center for Conflict Prevention & Resolution (2012-Present)
Co-Chair, ABA Litigation Section's Insurance Coverage Litigation Committee (2012-Present)
Vice Chair, ABA Litigation Section's Insurance Coverage Litigation Committee, 2009 to 2012; Regional Representative, 2003-2009; and various Subcommittees, Co-Chair, 2002-2009
Law360's Insurance Editorial Advisory Board (2013-Present)
NJ RIMS, Membership, Social and Networking Committee (2011)

Recognized as a Tier 1 leader in her field by *Chambers USA* and as one of New Jersey's "Best 50 Women in Business" by NJBIZ, Sherilyn Pastor is Practice Group Leader of McCarter's Insurance Coverage Group. According to *Chamber's* sources, she is described as a "top-notch attorney and great strategic thinker." Her group provides legal assistance to corporate policyholders. She is also on the Firm's Executive Committee.

Ms. Pastor has secured hundreds of millions of dollars in insurance assets for a broad range of policyholder clients. She litigates complex coverage matters throughout the country and provides insurance coverage advice to clients assessing their potential risks, analyzing new insurance products and considering the adequacy of their programs.

Ms. Pastor obtained summary judgment awarding Wakefern Food Corporation insurance for all its 2003 Northeast blackout losses. She assisted Lucent Technologies Inc. (now Alcatel Lucent) to recover its fiduciary liability coverage following various class action settlements with ERISA plaintiffs. She currently is Transamerica Corporation's lead trial and appellate counsel in a dispute with a former subsidiary regarding insurance Transamerica purchased as part of a consolidated risk management structure for itself and its subsidiaries. After a several month trial for this large, multi-national corporate policyholder, Ms. Pastor secured a very favorable ruling that Transamerica had no implied contract with the former subsidiary by virtue of its risk management approach. In addition to soundly rejecting the former subsidiary's claims in a detailed and thoughtful opinion, the trial court granted Transamerica's request for declaratory and other relief against the subsidiary. Argument on the subsidiary's and insurers' appeals was held on March 31, 2014 and the decision remains pending.

Ms. Pastor serves on the Editorial Boards of the Insurance Coverage Law Bulletin, and is a consultant on the New Appleman Insurance Law Practice Guide. She is currently the Chair (Policyholder Side) of the ABA Litigation Section's Insurance Coverage Litigation Committee, having served as Vice-Chair from 2009-2012 and as co-chair of various ICLC subcommittees since 2002. Ms. Pastor is a founding member and Vice-Chair, First Party Insurance Committee of the American College of Coverage and Extra-Contractual Counsel (2012-Present), and a member of the New Jersey Supreme Court's Professional Responsibility Rules Committee.

Ms. Pastor is recognized in The International Who's Who of Insurance & Reinsurance, and has been honored as a New Jersey Super Lawyer since 2005. She was a TWINS honoree in 2011. She publishes and lectures frequently on insurance, trial skills and ethics matters.

Ms. Pastor's recent publications include: Pastor & Lloyd, "When Your Data Goes Viral: Insurance for Data Breaches," *Corporate Counsel* (Jan. 29, 2015); Pastor & Carmel, "Coverage for Cybertorts," *New Appleman on Insurance: Current Critical Issues in Insurance Law* (Jan. 2015); Pastor & Carmel, "Understanding ISO's New 2014 Cyber Insurance Endorsements," *Coverage*, Vol. 24, No. 6 (Nov./Dec. 2014); Pastor, "Litigation: 6 ways in-house counsel can aid outside counsel in litigation (Part 2)" *InsideCounsel*, (March 17, 2014); Pastor, Carmel, Pulmanova & Golden, "Will Cyberbullying Claims Be Covered Under Homeowners' Policies?" *Coverage*, Vol. 22, No. 6 (Nov./Dec. 2012); Pastor & Barker, "Recoupment of Defense Costs for Noncovered Claims (With Multi-State Survey of Law on

TWINS Honoree (2011)

New Jersey Supreme Court's
Professional Responsibility Rules
Committee (2002-Present)

The Insurance Coverage Law Bulletin,
Editorial Board (2004-Present)

Appleman on Insurance, Editorial &
Advisory Board, 2006 - 2010; Consultant
and Author 2006-Present

Member, Insurance Neutrals Review
Committee of the International Center for
Conflict Prevention & Resolution (2005-
Present)

The International Who's Who of Insurance
& Reinsurance (2010-Present)

NJBIZ Best 50 Women in Business Award
(2010)

National Institute for Trial Advocacy,
Faculty, Trial Program, 2003-2004, and
Deposition Skills, 2003 and 2005

American Bar Association

New Jersey State Bar Association

New York State Bar Association

Essex County Bar Association

DRI Member

District VA Division, Member and
Presenter (1998 to 2002)

Essex County Bar Foundation Chronicle,
Editorial Board Member (1993 to 1998)

Essex Inn of Court, Barrister; Lecturer
(1995 to 2000)



"Sherilyn Pastor leads the insurance
coverage group at the firm and is notably
experienced in litigating coverage cases
at both a regional and national level.
Clients are quick to highlight her strong
negotiation skills and expertise in
insurance litigation." - Chambers USA

Insurer Recoupment of Defense or Settlement Costs) New Appleman on Insurance - Current Critical Issues in Insurance Law, Fall 2012; "If Insurers Have an Alleged 'Right' to Reimbursement, Where Does It Come From?" Ins. Cov. Law Bulletin, Vol. 11, No. 7 (Aug. 2012); Pastor & Russo, "NJ Appellate Division Upholds Assignment of Homeowner's Policy's Benefits," Ins. Cov. Law Bulletin, Vol. 11, No. 7 (Aug. 2012); Pastor & Insua, "Improving Your Company's D&O Insurance Coverage," Global Reference Guide Risk Management & Insurance with Global Advisor Directory, Financier Worldwide (July 2012); Pastor & Barker, "Recoupment of Defense Costs for Noncovered Claims (With Multi-State Survey of Law on Insurer Recoupment of Defense or Settlement Costs)," LexisNexis (Pending); Pastor & Strutt, "Addressing the Complications Arising From Coverage Settlements Involving Multiple Insureds and Insurers and Non-Covered Parties" (May 2012); Pastor, Osias, Sattin & Betz, "The Continuing Debate over the Breadth & Limits of the Exclusion for 'Water Under the Ground Surface' in First-Party Policies," LexisNexis Emerging Issues Analysis (May 2011); Pastor & Little, "Fighting for 'Right' of Reimbursement," Law360 (May 4, 2011); Pastor, Gottlieb & Insua, "Taking Cover When Disasters Far and Near Strike: Policyholders Should Look to Their Insurance Coverage," The Metropolitan Corporate Counsel, Vol. 19, No. 4 (Apr. 2011); Pastor, Gottlieb & Insua, "Earthquakes, Floods and Disasters Near and Far: Policyholders Should Look for Cover in the Coverage," LexisNexis (2011); Pastor, Horowitz & Platzman-Diamant, "New Jersey Court Clarifies Policyholders' Right To Recover Out-Of-State Coverage Counsel Fees," Ins. Cov. Law Bulletin, Vol. 9, No. 10 (Nov. 2010); Pastor & Pyrich, "The Continuing Debate Over an Insurer's 'Right' to Reimbursement: The Pennsylvania Supreme Court Weighs in Against Reimbursement in a Newly-Decided Case," LexisNexis Emerging Issues Analysis (Sept. 2010); "Federal Appeals Court Vacates Proposed Rule Calling for SEC Regulation of Fixed Index Annuities," Ins. Law Community Posting (July 2010); "Duty to Indemnify - Personal and Advertising Injury," New Appleman On Insurance Law Library Ed., Ch. 19 (June 2010); Pastor, Lee & Strutt, "In-House Counsel: Who Has You Covered?" Ins. Cov. Law Bulletin (Apr. 2010); Pastor & Lee, "Guarding the Guardians: Companies Should Examine Policies When Insuring In-House Lawyers," CT Law Tribune, (Feb. 2010); "A New York Story As Told by a Delaware Court: New York Law Permits Post-Loss Assignment of Insurance Rights and Calls for 'All Sums' Allocation," Env. Claims Journal, Vol. 22, No. 1 (Jan. 2010); "What Does 'Physical Damage' Mean When It Doesn't Work?" Coverage, Vol. 19, No. 5 (Sept./Oct. 2009); "Navigating Subrogation Rules: A Rough Ride for Some Additional Insureds," ABA Committee News (Spring/Summer 2009); "Statute of Limitations for Insured's Fraud Claim Cannot Be Decided Against The Insured on Demurrer," Vol. 8, No. 4 (May 2009); "What's Yours is Mine: Sharing Other People's Insurance," PLI - Insurance Coverage 2008: Claim Trends & Litigation (Apr. 2008); "What's Yours is Mine, What's Mine is Mine," CT Law Tribune (Feb. 2008); "New Jersey Court Applies Anti-Subrogation Rule to Insurer's Insured," Ins. Cov. Law Bulletin (Dec. 2007); Pastor & Giordano, "What Bank Directors & Officers Should Know About D&O Insurance," Community Banker (Nov. 2007); Pastor & Fanning, "Considering Coverage For Consumer Protection Claims," Coverage, Vol. 17, No. 7 (Sept./Oct. 2007); "Introduction to Insurance," Appleman Insurance Law Practice Guide (2007).