



## Robert Shulman

### Partner

Washington, D.C. | New York

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## PRACTICES Litigation, Insurance Recovery

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Robert Shulman is a partner in the Litigation Practice Group in Haynes Boone's Washington, D.C., office. He also works out of the firm's New York office.

Robert represents companies seeking insurance coverage for all manner of complex claims, such as those arising out of products, securities, directors and officers, energy, automotive, financial institutions, medical devices and health, among others.

He has successfully argued precedent-setting appeals in the second, third, and fourth U.S. Courts of Appeals, as well as the California Court of Appeal, San Francisco Division. Among other noteworthy representations, in *MBIA, Inc. v Federal Ins. Co.*, 652 Fed. 3rd 152 (2nd Cir. 2011), Robert obtained a sweeping first impression decision requiring insurance companies to pay defense costs from the initiation of government investigations before suit was filed. This decision allowed companies to access vast amounts of insurance that routinely are contested by the insurance industry. The MBIA decision also granted coverage for Special Litigation Counsel, a cost incurred in the defense of derivative actions that insurance companies also regularly contest. Robert also led a team on behalf of International Paper Company through a series of trials, mediations and arbitrations that recouped nearly \$1 billion in costs including damages, class counsel fees, notice programs and administrative costs. His team also achieved a \$90 million verdict against the primary insurance company that failed to defend International Paper in bad faith. The International Paper Company underlying litigation began as a potentially ruinous last of its kind "drive-by" class certification in which Robert initially led a court-mandated mediation that settled the dispute prior to the resolution of the coverage litigation.

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## QUALIFICATIONS

### EDUCATION

- J.D., Tulane University Law School, 1979, cum laude
- B.A., Cornell University, 1975

### ADMISSIONS

- District of Columbia
- Louisiana

- New York

## COURT ADMISSIONS

- U.S. District Court for the District of Columbia
  - U.S. District Court for the Eastern District of Louisiana
  - U.S. Court of Appeals for the District of Columbia Circuit
  - U.S. Court of Appeals for the Second Circuit
  - U.S. Court of Appeals for the Third Circuit
  - U.S. Court of Appeals for the Fourth Circuit
  - U.S. Court of Appeals for the Eighth Circuit
  - United States Supreme Court
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## PUBLICATIONS AND SPEAKING ENGAGEMENTS

- Stopping Insurance Tactics to Protect Indemnification Webinar, co-host, June 24, 2025.
  - "The Intersection of Insurance Coverage and Climate Change Litigation: How the Nature and Cause of Alleged Harm will Inform the Coverage Debate," presenter, webinar for the International Institute for Conflict Prevention & Resolution, December 2021.
  - "Expert Analysis: JP Morgan Ruling May Have Broad Insurance Implications, co-author, *Law360*, December 6, 2021.
  - "Insight: Connecting Climate Change Nuisance Suits to Insurance Recovery, co-author, *Bloomberg Law*, July 6, 2020.
  - "Dispute Prevention in the Time of COVID-19: Exploring a Global Solution to Insurance for COVID-19," presenter, webinar for the International Institute for Conflict Prevention and Resolution, April 2020.
  - "Risk in the Climate Crisis: Breaking the Policy Gridlock and Insuring for Impact," presenter, International Institute for Conflict Prevention and Resolution, September 2019.
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## SELECTED CLIENT REPRESENTATIONS

- Involved in insurance arbitration raising highly disputed NY law issues.
- Advises nutrition companies in heavy metal baby food litigation.
- Advised product company in lawsuit concerning microplastics.
- Advises energy companies on insurance related to climate change.
- We have been asked to review entire insurance portfolio in advance of upcoming renewals and act as outside counsel for all insurance matters routinely faced by company.
- Successfully tried a three-week arbitration securing coverage for securities-related claims.
- Represented International Paper against 22 of its insurance carriers that sought coverage for a nationwide products liability class action. The first phase of the case resulted in a \$93.2 million jury verdict that included an award for bad faith in International Paper's favor. The trial of the second phase returned a \$383.3 million verdict in International Paper's favor as well as a declaration for damages incurred in future claims made settlements.
- Represented International Paper in court-supervised mediations resulting in the settlement of three large nationwide class actions.
- Represented Murphy Oil Corporation in a coverage case arising out of a refinery fire.
- Represented MBIA in a landmark case obtaining substantial defense costs in D&O insurance cases arising out of shareholder, SEC and NYAG actions.

- Represented Electrolux in connection with insurance coverage for asbestos-related exposure and other product-related liability.
- Represented Wright Medical Technologies in connection with a coverage dispute over the manufacture and sale of alleged defective medical devices.
- Represented Hess Corporation in actions concerning MTBE in product liability litigation as well as a U.S. Court of Appeals Third Circuit decision that rejected the application of a pollution exclusion to a workplace accident.
- Represented Phillips Petroleum Company and its successor companies in a number of coverage disputes including its successor company Phillips 66 in connection with MTBE.
- Represented Dupont in one of the first Bermuda form disputes with X.L. and ACE Insurance Companies.
- Represented Fuisz in obtaining a seminal decision obtaining coverage for defamation in the 4th Circuit Court of Appeal.

*\*Some of these representations were handled by Robert prior to joining Haynes Boone.*

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## AWARDS AND RECOGNITIONS

- Recognized in *Best Lawyers in America*, Woodward/White, Inc., 2006-2025
- Recognized in *Chambers USA*, Chambers and Partners, in Insurance and Dispute Resolution, 2003-2012
- Included in *Who's Who Legal*, Law Business Research Ltd., 2009