



A. Kenneth Levine

Chair, Insurance Corporate & Regulatory

West Palm Beach

klevine@cozen.com | (561) 515-5256

For over three decades, Ken Levine has represented insurance industry clients on regulatory, licensing, and corporate matters. He is chair of the firm's Insurance Corporate & Regulatory Practice Group within the Business Law Department.

Ken advises clients on a wide variety of issues, including insurer; reciprocal; captive; producer; managing general agent; administrator; and service contract, home warranty, and auto warranty provider licensing and compliance across the country. He has helped clients form, acquire, and invest in insurers and intermediaries. Ken's constant participation in the regulatory process facilitates his counsel on market conduct compliance and remediation, rate and form wording and approval, financial reporting, reinsurance, receivership, and a host of other regulatory issues. Other firms routinely retain Ken for deals involving Holding Company Act analysis, filings, and other regulatory hurdles.

When needed, Ken has successfully prosecuted, defended, and settled dozens of contentious administrative and civil proceedings involving Florida regulatory agencies.

Ken began his career with the Florida Department of Insurance, culminating in positions as senior counsel and hearing officer in the Department's Office of Chief of Staff in Tallahassee, Fla., and earning the Commissioner's Outstanding Service Award and six Davis Productivity Awards. Before entering private practice in Tallahassee, Ken served as general counsel and personnel director of a large national company.

Ken is recognized by Chambers & Partners as one of the dozen top insurance attorneys in Florida, having achieved this honor every year since 2006. Chambers & Partners recently noted that he "wins great acclaim from clients for his excellent transactional and regulatory skills, with one complimenting *'his knowledge, his contacts, his ability to get regulators to work with us, his follow-through, his timeliness and ability to explain things clearly.'* Another offers similar praise, remarking: *'He is a great communicator and listener with a thorough understanding of compliance laws. He gets things done as promised and is a pleasure to work with.'*" Ken also achieved the AV Preeminent Rating by Martindale-Hubbell (5.0/5.0) which signifies that a "lawyer's reviewed peers rank him or her at the highest level of professional excellence for their legal knowledge, communication skills, and ethical standards"; and he has been listed by A.M. Best in its *Directory of Recommended Insurance Attorneys*.

Ken earned his bachelor's degree (B.S.M.) from the A.B. Freeman School of Business, Tulane University, and his law degree from the Tulane University School of Law where he served on the Moot Court Honor Board and was awarded the Order of the Barristers. He has since authored various treatise chapters, articles, and compliance checklists – concentrating on technical regulatory topics and administrative procedure – published by LexisNexis, Matthew Bender & Company, Thompson Reuters, and other legal sources. In 2015, the Federation of Regulatory Counsel (a nationwide association of attorneys concentrating in insurance regulatory law) elected Ken to serve as the editor of the *FORC Quarterly Journal of Insurance Law and Regulation*.

Experience

Secured a swift and favorable resolution at mediation for the former directors and officers (D&Os) of a

Practice Areas

- Insurance Corporate & Regulatory

Industry Sectors

- Insurance

Education

- Tulane University Law School, J.D., 1990
- Tulane University, B.S., 1987

Bar Admissions

- Florida
- District of Columbia

Court Admissions

- U.S. District Court -- Northern District of Florida
- U.S. District Court -- Middle District of Florida
- U.S. District Court -- Southern District of Florida
- U.S. Court of Federal Claims
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- District of Columbia Court of Appeals
- U.S. Court of Appeals for the Federal Circuit
- U.S. Supreme Court

Affiliations

- Federation of Regulatory Counsel
- Half-Axe International
- Consumer Credit Industry Association

Awards & Honors

- Chambers & Partners USA: Florida: Insurance 2006-2024
- AV Preeminent Rating, Martindale-Hubbell (5.0/5.0)
- Board of Directors, Federation of Regulatory Counsel (board seat representing U.S. Southeast region)
- Chairman, Law Committee, CCIA, 2014-16
- President, Tequesta Country Club Community Association, 2016-19
- Chair, Suncoast Community High School SAC, 2017-19
- Appointee, State of California DCA - Service Contract Working Group, 2015-present

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P: (561) 515-5256 | F: (561) 515-5226 | M: (850) 980-1880

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- Tulane Moot Court Honor Board
- Order of Barristers

major Florida homeowners' insurer. In 2022, the insurer went bankrupt and was placed in receivership. The Florida Department of Financial Services (DFS), as receiver, accused the D&Os of mismanaging the insurance company (breaching the D&Os' fiduciary duties) and causing the bankruptcy and over \$100 million in damages. At mediation: (1) we attacked the DFS's inability to prove causation (that the insolvency was not caused by other, external factors, like hurricanes and a uniquely challenging insurance litigation landscape); and (2) focused on the strength of the D&Os' business judgment rule defense.

Represented Electrolux, a Fortune 500 company, in the transfer of its warranty portfolio to OnPoint Warranty Solutions, LLC, to be reinsured by Zurich Insurance Group. The transaction involved two transfer tranches (each requiring a separately negotiated agreement) and a 95-page administration agreement to govern the parties' relationship going forward.

Provided all regulatory advice and secured all regulatory approvals for the acquisition of all third-party equity interests in the attorney-in-fact of Trusted Resource Underwriters Exchange (TRUE), a multi-state reciprocal insurer.

Represented Keystone Risk Partners, LLC, a firm specializing in captive insurance management services, in its sale to Ryan Specialty Group, LLC, a publicly traded international specialty insurance firm.

Represented Young Alfred Inc., a digital insurance marketplace, in its sale to Credible Labs Inc., a digital lending marketplace that offers personalized and prequalified rate options for loans.

Represented buyers, sellers, and passive investors in transactions involving large and mid-size brokers and insurers, including transactional documents, due diligence, financing, and regulatory approval.

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