



# Alex H. Hayden

## Member

## Philadelphia

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### Practice Areas

- Class Actions
- Commercial Litigation
- Insurance Coverage
- Life Insurance & Annuities

### Industry Sectors

- Insurance
- Software

### Education

- Drexel University, J.D., 2012
- Drexel University, M.B.A., 2011
- University of Pennsylvania, B.A., 2004

### Bar Admissions

- New Jersey
- Pennsylvania

### Court Admissions

- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court -- Colorado
- U.S. District Court -- New Jersey
- U.S. District Court -- Eastern District of Pennsylvania

### Affiliations

International Chamber of Commerce (ICC),  
Young Arbitrators Forum

London Court of International Arbitration (LCIA),  
Young International Arbitration Group

Philadelphia Bar Association, Commission on  
Judicial Selection and Retention, Investigative  
Division

Alex represents clients in complex commercial and insurance matters. His representations include matters centered on stranger-originated life insurance (STOLI) transactions, coverage disputes, and the overpayment and assignment of structured settlements. He also represents domestic and international software industry clients in disputes arising from the licensure and implementation of integrated business software solutions (ERP) and related software issues. Alex has experience defending class action suits, and he has advised clients in connection with international and domestic proceedings before the International Chamber of Commerce, the International Centre for Dispute Resolution, and the American Arbitration Association.

Alex earned his undergraduate degree from the University of Pennsylvania, his MBA from Drexel University LeBow College of Business, and his law degree from Drexel University School of Law. During law school, Alex served as editor-in-chief of the law review and competed on the transactional lawyering team. He also interned with Magistrate Judge M. Faith Angell, U.S. District Court for the Eastern District of Pennsylvania and was a recipient of Drexel Law's Presidential Scholarship.

### Experience

Obtained a defense verdict for an ERP firm following three-week jury trial. *Hodell-Natco Industries, Inc. v. SAP America, Inc.*, No. 1:08-2755, 2015 WL 5321078 (N.D. Ohio July 9, 2015).

Obtained favorable settlements for business software companies in disputes with amounts at issue ranging from \$50,000 to \$500 million, in jurisdictions ranging from Florida state court to the International Chamber of Commerce's (ICC) International Court of Arbitration in Paris, France.

Obtained a plaintiff's verdict in a breach of contract dispute following a bench trial in federal court in Pennsylvania.

Obtained dismissal of a putative class action against a settlement brokerage firm arising out of a dispute stemming from the collapse of Executive Life Insurance Company of New York (ELNY). *Moore, et al. v. EPS Settlements Group, et al.*, No. 14-CV-80521-COHN/SELTZER, 2015 WL 4775974 (S.D. Fla. Dec. 17, 2014).

Obtained dismissal of claims brought against individual defendants for lack of personal jurisdiction; resolved putative class action claims on behalf of remaining defendants. *Westrope v. Ringler Associates Inc.*, No. 3:14-cv-00604-ST, 2015 WL 13679859 (D. Or. Feb. 20, 2015).

Obtained summary judgment for a life insurer declaring a policy void *ab initio* as illegal STOLI policy under Delaware law.

Obtained an order striking expert opinions of the former Colorado Commissioner of Insurance in a Colorado insurance dispute.

Successfully opposed transfers of annuity payments on grounds that the transfers violated states' Structured Settlement Protection Acts and were not in the best interests of payees.

Won summary judgment in a case of first impression in which the court held that a two-year suicide

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exclusion in a life insurance policy approved under the Interstate Insurance Product Regulation Compact (IIPRC) was enforceable. In securing this win, the team overcame the beneficiary's arguments that the IIPRC's delegation of authority to the Interstate Insurance Product Regulation Commission to adopt standards governing the content of covered policies that would supersede any conflicting state statute was an impermissible delegation of legislative authority under the Colorado Constitution, that the IIPRC violated the state constitution's equal protection and freedom from special legislation provisions, and that requisite notice was not given before the two-year suicide exclusion standard was adopted. This was the first case in which a federal court construed the IIPRC and directly addressed whether an interstate compact that is not congressionally approved may delegate authority to an interstate body to promulgate regulations that trump conflicting state law.