

# Samuel J. Arena Jr.

## Chair, Fidelity & Surety

Philadelphia, PA

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For more than 35 years, Sam Arena has concentrated his practice on insurance law and fidelity and surety law. A leader in Stradley Ronon's insurance practice group and the chair of the firm's fidelity and surety practice group, he represents insurance companies nationally in complex insurance coverage, extra-contractual liability, and fidelity and surety matters.

Sam is a Fellow of the American College of Coverage Counsel and an Adjunct Professor of Law at Villanova University School of Law where he teaches *Advanced Insurance Law: Coverage Disputes* and serves as a Guest Lecturer for the Law School's Introductory Insurance Law Course *Insurance Law and Policy*.

Sam remains abreast of developments in the insurance industry through his active participation in a number of American Bar Association and insurance industry organizations and as a frequent speaker, panelist and author on insurance coverage, fidelity and surety topics.

## RESULTS

Sam represents:

- primary and excess carriers through all phases of complex insurance coverage and extra-contractual liability disputes and litigation in state and federal courts throughout the United States
- fidelity carriers in claims under all types of fidelity bonds and policies, including financial institution bonds, commercial crime insurance and other proprietary bond forms and policies
- sureties in claims under all types of contract surety, commercial surety and miscellaneous surety bonds, including fiduciary bonds (probate, administrator and guardian bonds), appeal bonds, public notary bonds, payment bonds, bid bonds, public official bonds and workers' compensation self-insurance bonds

## RECOGNITIONS

- *The Best Lawyers in America*
- *Martindale-Hubbell*, AV Preeminent rating
- *Pennsylvania Super Lawyers*

## FOCUS

Insurance Coverage Advisory & Litigation  
Insurance Regulatory & Compliance Solutions  
Litigation

## BAR ADMISSIONS

Pennsylvania  
New Jersey

## COURTS

U.S. Supreme Court  
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  
U.S. District Court for the District of New Jersey  
U.S. District Court for the Eastern District of Pennsylvania  
U.S. District Court for the Middle District of Pennsylvania  
U.S. District Court for the Western District of Pennsylvania  
Pennsylvania Supreme Court  
New Jersey Supreme Court

## EDUCATION

J.D., *cum laude*, Villanova University School of Law, Order of the Coif  
B.A., *magna cum laude*, Ursinus College

## MEMBERSHIPS

Adjunct Professor of Law, Villanova University School of Law  
American College of Coverage Counsel, Fellow  
American Bar Association, Tort Trial & Insurance Practice Section  
- Fidelity and Surety Law Committee, Past Chair  
- Insurance Coverage Litigation Committee, Past Vice Chair



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- Martin J. Andrew Award for Lifetime Achievement in Fidelity and Surety Law, American Bar Association

## PUBLICATIONS

- Co-author, Insuring Agreement (B): On Premises Coverage, American Bar Association, Financial Institution Bonds, Fourth Edition
- Co-author, Annotated Commercial Crime Insurance Policy (Chapter 11), American Bar Association, Exclusions Other Than Inventory Loss
- Co-author, New Appleman on Insurance Law Library Edition, Vol. 11, Suretyship, (Chapter 146), Surety Salvage – Indemnity and Subrogation
- Co-author, New Appleman On Insurance Law Library Edition, Vol. 10, Fidelity Insurance, (Chapter 133), Key Exclusions
- Co-author, Commercial Crime Insurance Coverage, (Chapter 12), Limit of Insurance, American Bar Association
- The Contract Bond Surety's Subrogation Rights, (Chapter 1), The Contract Bond Surety's Common Law Right Equitable Subrogation – The Basics, American Bar Association
- Editor, The Law of Commercial Surety and Miscellaneous Bonds, Second Edition, American Bar Association
- Co-author, The Surety's Indemnity Agreement, Second Edition, (Chapter 2) Creation of the Relationship Among The Surety, The Principal, The Indemnitors – Who and How, American Bar Association
- Co-author, Financial Institute Bonds, Third Edition, (Chapter 5), Insuring Agreement (B) – On Premises Coverage, American Bar Association
- Co-author, Loan Loss for Coverage Under Financial Institution Bonds, (Chapter 4), Determining the Amount of Loan Loss and the Potential Income Exclusion, American Bar Association
- Co-author, The Performance Bond Manual, Third Edition, Delaware Law Chapter, American Bar Association
- Co-author, The Performance Bond Manual, Third Edition, Pennsylvania Law Chapter, American Bar Association
- Co-author, The Payment Bond Manual, Third Edition, Pennsylvania Law Chapter, American Bar Association
- Co-author, The Payment Bond Manual, Third Edition, Delaware Law Chapter, American Bar Association
- Co-author, The Annotated Commercial Crime Policy, Second Edition, (Chapter 9), Exclusions Other Than Inventory Loss, American Bar Association
- Pennsylvania Public Works Contractors' Bond Law: An Overview and Update, Fidelity & Surety Review
- Co-author, The Annotated Financial Institution Bond, Second Edition, (Chapter 2), Exclusions, American Bar Association
- Third Circuit Affirms Summary Judgment for National Union on Issue of Employee's "Manifest Intent," Fidelity & Surety Review

## MEMBERSHIPS

- Publications Editorial Board, Past Chair
- American Bar Association, Litigation Section
  - Insurance Coverage Litigation Committee
  - Fidelity Law Association
    - Advisor Emeritus
  - Defense Research Institute
    - Insurance Law Committee
    - Fidelity and Surety Law Committee
  - Federation of Defense and Corporate Counsel
    - Insurance Coverage Section
    - Reinsurance, Excess and Surplus Lines Section
    - Life, Health and Disability Section
  - International Association of Defense Counsel
    - Fidelity and Surety Committee, Vice Chair
    - Insurance and Reinsurance Committee
  - National Bond Claims Association
  - Pennsylvania Bar Association
  - Philadelphia Bar Association
  - Philadelphia Surety Claims Association
    - Vice President
    - Founding Member, Board of Directors
  - Schuylkill Alliance Chamber of Commerce Surety and Fidelity Association of America
    - Advisor
  - Surety Claims Institute
  - The Americans of Italian Heritage Council, Inc.



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- First and Ninth Circuits Rule on Significant Fidelity and Surety Issue, Fidelity & Surety Review
- Co-editor, The Surety Law Topical Index and Bibliography, American Bar Association, Tort and Insurance Practice Section, Fidelity and Surety Law Committee
- Co-editor, The Fidelity Law Topical Index and Bibliography, American Bar Association, Tort and Insurance Practice Section, Fidelity and Surety Law Committee
- Co-author, The “Manifest Intent” Handbook, American Bar Association
- Contributing Author, The Surety’s Indemnity Agreement, Law and Practice, American Bar Association
- Some Outcomes You Might (and Might Not) Expect Under the New Restatement of Suretyship: There is Good News and Bad News, American Bar Association
- The Performance Bond Surety’s Liability for Latent Defect and Warrant Claims, Surety Claims Institute
- Current Issues in Health Insurance Law, Eastern Claims Conference
- Co-author, State Performance and Payment Bond Law, Pennsylvania Law, The Surety Association of America
- Editor, Hot Topics in Fidelity Law, American Bar Association, Tort and Insurance Practice Section, Fidelity and Surety Law Committee
- Multiple Secondary Obligors: Cosuretyship and Subsuretyship Under the Restatement of Suretyship and Guaranty, American Bar Association
- Allocation of Insurance Coverage: Finding The Path Through The Trees, A Primary Carrier’s Perspective, American Bar Association
- Non-Cumulation of Liability Under Fidelity Bonds and Policies: The Policy Language vs. The Renewal Process, American Bar Association
- Fidelity and Surety Law Annual Survey, American Bar Association, Tort Trial & Insurance Practice Section, Fidelity and Surety Law Committee
- The Validity of Time Limitations in Accidental Multiple Indemnity Death Provisions of Life Insurance Policies, Villanova Law Review

## **SPEAKING ENGAGEMENTS**

- Program Co-chair, Fidelity Law Association Annual Conference
- Moderator, “Claims Panel—Challenges and Changes for the Industry,” American Bar Association, Fidelity and Surety Law Committee Mid-Winter Program
- Moderator, “Developing Risks and Exposures Including Cyber and Social Engineering,” Fidelity Law Association Annual Conference
- Panelist, “Insuring Agreement (B): On Premises,” American Bar Association, Fidelity and Surety Law Committee Fall Meeting
- Panelist, “The Ethics of Mediation,” “Staying in Bounds at Mediation” and “What Have We Learned,” American Bar Association, Fidelity and



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## Surety Law Committee Mid- Winter Program

- Presenter, “Other Key Exclusions: What You Absolutely Must Know,” American Bar Association, Fidelity and Surety Law Committee’s Commercial Crime Insurance Policy Program
- Co-presenter, “Complex Business Interruption Claim Disputes,” American Bar Association, Section of Litigation, Insurance Coverage Litigation Committee CLE
- Moderator, “The Judicial Perspective on Manuscripted and Non-Standard Policy Language,” American Bar Association, Fidelity and Surety Law Committee Mid-Winter Program
- Presenter, “What Are The Limits of Liability,” American Bar Association, Fidelity and Surety Law Committee Fall Meeting
- Program Co-chair, Fidelity Law Association Annual Conference
- Panelist, “Understanding Ethical Limitations on Attorney Behavior During Settlement Negotiations,” American Bar Association, Tort Trial & Insurance Practice Section, Fidelity and Surety Law Committee Spring Surety Program
- Panelist, “Understanding Ethical Limitations on Attorney Behavior During Settlement Negotiations,” American Bar Association, Tort Trial & Insurance Practice Section, Fidelity and Surety Law Committee Mid-Winter Meeting
- Moderator, “What’s Next in Fidelity Underwriting?,” American Bar Association, Tort Trial & Insurance Practice Section, Fidelity and Surety Law Committee Mid-Winter Program
- Presenter, “Limits of Liability – Commercial Crime Insurance Coverage,” American Bar Association, Tort Trial & Insurance Practice Section, Fidelity and Surety Law Committee Fall Program
- Program Co-Chair, “The Law of Commercial Surety and Miscellaneous Bonds,” American Bar Association, Fidelity and Surety Law Committee Spring Surety Program
- Panelist, “Hot Issues in Employee Dishonesty Coverage,” American Bar Association, Tort Trial & Insurance Practice Section, Fidelity and Surety Law Committee Fall Program
- Presenter, “Salvage and Recovery: The Use of Technology to Assist in Recovery Efforts,” American Bar Association, Tort Trial & Insurance Practice Section, Fidelity and Surety Law Committee’s Mid-Winter Meeting
- Panelist, “Hot Topics in Fidelity Law,” American Bar Association’s Tort Trial & Insurance Practice Section, Fidelity & Surety Law Committee Fall Fidelity Program
- Program Co-Chair, Fidelity Law Association Annual Conference
- Program Chair, “Hot Topics in Fidelity Law,” American Bar Association, Tort and Insurance Practice Section, Fidelity and Surety Law Committee, Mid-Winter



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- Presenter, “Some Outcomes You Might (and Might Not) Expect Under the New Restatement of Suretyship: There is Good News and Bad News,” Defect and Warranty Claims, Defense Research Institute
- Presenter, “Performance Bond Surety’s Liability for Latent Defect and Warranty Claims,” Surety Claims Institute Annual Meeting
- Presenter, “Non-Cumulation of Liability Under Fidelity Bonds and Policies: The Policy Language vs. The Renewal Process,” American Bar Association, Fidelity and Surety Law Committee, Annual Meeting
- Panelist, “Allocation of Insurance Coverage: Finding the Path Through the Trees (A Primary Carrier’s Perspective),” American Bar Association, Litigation Section Annual CLE Meeting

## IN THE COMMUNITY

Sam remains an active participant in community activities and served for 18 years on the board of directors of the Catholic Philopatrian Literary Institute. He is a member of the Americans of Italian Heritage Council and the Schuylkill Alliance Chamber of Commerce. Sam served as a volunteer marshal at the 2013 U.S. Open at Merion Golf Club in Ardmore, Pennsylvania.

STRADLEY  
RONON