



SpencerFane®

## Stuart C. Schmadeke

Of Counsel

### Contact

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## Overview

**Stuart Schmadeke represents clients in insurance coverage disputes and other complex commercial matters, serving as a powerful and effective litigator and providing balanced guidance throughout settlement negotiations and alternative dispute resolution proceedings. Additionally, he advises clients on various business insurance issues, including coverage placement, asset transfers, claim processing, and insurance strategies in bankruptcy matters.**

Stuart's experience spans across many lines of insurance coverage – including general liability, product liability, representation and warranty, environmental liability, directors and officers (D&O), commercial property, errors and omissions (E&O), product recall, and aviation coverage – and encompasses a diverse range of industries – including telecommunications, hospitality, manufacturing, pharmaceutical, public affairs, and commercial development.

Stuart also has a consistent record of success litigating complex commercial matters in federal and state courts, including business contract disputes, as well as actions alleging civil fraud and breach of fiduciary duty.

## Education

- New York University School of Law (J.D.)
- Duke University (B.A.)

## Bar Admissions

- Missouri
- Illinois
- District of Columbia

## Court Admissions

- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the District of Columbia

## Community Involvement

- Legal Aid Society of DC, Fundraising Volunteer
- Pro Bono Attorney, asylum cases, educational access, and Individualized Education Plan (IEP) trials on behalf of students and their families

## Related Experience

- Obtained dismissal on behalf of insurer and medical service provider in coverage and bad faith suit brought by public entity seeking indemnification for tort liabilities alleged by incarcerated plaintiffs.
- Managed toxic tort matter for safety equipment manufacturer involving decades of historic occurrence and claims-made coverage responsive to asbestos, coal, silica, and PFAS claims.
- Directed negotiation and settlement of representation and warranty claim stemming from fraudulent revenue reporting by telecommunications executives prior to corporate acquisition.
- Served as insurance counsel for public company during complex transaction which transferred tort liabilities and responsive assets via spinoff of corporate subsidiary.
- Negotiated high-value settlements on behalf of Chapter 7 bankruptcy Trustee seeking coverage for tool company manufacturer's pre-bankruptcy liabilities.
- Litigated federal court action concerning rescission of aviation insurance policy on behalf of international development company.
- Argued appeal of insurance claim classification on behalf of insured corporation in Texas state court receivership proceeding.
- Worked closely with in-house counsel of consumer products manufacturer to manage claims tendered by numerous retailers seeking indemnification for actions alleging exposure to talc-containing products.
- Guided clients pursuing trade and investment opportunities in Cuba, including facilitating several of first commercial imports of Cuban goods to U.S. in over 50 years and managing U.S. regulatory compliance for cultural events held in Cuba.
- Obtained payment of full policy limits for lobbying firm and its directors in D&O claim stemming from alleged breaches of Foreign Agent Registration Act.
- Litigated environmental coverage action seeking recovery for costs associated with CERCLA remediation action.
- Advised pharmaceutical client's in-house team on placement of comprehensive insurance portfolio, including Commercial General Liability and D&O policies.
- Represented Tort Claimant's Committee and Future Claimant's Representative in Chapter 11 bankruptcy proceeding stemming from industrial and cosmetic talc liability.