

BIRMINGHAM

## Edward M. Holt

SHAREHOLDER



### Ted's Profile

Ted is chair of the Insurance & Financial Services Litigation Practice Group. He litigates on behalf of insurance and financial services clients in a variety of disputes including sales practices, breach of contract and fiduciary duty, and bad faith claims handling in both individual and class actions. He has successfully defended clients in state and federal courts in more than a dozen states including litigation hot beds such as Alabama, California, Florida, Illinois, New York, and Texas.

In addition to Ted's work on behalf of insurance and financial services companies, Ted is a member of the Energy & Natural Resources Practice Group. A significant portion of Ted's energy litigation practice is devoted to coal bed methane litigation. He also works on behalf of energy clients in defending personal injury, fraud, contract, and commercial disputes. Beyond his litigation work, Ted advises clients regarding joint operating agreements, mineral leases, surface use agreements, and related operational agreements.

Ted is listed in Best Lawyers® for Litigation: Insurance and Martindale-Hubbell rates him as AV-Preeminent.

Ted received his J.D. cum laude from the University of Alabama School of Law, and he holds an M.B.A. from the University of Alabama at Birmingham and a B.A. from Rollins College.

### Ted's Experience

Insurance and Financial Services Litigation:

- Miller v. Metropolitan Life Insurance Co., \_\_\_\_ F.3d \_\_\_\_, WL 6325861 (2d Cir. Oct. 29, 2020) (affirming district court's order granting defendant's motion to dismiss purported nationwide class action and holding that plaintiffs' breach of contract claims were barred by the statute of limitations, and one judge concurred on the grounds that the Securities Litigation Uniform Standards Act

### Contact

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### RELATED INDUSTRIES/SERVICES

[Energy and Natural Resources](#)  
[Insurance and Financial Services Litigation](#)  
[Energy, Utilities, and Natural Resources](#)  
[Insurance](#)

(“SLUSA”) precluded the plaintiffs’ claims).

- Defending one of the largest insurers in the world in purported nationwide class action arising out of calculation of premiums for variable universal life insurance policies
- Defending sales practice case in L.A. County California Superior Court related to a large dollar universal life insurance policy
- After eight figure jury verdict against major insurer in first of nearly 100 trials, took over the defense and successfully resolved multiple actions by nearly 100 plaintiffs in California state court related to unauthorized sale of promissory notes
- Defended life insurance carrier in Wisconsin state court in a derivative “clawback,” anti-trust action related to plaintiffs’ investments in non-recourse premium financing to fund the purchase of large dollar life insurance policies
- Took over state court litigation against broker dealer that had been pending for more than six years without a ruling on broker dealer’s motion to compel arbitration; filed a federal court petition to compel arbitration, and obtained an order compelling all of plaintiff’s claims to arbitration in less than a year: *MetLife Securities, Inc. v. Holt*, 2016 WL 6683586 (E.D. Tenn. November 14, 2016)
- Obtained dismissal of purported nationwide class action related to trust company’s administration of I.R.A.s holding non-publicly traded R.E.I.T. units: *Lewis v. Delaware Charter Guarantee & Trust Co.*, 2015 WL 1476403 (E.D.N.Y. March 31, 2015), *aff’d*, 642 Fed. Appx. 23 (2d Cir. March 14, 2016)
- Took over defense of “selling away” case against broker-dealer that had been pending for several years; through aggressive and creative motion practice and discovery, positioned case for favorable settlement for client in less than 11 months
- Defending multiple insurers in several states in first-party bad faith failure to pay claims arising out of the insurers’ denial of life and disability insurance benefits
- Obtained dismissal of purported statewide class action against property and casualty insurer alleging claim for breach of contract for depreciating labor costs when calculating the actual cash value of the insurance policy: *Ware v. Metropolitan Property and Casualty Insurance Company*, \_\_ F. Supp. 3d \_\_, 2016 WL 7209816 (M.D. Ala. December 7, 2016)

#### Energy and Natural Resources:

- Representing exploration and production company in a commercial fraud case against another operator related to the sale of assets
- Successfully defended exploration and production company in California state court in securities fraud action related to investment in private placement oil and gas limited partnership, including obtaining a defense verdict after a multi-week jury trial, and securing affirmance of the verdict by the California Court of Civil Appeals

- Successfully prosecuted a commercial fraud case on behalf of coal mining and coal trading companies against coal mining company related to business practices in connection with a long term coal supply agreement

## Ted's Awards

- The Best Lawyers in America® for Litigation: Insurance (2018 - Present)
- Mid-South Super Lawyers for Business Litigation (2017)
- Martindale-Hubbell AV® Preeminent Rating

## Ted's Affiliations and Civic Involvement

### Affiliations

- Association of Life Insurance Counsel
- Alabama State Bar Association
- Mississippi State Bar Association
- Florida State Bar Association
- Birmingham Bar Association

### Civic Involvement

- Member of Oakworth Capital Bank's Birmingham Advisory Board
- Past Member of Advisory Board of Catholic Family Services
- Phenomenal youth sports coach – in not so competitive rec leagues
- Assistant Scout Master
- Two time Boston Marathon qualifier and finisher

## Bar Admissions

State Bar: Alabama, Florida, Mississippi

## Education

- University of Alabama School of Law
  - (2001, J.D., cum laude)
- University of Alabama at Birmingham
  - (1998, M.B.A.)
- Rollins College
  - (1996, B.A.)