



DAN D. KOHANE, ESQ.

Hearing Officer

Dan D. Kohane, Esq. serves as an arbitrator and mediator in insurance coverage, commercial, and personal injury disputes. Mr. Kohane has mediated over one hundred matters, with a 70 - 75% settlement rate, and has arbitrated personal injury and insurance coverage cases. He is a certified mediator and neutral for the United States District Court for the Western District of New York, mediates court-annexed matters across multiple New York judicial districts, and serves as a Special Master in a Mandatory Civil Appeals Mediation program of the New York State Appellate Division, Second Department. His ADR work also reaches appellate practice, attorney malpractice and legal ethics, construction and construction defect, employment law, hospitality, negligence and torts,

professional liability, and property damage matters. He has mediated complex Labor Law risk transfer, first and third-party coverage disputes including construction defect claims, commercial, premises, motor vehicle, product liability and other personal injury cases, first, third party insurance coverage.

Mr. Kohane has practiced law in Buffalo, New York and throughout the State of New York for more than four decades, having extensive trial experience in New York State Labor Law, motor vehicle, premises and personal injury matter and has a concentration on insurance coverage, risk transfer and counseling. He advises insurers corporate clients, and policyholders on coverage analysis, extra-contractual liability, bad faith, and complex excess matters, with particular depth in New York insurance law, including its application under the Bermuda Form. He has handled coverage matters through the appellate courts and has been retained as an expert witness in the United States, Canada, and the United Kingdom.

An educator by avocation, Mr. Kohane has taught insurance law as an adjunct professor at the University at Buffalo School of Law for nearly four decades and has presented more than 250 continuing legal education programs. He is a member and founding regent of the American College of Coverage Counsel, a member of the American Law Institute, and has authored the Syracuse University annual survey of New York insurance law and numerous articles on coverage and dispute resolution.

Mr. Kohane is available to arbitrate and mediate cases throughout New York.

AREAS of EXPERIENCE

- Appellate Practice
- Attorney Malpractice/Legal Ethics
- Commercial
- Construction
- Construction Defect
- Employment Law
 - Employment Civil Rights
 - Employment Discrimination
 - Employment Litigation
 - Sexual Harassment
 - Title VII Discrimination
- Hospitality
- Insurance
- Negligence/Torts
- Personal Injury
 - Auto
 - Construction
 - General
 - Premises
 - Product Liability
- Professional Liability/Malpractice (Non-Medical)
- Property Damage

LECTURES and PUBLICATIONS

- "The Misuse and Misunderstanding of Generative Artificial Intelligence in Litigation," *American College of Coverage Counsel Quarterly*, 2026
- "Besides Ambiguity, What's in the New Motor Vehicle 'Tort Reform' Law?," *New York Law Journal*, 2026
- "Governor's Tort Proposals Present Legitimate Solutions," *New York Law Journal*, 2026
- "AVOID Act Upends Third-Party Practice — Delays Guaranteed," *New York Law Journal*, 2026
- "Insurance Law – 2024," Survey of New York Law, *Syracuse Law Review*, 2025
- "The Mysteries of Vanishing Logic – A Case of Legal Whodunits," *Your New York Connection Magazine*, 2025
- "Availability of Tail Coverage Following Rescission of a Professional Liability Policy," *New York Law Journal*, 2025
- "New York Rental Car Companies Celebrate 'BYOI' Bring Your Own Insurance," *New York Law Journal*, 2025
- "Insurance Law – 2023," Survey of New York Law, *Syracuse Law Review*, 2024
- "Window Opening Statutes, Child Victims Act Claims and the Quest for Lost Policies," *The Brief, American Bar Association*, 2024
- "Head Scratchers Rewarded with Curious Decisions," *Your New York Connection Magazine*, 2024
- "Insurance Law – 2022," Survey of New York Law, *Syracuse Law Review*, 2023
- "Enforcement: A Survey of the Approaches Taken to Insurance Regulatory Enforcement in the United States of America and in the United Kingdom," Co-Author, *Research Handbook on International Insurance Law and Regulation*, Edward Elgar Publishing, 2023
- "Calling Balls & Strikes, in Lawyerly Fights," *Your New York Connection Magazine*, 2023
- "Insurance Law – 2021," Survey of New York Law, *Syracuse Law Review*, 2022
- "Did the Courts Really Do That? You've Got to be Kidding!," *Your New York Connection Magazine*, 2022
- "Mediation Day Is a Very Important Day: Make it Count," *ADR Choices, DRI*, 2021
- "Insurance Law – 2020," Survey of New York Law, *Syracuse Law Review*, 2021
- "Courts ... Uh, Hello: Hindsight is 2020," *Your New York Connection Magazine*, 2021
- "Insurance Law – 2019," Survey of New York Law, *Syracuse Law Review*, 2020
- "Mighty Changes for Declaratory Judgment," *Your New York Connection Magazine*, 2020
- "Judicial Oversights," *Your New York Connection Magazine*, 2020
- "Bulls and Bites & Other Delights," *Your New York Connection Magazine*, 2019
- "Insurance Law – 2018," Survey of New York Law, *Syracuse Law Review*, 2018
- "Insurance Law – 2016 - 2017," Survey of New York Law, *Syracuse Law Review*, 2018
- Speaker, "The AVOID Act," Presented to New York Insurance Association Legal Roundtable, 2026
- Speaker, "Risk Transfer Primer," Presented to PLRB Claims Conference, 2026
- Speaker, "Responding to Catastrophic Events," Presented to Federation of Defense & Corporate Counsel Insurance Industry Institute, 2025
- Speaker, "ADR Innovations, Insights, and Trends," Presented to International Association of Defense Counsel Professional Liability Roundtable, 2024
- Speaker, "Insurance Coverage Basics for Mediation," Presented to American College of Coverage Counsel, 2022

HONORS and AWARDS

- Richard T. Boyette Award for Outstanding Contributions to the National Foundation for Judicial Excellence, 2023
- Ken Joyce Excellence in Teaching Award, University at Buffalo School of Law, 2022
- Lifetime Achievement Award, Federation of Defense & Corporate Counsel, 2022
- Special Service Award for Planning, Chairing and Providing Continuing Education Programming, New York State Bar Association, 2021

- Lawyer of the Year, Insurance Law, Best Lawyers in America, 2025, 2017, 2013
- Best Lawyers in America, Insurance Law, Litigation - Insurance, and Mediation, 2009 - 2026
- Super Lawyers, Insurance Coverage, 2007 - 2026
- John E. Leach Memorial Award, New York State Bar Association Torts, Insurance and Compensation Law Section, 2013
- Martindale-Hubbell AV Peer Review Rating

LEGAL EXPERIENCE

- Adjunct Professor of Insurance Law, University at Buffalo School of Law, 1985 - Present
- Partner, Hurwitz Fine P.C., 1984 - Present
- Associate, Hurwitz Fine P.C., 1980 - 1984

PROFESSIONAL LICENSES and ADMISSIONS

- New York State Bar, 1980
- United States District Courts for the Western District of New York, 1980
- United States District Courts for the Northern District of New York, 1983
- United States District Courts for the Southern District of New York, 2007
- United States District Courts for the Eastern District of New York, 2007
- United States Bankruptcy Court for the Western District of New York, 1981
- United States Court of Appeals for the Second Circuit, 1997

PROFESSIONAL AFFILIATIONS and ASSOCIATIONS

- Special Master, Mandatory Civil Appeals Mediation Program, New York State Appellate Division, Second Department
- Certified Mediator and Neutral, United States District Court, Western District of New York
- Member, American Law Institute
- Member and Founding Regent, American College of Coverage Counsel
- Fellow, New York State Bar Foundation
- President, National Foundation for Judicial Excellence
- Past President, Federation of Defense & Corporate Counsel
- Director, Defense Research Institute
- Member, Association of Defense Trial Attorneys
- Member, New York State Bar Association
- Member, Bar Association of Erie County
- President, Erie County Bar Foundation
- Member, Western New York Trial Lawyers Association
- Member, Board of Directors, Lawyers for Civil Justice
- Trustee, Theodore Roosevelt Inaugural Site

EDUCATION

- University at Buffalo School of Law, J.D.
- State University of New York at New Paltz, B.A. in Political Science, *magna cum laude*