

# Cohen Ziffer Lawyers Secure Legal Defense Costs for Ex-FIFA Official

On April 27, 2016, Cohen Ziffer lawyers secured a preliminary injunction ordering insurers Lloyd's of London and Axis Specialty Europe SE to immediately reimburse and advance legal costs for Eduardo Li, a former official of the Federation Internationale de Football Association ("FIFA"), the international body that governs organized soccer, who has been charged in connection with a high-profile criminal action.

The ruling, issued by Judge Raymond Dearie of the United States District Court for the Eastern District of New York, who is also overseeing Mr. Li's criminal case, affirms the rights of policyholders to secure immediate insurance company payments to fund their criminal defense. Judge Dearie also denied the insurers' motion to dismiss based on jurisdictional grounds and a Swiss forum selection clause in the insurance policy finding that such clauses were unenforceable against an official who did not specifically agree to forego the protections of a U.S. court and litigate in a foreign jurisdiction that would necessarily work injustice to the official.

Robin Cohen, lead insurance counsel for Mr. Li, applauded the ruling, "Judge Dearie's decision affirms a policyholder's right to injunctive relief because it recognizes that our client would be irreparably harmed absent immediate payment of costs to fund his legal defense under the insurer's directors and officers liability policy," Ms. Cohen explained. "The decision also recognizes the federal court's obligation to protect criminal defense counsel by ensuring they are properly compensated by insurance."

Mr. Li is represented by Robin L. Cohen. The case is *Eduardo Li v. Certain Underwriters at Lloyd's, London et al.*, case number 1:15-cv-06099, in the U.S. District Court for the Eastern District of New York.

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