



Wystan M. Ackerman

Partner

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Wystan Ackerman focuses his practice on three main areas: class actions, appeals, and insurance coverage litigation.

Class Actions

Wystan chairs our firm's Class Action team and is the editor of our firm's *Class Actions Insider* blog. He is one of Connecticut's leading class action defense lawyers, and has a national class action defense practice. Over more than twenty years, Wystan has been involved in defending more than 130 class actions in over 20 jurisdictions. In many of those cases, he prevailed on a dispositive motion.

Wystan successfully petitioned the United States Supreme Court to grant *certiorari* and was co-counsel on the merits in *Standard Fire Insurance Company v. Knowles*, 568 U.S. 588 (2013), in which the Court rejected a plaintiff's attempt to evade federal jurisdiction by stipulating that the amount sought would not exceed the \$5 million threshold under the Class Action Fairness Act.

Wystan has defended putative class action cases involving insurance and financial services, products liability, environmental issues, employment, data breaches, healthcare, managed care, higher education, consumer contracts, Internet tracking, and securities. He has extensive experience defending major insurers in putative class actions involving homeowners' insurance, auto insurance, underwriting and business practices, and also advises insurers regarding the defense of their insureds in class actions. He has handled insurance class actions involving, for example, the COVID-19 pandemic, general contractor overhead and profit, labor depreciation, automobile total losses, diminished value, PIP coverage, and various other issues. He is a past chair of the Class Action and Multidistrict Section of the Federation of Defense and Corporate Counsel (FDCC), and a past chair of the Class Action Special Litigation Group of the Commercial Litigation Committee of the Defense Research Institute (DRI).

Appeals

Wystan also has a national appellate practice, mainly focused on insurance. He has been involved in over 160 appeals, including appeals in every regional federal circuit, as well as in state supreme and/or appellate courts in 19 states, and the U.S. Supreme Court. He is retained for trial monitoring as appellate counsel in cases involving large exposures or where an appeal is anticipated. He regularly represents national insurance industry associations as *amici curiae* in appellate and supreme courts. Wystan has been involved, as either counsel for the insurer or for an *amicus curiae*, in many of the most significant insurance coverage-related appeals over the last twenty years. Wystan has chaired the Appellate Section of the Federation of Defense and Corporate Counsel (FDCC) and has served on the pro bono panel of the U.S. Court of Appeals for the Second Circuit.

Insurance Coverage Litigation

Wystan also has extensive experience litigating and advising insurers on coverage issues. His coverage practice is national in

scope. High-profile coverage cases he has litigated include cases involving flood exclusion and Valued Policy Law issues arising from Hurricane Katrina, Chinese-made drywall, Superstorm Sandy, the cracking foundation litigation in Connecticut, and the COVID-19 pandemic.

Wystan has been listed as a Second Circuit Litigation Star in *Benchmark Appellate* (2013) and is listed as a litigation star in *Benchmark Litigation* (2013-2025). He was selected by his peers for inclusion in Hartford, CT – *Best Lawyers*® for 2023-2025 in the area of Litigation-Insurance. Wystan also has been selected to the Connecticut ***Super Lawyers*** list from 2015 to 2025, and was selected as a Rising Star in Connecticut *Super Lawyers* from 2009 to 2014. In addition, he was named a JD Supra *Readers' Choice Awards* Top Author in the Class Action category for 2018, 2023 and 2025.

Wystan serves as our firm's Professional Development Partner.

Services

- Extracontractual Liability Litigation
- Insurance + Reinsurance
- Insurance Appeals
- Insurance Class Action Litigation
- Liability Coverage
- Property Insurance Coverage Litigation
- Class Action Defense
- Appellate
- Litigation

Education

- Columbia Law School (Juris Doctor, *Moot Court*)
 - James Kent Scholar
 - Law Review (Notes Editor)
- Bowdoin College (Bachelors, *summa cum laude*)
 - B.A., Government

Admissions

- Commonwealth of Massachusetts
- State of Connecticut
- State of New York
- U.S. Supreme Court
- U.S. Court of Appeals, 1st Circuit
- U.S. Court of Appeals, 2nd Circuit
- U.S. Court of Appeals, 3rd Circuit
- U.S. Court of Appeals, 4th Circuit
- U.S. Court of Appeals, 5th Circuit
- U.S. Court of Appeals, 6th Circuit
- U.S. Court of Appeals, 7th Circuit

- U.S. Court of Appeals, 8th Circuit
- U.S. Court of Appeals, 9th Circuit
- U.S. Court of Appeals, 10th Circuit
- U.S. Court of Appeals, 11th Circuit
- U.S. District Court, District of Colorado
- U.S. District Court, District of Connecticut
- U.S. District Court, Northern District of Florida
- U.S. District Court, District of Massachusetts
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Western District of New York
- U.S. District Court, Western District of Wisconsin

Recognitions

Listed in *Benchmark Litigation* as a Local Litigation Star for Connecticut in the area of Insurance since 2015

Listed as a Future Star in *Benchmark Litigation* for 2013 and 2014

Listed as a Second Circuit Litigation Star in Connecticut in *Benchmark Appellate*, 2013

AV® Preeminent™ Peer Review Rated in *Martindale-Hubbell™* (Martindale-Hubbell Peer Review Ratings is a trademark. AV Preeminent is a certification mark of Reed Elsevier Properties, Inc.)

Selected to the Connecticut *Super Lawyers* list from 2015 to 2025

Selected as a Rising Star in the Connecticut *Super Lawyers* list from 2009 to 2014

2025, 2023 and 2018 JD Supra *Readers' Choice Awards* Top Author in the Class Action category

Connecticut Law Tribune, recognized in 2012 *New Leaders in the Law Yearbook*

Selected by his peers for inclusion in *The Best Lawyers in America®* in the area of Litigation-Insurance since 2023

Leadership + Memberships

Federation of Defense and Corporate Counsel

Chair, Amicus and Public Policy Committee

Chair, Class Action/MDL Section

Past Chair, Appellate Section

Connecticut Bar Association

Insurance Law Section, Executive Committee

Connecticut Bar Foundation

James W. Cooper Fellow (2017 - Current)

Town of Berlin

Past Chair, Board of Ethics (2013 - Past)

Member, Commission for Persons with Disabilities