



# CRAIG NIERMAN

Nierman ADR

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## EDUCATION

### Harvard Law School

*Negotiation Master Class, 2024*

### University of Iowa College of Law

*J.D., 1999, with High Distinction*

### University of California, Davis

*B.A., 1990*

## SELECTED PUBLICATIONS

### Arbitrating Out-of-Network Reimbursement: The No Surprises Act

(publication pending)

### Lloyd's of London's Impact on U.S. Insurance Litigation

(publication pending) (lead author)

### Principles of Multi-Layer Insurance Coverage: Duties, Allocation, and Risk

35 *INSURANCE COVERAGE LITIGATION* 2 (2026)

### Not What We Bargained For: Deception's Unintended Consequences

54 *THE BRIEF* 4 (2025)

### *Data-Driven Negotiations: Applying Counterintuitive Research to Avoid Bargaining Regrets*

53 *THE BRIEF* 4 (2024)

*COMPREHENSIVE BUSINESS LAW*, 3rd ed. Cognella (2022) (co-author)

## CURRENT POSITIONS

### Nierman ADR - Arbitrator and Mediator

*Resolution of complex insurance and healthcare disputes*

### University of Iowa College of Law

*Adjunct Professor: Arbitration and Insurance*

## PRIVATE LAW PRACTICE EXPERIENCE

*Phelan Tucker LLP, Iowa City, Iowa, Partner, 2017-25*

*Nierman Law, PLC, Iowa City, Iowa, President, 2001-17*

*Dell Richard Law Office, Iowa City, Iowa, Associate, 1999-2000*

### Practice Overview

Handled complex insurance and healthcare disputes with overlapping legal, financial, and regulatory issues. Clients included businesses, insurers, individuals, hospitals and clinics, and public entities. Regularly involved in matters proceeding through arbitration, jury and bench trials, and appeals, with a focus on developing practical resolution strategies.

### Insurance Coverage and Claims

- First- and third-party coverage disputes, including layered and excess coverage issues
- Duty to defend and indemnity allocation across multiple insurers
- Extracontractual and bad faith exposure
- Subrogation and recovery actions
- Producer liability and carrier-broker disputes

### Healthcare and Payor-Provider Disputes

- Reimbursement disputes involving ERISA plans, commercial insurers, and government payors
- Managed care and network participation conflicts
- Professional negligence and risk allocation issues
- Regulatory issues including HIPAA compliance
- Provider contracting, affiliations, and transaction-related disputes

## SELECTED PROFESSIONAL MEMBERSHIPS AND AWARDS

**Academy of Court-Appointed Neutrals**  
Member

**American Academy of ADR Attorneys**  
Immediate Past President; Board Certified Arbitrator and Mediator

**American Bar Association**  
Sections: Business Law; Dispute Resolution; Health Law; Litigation; Tort, Trial and Insurance Practice (TIPS)

**Judge David R. Hansen Inn of Court**  
President

**Eighth Circuit Bar Association**  
Member

**International Academy of Dispute Resolution**  
Mediator of the Academy

**Iowa State Bar Association**  
Committees: ADR (chair); Federal Practice; Health Law; Litigation  
Pro Bono Honor Roll  
Outstanding Section Chair Award

**Martindale-Hubbell**  
AV Preeminent

**National Association of Distinguished Neutrals**  
Inducted Member

**Order of the Coif**  
Inducted Member

**State of Iowa**  
Governor's Volunteer Award

## BAR ADMISSIONS

**United States Court of Appeals**  
Eighth Circuit

**United States District Court**  
Northern District of Iowa  
Southern District of Iowa

**Supreme Court of Iowa**

## OTHER EXPERIENCE

**State Farm Insurance Companies; California, Indiana, and Iowa**  
*Claim Specialist, 1990-97*  
Managed and evaluated claims in multiple jurisdictions; analyzed medical records and billing; participated in arbitration and mediation; testified in litigation.

## SELECTED PROFESSIONAL PRESENTATIONS

**Health Care Arbitration Training**  
May 2026, American Health Law Association (virtual) (invited)

**Deception: Ethics, Internal Consequences, and Prevention**  
March 2026, American Arbitration Association (virtual)

**Towers of Risk: Duties, Ethics, and Extracontractual Exposure in Multi-Layer Coverage**  
March 2026, American Bar Association, Litigation Section, Tucson

**From Lime Street to Main Street: The London Market's Influence on American Coverage Disputes**  
February 2026, American Bar Association, TIPS, San Diego

**Using Technology to Connect with Juries**  
February 2026, David R. Hansen Inn of Court (virtual)

**Not What We Bargained For: Deception's Unintended Consequences**  
October 2025, American Academy of ADR Attorneys (virtual)

**Mediating Insurance Coverage Cases**  
September 2025, American Bar Association, TIPS, Chicago

**Virtual Mediation: Psychology and Practice**  
August 2025, Iowa Judicial Branch (virtual)

**Virtually as Good? Psychological and Practical Issues in Online Mediation**  
July 2025, University of California, Berkeley Judicial Institute (virtual)

**Using Focus Groups, Jury Surveys, and Jury Consultants**  
June 2025, Iowa State Bar Association, Des Moines

**Electronic Medical Records**  
May 2025, American Bar Association, Litigation Section (virtual)

**Data-Driven Negotiations: Applying Counterintuitive Research to Avoid Bargaining Regrets**  
April 2025, American Bar Association, Business Section, New Orleans

**Using Scientific Research to Out-Negotiate Your Opponent**  
March 2025, American Bar Association, Litigation Section, Tucson

**Mediating Professional Liability Cases**  
October 2024, American Bar Association, Litigation Section (virtual)

**Taking Medical Provider Depositions**  
August 2024, Iowa State Bar Association (virtual)

**Tested and Proven Strategies for Success in Insurance Coverage Mediations**  
March 2024, American Bar Association, Litigation Section, Tucson

**Arbitration of Health Insurance Claim Disputes**  
June 2023, Iowa State Bar Association (virtual)