



# CRAIG NIERMAN

Nierman ADR

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## EDUCATION

### Harvard Law School

*Negotiation Master Class, 2024*

### University of Iowa College of Law

*J.D. with High Distinction, 1999*

### University of California, Davis

*B.A., 1990*

## SELECTED PUBLICATIONS

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

55 THE BRIEF 3 (2026) (lead author)

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

THE HEALTH LAWYER (May 2026)

### 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)

### Virtually as Good? Psychological, Practical, and Performance Issues in Online Mediation

American Bar Association, Professional Liability Litigation Committee (2024)

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

## CURRENT POSITIONS

### Nierman ADR - Arbitrator and Mediator

*Serves as arbitrator and mediator in complex, high-exposure insurance and healthcare disputes including payor-provider matters, layered or overlapping first- and third-party coverage claims, extracontractual liability, professional negligence, and physician-practice disputes.*

### University of Iowa College of Law, Adjunct Professor

*Arbitration: Federal Arbitration Act; jurisdiction; arbitral ethics; class arbitration; vacatur, confirmation, and enforcement of awards; and international arbitration.*

*Insurance: First- and third-party coverage; ERISA; producer liability; overlapping and excess coverage; duty to defend; subrogation; and long-tail claims.*

## 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, as well as public entities. Regularly involved in matters proceeding through arbitration, jury and bench trials, and appeals, with a dual focus of prosecuting litigation and developing practical resolution strategies.

### Insurance Coverage and Claims

- First- and third-party coverage disputes, including layered and excess coverage cases
- Duty to defend and indemnity allocation across multiple insurers
- Extracontractual exposure
- Professional negligence and medical device claims
- 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**  
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**  
Past President

**Eighth Circuit Bar Association**  
Member

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

**Iowa State Bar Association**  
Committees: ADR (past 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

**Handong International Law School; Pohang, Republic of [South] Korea**  
*Adjunct Professor, 2009*  
Teaching Assignment: Insurance

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

### SELECTED PROFESSIONAL PRESENTATIONS

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

***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, Judge 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

***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

***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)