DRI delivers resources to build your practice

Life, Health, Disability and ERISA

- The latest trends and developments in life, health, disability and ERISA law
- Three days of networking and business development opportunities with prominent in-house and outside counsel
- Breakout sessions featuring tracks in ERISA, Non-ERISA, and Health, which allow you to tailor the seminar to fit your practice
- Earn up to 11.75 hours of CLE, including one hour of ethics credit
- Complimentary copy of the updated DRI ERISA Litigation Primer in course materials





April 11-13, 2018

The Westin Copley Place Boston

Boston, MA

Rl's Life, Health, Disability and ERISA Seminar is returning to the world-class city of Boston. The seminar offers unparalleled learning opportunities directly related to your practice, as well as extensive networking forums for in-house and outside counsel. The faculty features leading practitioners who will provide insights into trends and developments in the law, as well as practical tips that you will not want to miss. The seminar leads off on Wednesday with nine separate breakout sessions covering three tracks—ERISA, Non-ERISA, and Health—allowing you to focus on the area that best fits your practice. Thursday and Friday offer a broad range of plenary presentations covering the hottest topics in the industry, including the popular updates on life insurance, disability insurance, and health insurance, as well as Mark Schmidtke's presentation on advanced ERISA topics. Reconnect with old friends, make new ones, and deepen your connections within the committee.



D. Larry **Kristinik**Program Chair



Leonor M. (Leo) **Lagomasino**(ommittee (hair



Patrick W. **Begos** Program Vice Chair



Byrne J. **Decker** Committee Vice Chair



E. Todd **Presnell**Law Institute



Stephen H. **Broer** Committee Corporate Vice Chair

What You Will Learn



- The latest on the new DOL disability regulations and best practices for implementing them
- The influence of diversity on the life, health, and disability industry and how new Rule 8.4(g) of the Model Rules of Professional Conduct will affect the way that we practice
- Strategies for combating unreasonable requests by claimants for attorneys' fees in ERISA litigation
- The current trends and regulatory initiatives of state departments of insurance
- How to prepare for and present a bad-faith case to a jury
- Updates on life insurance, disability insurance, health insurance, and class actions
- And much more!

Get Started

- 1 Review the brochure and identify sessions of interest to you
- 2 Share this brochure with colleagues
- 3 Register online or complete the form in the back
- 4 Download the DRI App App Store Sovenies and make use of its features to get the most out of this program
- 5 Share on social media







Maximize Your DRI Seminar Experience

No one gets you connected like DRI.

- Use the DRI App to customize your schedule, view course materials, and communicate with fellow attendees and speakers.
- Access the DRI Life, Health and Disability Committee Community to network with individual members. Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Discover the → DRI Client Connection—meet in-house and claims professional registrants and speakers.

PROGRAM SCHEDULE

Click on any speaker name to view bio.

WEDNESDAY, APRIL 11

DRI for Life Run/Walk

8:00 a.m. | Arriving to Boston early? Want to enjoy some fresh air and networking, too? Gather in the hotel lobby for an energizing run/walk around town and get a head start on building your contacts.

Hands-On Community Service Project

10:00 a.m.

Network for a great cause! Join your colleagues in a hands-on service project to benefit the Boston chapter of Cradles to Crayons, an organization providing the essentials that children from birth to age 12 need to survive and thrive. We will be packing donations at the Cradles to Crayons facility (a short taxi or Uber ride from the hotel) until noon. For more information and to sign up in advance, please contact Elizabeth Doolin at edoolin@cmn-law.com.

12:00 p.m. **Registration**

DRI for Life Book Club

2:00 p.m. **Breakout Sessions** (see below)

5:15 p.m. | Join us to take a break from law and discuss literature. The book will be selected several weeks prior to the seminar and is guaranteed not to contain case citations! For more information, contact Julie Wall at jwall@cmn-law.com or Kristina Holmstrom at Kristina. holmstrom@ogletree.com.

5:30 p.m. Meeting for First-Time Attendees and Others Interested in the LHD Committee

Visit with committee leaders and learn how to make the most of the seminar and become engaged in the committee.

6:00 p.m. **Networking Reception**

SPONSORED BY Nelson Mullins Riley &
Scarborough LLP
Smith Moore Leatherwood LLP

BREAKOUT SESSIONS Wednesday, 2:00 p.m.-5:00 p.m. ■ ERISA ■ NON-ERISA ■ HEALTH 2:00 p.m. Playing Offense: Affirmative Insanity, Minors, and Foreign What Is Usual, Customary, Claims for Overpayments and **Death: Payment Hurdles** and Reasonable? **Other Equitable Remedies** for Life Insurance Claims Sherril M. Colombo. Littler Mendelson PC, Miami, FL Julie F. Wall. Chittenden Murday & Gerardo Puig. Transamerica. Novotny LLC, Chicago, IL Baltimore, MD Eric B. Myers, BlueCross BlueShield of Tennessee Inc... Scott M. Trager, Funk and Bolton PA. Baltimore, MD Chattanooga, TN 3:00 p.m. **Defending Claims Arising from Exclusions**, **Exclusions**, **ERISA Avoidance: Confronting Plan Administrator Errors** Exclusions: AD&D, Suicide, **New Tactics in Provider** Foreign Travel, and More **Payment Litigation** Byrne J. Decker. Pierce Atwood LLP. Portland, ME Andrew F. MacRae, Levatino **Shari Gerson**, *Gray Robinson PA*, Pace PLLC. Austin. TX Fort Lauderdale, FL Michael T. Wade, Cigna, Hartford, CT 3:55 p.m. Refreshment Break SPONSORED BY Wilson Elser Moskowitz Edelman & Dicker LLP 4:10 p.m. Challenging Unreasonable Maximizing the Recovery A Practical Guide for Health Claimant Attorneys' of Attorneys' Fees in Insurers in Defending False **Fees Requests** Interpleader Actions Claim Act Cases After Escobar Kristina N. Holmstrom. Oaletree Wendy L. Furman. Edison Kirsten V. Mayer, Ropes & Deakins Nash Smoak & Stewart PC, McDowell & Hetherington LLP, Gray LLP, Boston, MA Phoenix, AZ Boca Raton, FL Kenneth E. Yeadon. Hinshaw & Christine Olson Zdrojeski, Culbertson LLP, Chicago, IL The Hartford, Hartford, CT

7:30 p.m. **Women's Networking Dinner** | Details for signing up will be circulated to registrants in advance of the seminar. Limited availability.

Dine-Arounds | Join colleagues and friends 7:30 p.m. at selected restaurants for dinner. Sign up on-site.

THURSDAY, APRIL 12

Device Charging Station

SPONSORED BY Ogletree Deakins Nash Smoak & Stewart PC

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Wireless Access

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DRI for Life Run/Walk

6:30 a.m. | Early riser? Gather in the hotel lobby for an energizing run/walk with fellow LHD practitioners.

7:30 a.m. Registration

7:30 a.m. **Continental Breakfast**

> SPONSORED BY Chittenden Murday & **Novotny LLC**

Welcome and Introduction 8:30 a.m.

> E. Todd Presnell. Bradley Arant Boult Cummings, Nashville, TN

D. Larry Kristinik, Nelson Mullins Riley & Scarborough LLP, Columbia, SC

8:40 a.m. Class Action Update

This presentation will review the most notable LHD class action rulings and identify the latest trends. The program will address class actions in both the ERISA-governed and individual policv contexts.

Amanda A. Sonneborn, Seyfarth Shaw LLP, Chicago, IL

The Judicial Perspective 9:30 a.m.

We are privileged to present a judge from the US Court of Appeals for the First Circuit, who will offer observations about effective oral advocacy and brief writing in appellate courts.

The Honorable William J. Kayatta, Jr., US Court of Appeals, First Circuit, Portland, ME

10:15 a.m. Refreshment Break

10:30 a.m. Life Insurance Update

This program will review key life insurance decisions over the past year and discuss emerging trends in life insurance litigation, with a forecast of what the next year may bring.

Michelle Thurber Czapski, Bodman PLC, Troy, MI

11:15 a.m. The New DOL Disability Claim Regulations

Experienced in-house and outside counsel will address the practical implications of the new DOL disability claim regulations for claim practices and their likely effects on litigation.

Patrick W. Begos, Robinson & Cole LLP, Stamford, CT

Michael L. Parker, Unum Group, Portland, ME

12:00 p.m. **Lunch** (on your own)

12:00 p.m. Diversity and Inclusion Luncheon | Those interested in attending must reply to an invitation from the sponsor, which will be sent to registrants in advance of the seminar. Limited availability.

> GUEST SPEAKER | Carolyn Golden Hebsgaard, Boston Lawyers Group, Boston, MA YR GTZOH **Sirote & Permutt PC**

1:30 p.m. Schmidtke on ERISA

Mark Schmidtke, a leading authority on ERISA. will discuss the latest in cutting-edge ERISA issues, including Supreme Court developments and timely issues affecting LHD insurance providers and their counsel.

Mark E. Schmidtke, Ogletree Deakins Nash Smoak & Stewart PC, Valparaiso, IN

2:30 p.m. Health Insurance Law Update

Learn about trends in health insurance litigation for individual and group policies, including an update on cross-plan offset litigation and risk corridor payment litigation, as well as any recent ACA amendments.

Bryan D. Bolton, Funk & Bolton PA, Baltimore, MD

Gloria R. Perrotta, Cigna, Hartford, CT

3:15 p.m. **Refreshment Break**

SPONSORED BY Rumberger Kirk & Caldwell White and Williams LLP

3:30 p.m. Jury Trials of Bad-Faith Claims

The trial of a bad faith case can be challenging, with juror biases and insurer products under attack. This program will provide insights on presenting the defense side to a jury.

Forrest S. Latta, Burr & Forman LLP, Mobile, AL

4:15 p.m. Adjourn

4:15 p.m. In-House/Corporate Counsel

Breakout Meeting (exclusively for in-house/corporate counsel)

4:15 p.m. Bootcamp Alumni and Young Lawyers Event: Building for the Future

A panel of long-time attendees will provide advice on how to get the most out of the DRI LHD Committee, from client development to networking and practice tips.

FACILITATORS

Joshua Bachrach, *Wilson Elser Moskowitz Edelman & Dicker LLP*, Philadelphia, PA

Sue A. Sperry, Sun Life Assurance Co. of Canada, Kansas City, MO

5:00 p.m. **Life, Health and Disability Committee Meeting** (open to all)

6:00 p.m. **Networking Reception**

SPONSORED BY Wilson Elser Moskowitz Edelman & Dicker LLP

7:30 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner. Sign up on-site.

9:30 p.m. **Young Lawyers After-Dinner Reception**(everyone invited) | Whether you are young or young at heart, everyone is welcome at this popular networking event. More details on-site.

FRIDAY, APRIL 13

Device Charging Station

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Wireless Access

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DRI for Life Run/Walk

6:30 a.m. | Early riser? Gather in the hotel lobby for an energizing run/walk with fellow LHD practitioners.

7:30 a.m. **Registration**

7:30 a.m. Continental Breakfast

SPONSORED BY **Bradley Arant Boult Cummings LLP**

8:30 a.m. **Announcements**

Patrick W. Begos, Robinson & Cole LLP,

Stamford, CT

8:35 a.m. **Enforcing Time Limits**

This program will update you on the law and provide practical advice for enforcing contractual and statutory time limitations for providing notice of claim, proof of loss, and the commencement of legal actions for ERISA-governed and individual LHD policies.

Robert P. Lesko, *Wilson Elser Moskowitz Edelman & Dicker LLP*, Florham Park, NJ

9:20 a.m. Disability Update

Learn about the most significant state and federal court decisions relating to individual and ERISA-governed disability claims, with a discussion of recent trends and challenges.

Rachel R. Krause, *Lewis Brisbois Bisgaard & Smith LLP*, Atlanta, GA

10:05 a.m. **Refreshment Break**

SPONSORED BY **Bodman PLC**

10:20 a.m. What's Trending at the DOI

Hear from a former state insurance commissioner about the latest initiatives by state departments of insurance, New York Circular No. 1, and trends in regulation.

Mary Jo Hudson, Squire Patton Boggs, Columbus. OH

11:15 a.m. The Ethics of Diversity After Rule 8.4(g)

The panel will examine the new Rule 8.4(g) of the Model Rules of Professional Conduct barring discrimination in the practice of law, as well as other diversity issues in the LHD practice.

MODERATOR | **Brooks R. Magratten**, *Pierce Atwood LLP*, Providence, RI

Ann M. Courtney, Unum Group, Portland, ME

Marcus M. Maples, Baker Donelson Bearman Caldwell & Berkowitz PC, Birmingham, AL

Sheryl J. Willert, Williams Kastner, Seattle, WA

12:15 p.m. Adjourn

GENERAL INFORMATION

In-House Counsel

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates, or its subsidiaries. To qualify for free registration, in-house counsel must be a DRI member and a member of the DRI Corporate Counsel Committee *or* be sponsored by a DRI member who is both registered and has paid for the seminar. Nonmember in-house counsel may utilize this offer only once. This offer excludes the DRI Annual Meeting and the DRI Business Management Principles for Lawvers Seminar.

Claims Executives

Claims professionals are eligible for free registration to DRI seminars. Claims professionals are defined as any individuals employed by a corporation or insurance company, who spend a substantial portion of their professional time hiring or supervising outside counsel in the representation of businesses, insurance companies or their insureds, associations, or governmental entities in civil litigation. To qualify for free registration, the claims professional must be a DRI member under a corporate membership or be sponsored by a DRI member who is both registered and has paid for the seminar. Nonmember claims professionals may utilize this offer once per calendar year. This offer excludes the DRI Annual Meeting.

CLE/Claims Adjusters Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to **11.75** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. **Application has been made for continuing education for claims adjusters.** Credit availability and requirements vary from state to state; **please check the DRI website** at **dri.org** for the latest information for your state.

Registration Policy

Save \$100 when you register by March 13, 2018. (See the registration form for pricing.) The registration fee includes course materials, continental breakfasts, refreshment breaks, networking receptions, and access to the DRI App. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by **March 20,**

2018 (*please allow 10 days for processing*). Registrations received after **March 20, 2018**, will be processed on-site.

Refund Policy

The registration fee is fully refundable for cancellations received on or before March 20, 2018. Cancellations received after March 20 and on or before March 27, 2018, will receive a refund, less a \$100 processing fee. Cancellations made after March 27 will not receive a refund, but a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax (312.795.0747) or email (seminars@dri. org) to DRI's Accounting Department. Processing of refunds will occur within four weeks after the date of the seminar. All refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

Discounts

Group Discount The first and second registrations from the same firm or company are subject to the fees outlined previously. The registration fee for additional registrants from the same firm or company is \$775, regardless of membership status if received on or before **March 13**, **2018**. After **March 13**, the group rate is \$875. All registrations must be received at the same time to receive the discount.

Travel Discounts DRI offers discounted meeting fares on various major air carriers for **DRI Life, Health, Disability and ERISA Seminar** attendees. To receive these discounts, please contact Direct Travel, DRI's official travel provider, at 800.840.0908. As always, to obtain the lowest available fares, early booking is recommended.

- The taping or recording of DRI seminars is prohibited without the written permission of DRI.
- Speakers and times may be subject to last-minute changes.
- A small portion of your room rate offsets the costs of the seminar.
- DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at **Westin Copley Place, Boston, 10 Huntington Avenue, Boston, MA 02116 (click here** to view hotel photos).

Take advantage of the group rate of **\$284 Single/Double** in one of two ways:

- Reserve online: Click here or visit dri.org and go to the DRI Life, Health, Disability and ERISA Seminar page and click on the "Book hotel" button.
- Or contact the hotel directly at 617.262.9600 and mention the DRI Life, Health, Disability and ERISA Seminar.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **March 13, 2018**, to be eligible for the group rate. Requests for reservations made after **March 13, 2018** are subject to room and rate availability.

FACULTY Click on any name to view bio.

Joshua Bachrach, Wilson Elser Moskowitz Edelman & Dicker LLP, Philadelphia, PA

Patrick W. Begos, Robinson & Cole LLP, Stamford, CT

Bryan D. Bolton, Funk & Bolton PA, Baltimore, MD

Stephen H. Broer, The Guardian Life Insurance Company of America, New York, NY

Sherril M. Colombo. Littler Mendelson PC. Miami. FL

Ann M. Courtney, Unum Group, Portland, ME

Michelle Thurber Czapski, Bodman PLC, Troy, MI

Byrne J. Decker, Pierce Atwood LLP, Portland, ME

Wendy L. Furman, Edison McDowell & Hetherington LLP, Boca Raton, FL

Shari Gerson, Gray Robinson PA, Fort Lauderdale, FL

Carolyn Golden Hebsgaard, Boston Lawyers Group, Boston, MA

Kristina N. Holmstrom, Ogletree Deakins Nash Smoak & Stewart PC. Phoenix. AZ

Mary Jo Hudson, Squire Patton Boggs, Columbus, OH

The Honorable William J. Kayatta, Jr., US Court of Appeals, First Circuit, Portland, ME

Rachel R. Krause, Lewis Brisbois Bisgaard & Smith LLP, Atlanta, GA

D. Larry Kristinik, Nelson Mullins Riley & Scarborough LLP, Columbia. SC

Leonor M. (Leo) Lagomasino, Hinshaw & Culbertson LLP, Coral Gables, FL

Forrest S. Latta, Burr & Forman LLP, Mobile, AL

Robert P. Lesko, Wilson Elser Moskowitz Edelman & Dicker LLP, Florham Park, NJ

Andrew F. MacRae, Levatino Pace PLLC, Austin, TX

Brooks R. Magratten, Pierce Atwood LLP, Providence, RI

Marcus M. Maples, Baker Donelson Bearman Caldwell & Berkowitz PC, Birmingham, AL

Kirsten V. Mayer, Ropes & Gray LLP, Boston, MA

Eric B. Myers, BlueCross BlueShield of Tennessee Inc., Chattanooga, TN

Michael L. Parker, Unum Group, Portland, ME

➢ Gloria R. Perrotta, Cigna, Hartford, CT

E. Todd Presnell, Bradley Arant Boult Cummings, Nashville, TN

Gerardo Puig, Transamerica, Baltimore, MD

Mark E. Schmidtke, Ogletree Deakins Nash Smoak & Stewart PC, Valparaiso, IN

Amanda A. Sonneborn, Seyfarth Shaw LLP, Chicago, IL

Sue A. Sperry, Sun Life Assurance Co. of Canada, Kansas City, MO

Scott M. Trager, Funk and Bolton PA, Baltimore, MD

Michael T. Wade, Cigna, Hartford, CT

Julie F. Wall, Chittenden Murday & Novotny LLC, Chicago, IL

Sheryl J. Willert, Williams Kastner, Seattle, WA

Kenneth E. Yeadon, Hinshaw & Culbertson LLP, Chicago, IL

Christine Olson Zdrojeski, The Hartford, Hartford, CT

View faculty bios on the Life, Health, Disability and ERISA Seminar webpage; click on "View speakers" button.

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- View the program schedule and customize your own
- View speaker bios and contact info
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- Keep notes
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CLE for Your Practice

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January 25–26

Civil Rights and Governmental Tort Liability

Hilton New Orleans Riverside,

New Orleans, LA

January 31-February 2

Women in the Law

Nobu Eden Roc Resort, Miami, FL

February 7-9

Product Liability Conference

San Diego Marriott Marquis,

San Diego, CA

March 1-2

Medical Liability and Health Care Law

Manchester Grand Hyatt, San Diego, CA

March 1–2

Toxic Torts and Environmental Law

Sheraton Nashville Hotel, Nashville, TN

March 14-15

Appellate Advocacy

Planet Hollywood, Las Vegas, NV

March 14-16

Trial Tactics

Planet Hollywood, Las Vegas, NV

March 21-23

Insurance Coverage and

Claims Institute

Swissôtel Chicago, Chicago, IL

Publications for Your Practice

Members can access committee newsletters and seminar course materials via **LegalPoint** at **dri.org**. **Newsletters** *ERISA Report* (3 times a year)

Life, Health, and Disability (4 times a year)

Visit the **Life**, **Health and Disability Committee page** on **dri.org** for information about the committee and related resources.

Life, Health and Disability focus in For The Defense

August 2018 (upcoming)

August 2017

August 2016

Defense Library Series

The Law of Life Insurance: Key Issues in Each State



Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the

perspectives, backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Harassment and Discrimination

DRI is committed to the policy of equal opportunity regardless of race, color, religion, sex, sexual orientation, gender, national origin and disability in all of its programs and activities, as well as maintaining an environment in our programs and activities which is free from all forms of harassment or discrimination of any kind. Pursuant to this policy, if any person who attends our programs or activities experiences unlawful discrimination or harassment, this should be reported to the Executive Director so that appropriate action may be taken.

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Life, Health, Disability and ERISA Seminar

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Life, Health, Disability and ERISA Seminar

April 11-13, 2018 The Westin Copley Place Boston Boston, MA

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Maximize your business development and education needs at DRI Seminars.

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