

ADVANCE REGISTRATION DEADLINE: MARCH 8, 2012



IN-HOUSE SPEAKERS INCLUDING

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**INSURANCE
COVERAGE
AND CLAIMS
INSTITUTE**

MARCH 28-30, 2012

**THE WESTIN
MICHIGAN AVENUE
CHICAGO, ILLINOIS**

REASONS TO ATTEND

- Keep up-to-date with the trends and latest insurance coverage issues
- Enjoy presentations from a distinguished faculty of lawyers and insurance industry leaders
- Network with senior claims executives and the top insurance coverage lawyers from across the country
- Hear from practitioners and insurance industry leaders on first- and third-party coverage
- Earn up to 14.5 credit hours, including 1 hour of ethics credit

CONTRACT

DRI DELIVERS RESOURCES TO BUILD YOUR PRACTICE



DRI's Insurance Coverage and Claims Institute offers an exclusive opportunity to hear from a distinguished faculty of lawyers, insurance industry leaders and policyholder counsel regarding recent court rulings and national claims trends, as well as practical advice for both the first- and third-party practitioner and claims professional. This program will help you sharpen the skills you need to litigate and navigate a wide range of insurance coverage claims and issues successfully, while networking with senior claims executives and experienced coverage lawyers from across the country. Moreover, the program will provide the perspectives of senior management in the insurance industry.



Michelle M. Meyers
Program Chair



James W. Bryan
Program Co-Vice Chair



William T. Graden
Program Co-Vice Chair



Anthony R. Zelle
Committee Chair



Brooks R. Magratten
Law Institute

Presented by DRI's
**Insurance Law
Committee**

This seminar brochure is sponsored by

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WHAT YOU WILL LEARN

- The most recent policyholders' counsel's trends and tricks
- Tips for litigating bad faith actions
- Emerging claims and issues affecting construction defect matters
- Analysis of the hot topics in first-party insurance
- Insight and perspective from several insurance industry executives
- Effective trial advocacy by incorporating modern technology



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PROGRAM SCHEDULE

WEDNESDAY, MARCH 28, 2012

Boarding Pass Kiosk*Sponsored by* **Burnham Brown**1:00 p.m. **Registration**2:00 p.m. **Making Bad Faith Look Good: Composing a Bad Faith Trial Theme**

Developing the right trial theme in an insurance bad faith action starts from the moment the lawsuit is served. This presentation will discuss how to develop a consistent theme for trial and how a strong theme can help shape discovery, trial strategy and opening and closing arguments.

Floyd P. Bienstock, *Steptoe & Johnson LLP*,
Phoenix, Arizona

3:15 p.m. **Defenses to Bad Faith Actions: Do They Exist and Do They Work?**

The presentation will provide the history and current status of the “genuine dispute” doctrine, the advice of counsel defense and other defenses that insurers have historically raised in response to bad faith suits. The discussion will also address the distinction between first- and third-party claims in asserting such defenses and practical problems that may arise with respect to the role of coverage counsel if they are involved in the claim investigation or are presented as expert witnesses.

Barbara A. O’Donnell, *Zelle McDonough & Cohen LLP*, Boston, Massachusetts

Stephanie Schrandt-Boone, *Swiss Re America Holding Company*, Overland Park, Kansas

4:00 p.m. **Damages**

Bad faith actions have notoriously resulted in large damage awards, including punitive damages, contract damages, consequential damages, emotional distress damages and

various statutory awards, such as penalty interest. This presentation will address the various types of damages, the prerequisites to asserting them and how defense counsel can seek to limit or avoid them through discovery and motions in limine at trial.

Louis E. Bricklin, *Bennett Bricklin & Saltzburg LLC*, Philadelphia, Pennsylvania

5:00 p.m. **Adjourn**6:00 p.m. **Networking Reception**

Sponsored by **Butler Pappas Weihmuller Katz Craig LLP**

THURSDAY, MARCH 29, 2012

Boarding Pass Kiosk*Sponsored by* **Burnham Brown**7:00 a.m. **Registration**7:00 a.m. **Continental Breakfast***Sponsored by* **Jeff Kichaven Mediator**7:00 a.m. **First-Time Attendees Breakfast**8:00 a.m. **Welcome and Introduction**

Brooks R. Magratten, *Pierce Atwood LLP*,
Providence, Rhode Island

Anthony R. Zelle, *Zelle McDonough & Cohen LLP*, Boston, Massachusetts

Michelle M. Meyers, *Burnham Brown*, Oakland,
California

8:15 a.m. **Emerging Insurance Trends and Law**

What groundbreaking new cases have been handed down in recent months? What trends are on the horizon that will affect you and your clients in the coming year? An experienced policyholder attorney will share his insights concerning recent case law and trends of 2011 and 2012.

John S. Vishneski III, *Reed Smith LLP*, Chicago,
Illinois



9:10 a.m. **Drilling Down the Duty to Defend: Beyond the Four Corners**

Beyond the obvious issues involved in determining whether insurers have a duty to defend lurk complicated subsidiary questions, including the effect of filing a declaratory relief action, the insurer's right to control the defense under a reservation of rights, independent counsel, the right to terminate the defense, the role of excess carriers, and self insured retentions or deductibles and their impact on the duty to defend.

Catalina J. Sugayan, *Sedgwick LLP*, Chicago, Illinois

10:00 a.m. **Refreshment Break**

Sponsored by Rimkus Consulting Group Inc.

10:15 a.m. **A Tale of Two Remedies—Rescission vs. Cancellation**

Rescinding or cancelling a policy improperly may result in the policy remaining in effect. This program will address when and how an insurer may properly rescind or cancel an insurance policy; when a policy should be rescinded or cancelled; and the election of remedies between cancellation and rescission.

Rick Hammond, *Johnson & Bell Ltd.*, Chicago, Illinois

11:10 a.m. **Recurring Problems with Concurrent Causation: Do Judicial Interpretations Clarify or Confuse?**

During the past two decades, insurers have sought to limit their exposure to certain risk by adding "anti-concurrent causation" language to their policies. However, from the relatively simple concept of proximate cause, judicial construction of insurance contracts has bred increasingly convoluted analyses that render ineffective even the clearest anti-concurrent causation wordings in an insurance policy.

This presentation explains how and why courts reach so far to avoid the application of causation-based coverage limitations.

Lawrence Zelle, *Zelle Hofmann Voelbel & Mason LLP*, Minneapolis, Minnesota

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

1:15 p.m. **The Perspectives of Senior Management and Claims Professionals**

What's on the minds of senior management? A panel of leading claims executives will give their perspective on topics ranging from the economics of insurance, to day-to-day issues involving claims personnel, the role of outside counsel and new legal issues.

Moderator

Charles W. Browning, *Plunkett Cooney PC*, Bloomfield Hills, Michigan

Panel

Robert Cusumano, *ACE Limited*, New York, New York

William T. Graden, *State Farm Insurance Companies*, Bloomington, Illinois

Joanne M. Locke, *Liberty Mutual Group Inc.*, Boston, Massachusetts

2:10 p.m. **On the Front Lines: The Role and E&O Liability of Agents and Brokers**

The following scenarios are all too common: the issuance of unauthorized additional insured endorsements and certificates of insurance, missing policy provisions, and inaccurate insurance applications. This presentation will discuss the roles of brokers, agents and managing general agents in the chain of procuring insurance, as well as their liability for unauthorized acts.

Paul S. White, *Tressler LLP*, Los Angeles, California

3:05 p.m. **Refreshment Break**



3:20 p.m. **Ethics: Visiting the Sins of Defense Counsel on the Insurance Carriers**

In most jurisdictions, defense counsel has an obligation to identify ethical conflicts. Defense counsel's failure to identify subtle conflicts may be capitalized upon by the policyholder bar and used against carriers in bad faith litigation. This presentation will identify these subtle ethical conflicts and provide tips for preventing the use of the conflicts in an insurance coverage action.

Elizabeth A. Fitzpatrick, *Lewis Johs Avallone Aviles LLP*, Melville, New York

Joyce Watz, *State Farm Insurance Companies*, Bloomington, Illinois

4:20 p.m. **Trial Advocacy in a CSI World**

How can you engage and persuade a jury that is attuned to the fast-paced world of video games and TV drama? An experienced coverage lawyer and courtroom technology expert will explain what jurors expect to see during trials, and what themes and technology tools are the keys to persuasion in an insurance case. The presentation will also provide insight into different techniques for holding a jury's attention in an insurance coverage action.

Don Gibson, *The Trial Division LLC*, Houston, Texas
Christopher W. Martin, *Martin Disiere Jefferson & Wisdom LLP*, Houston, Texas

5:10 p.m. **Insurance Law Committee Meeting**
(open to all)

6:00 p.m. **Networking Reception**
Sponsored by MDD Forensic Accountants

7:30 p.m. **Dine-Arounds**
 Join colleagues and friends at selected restaurants for dinner *(on your own)*.
More details on-site.

FRIDAY, MARCH 30, 2012

Boarding Pass Kiosk
Sponsored by Burnham Brown

7:00 a.m. **Registration**

7:00 a.m. **Continental Breakfast**

8:00 a.m. **Announcements**
Michelle M. Meyers, *Burnham Brown PLC*, Oakland, California



PROGRAM TRACKS — SCHEDULE AT-A-GLANCE

<p>TRACK ONE</p> <p>CONSTRUCTION DEFECT</p> <p>Chair</p> <p>Michelle M. Meyers, <i>Burnham Brown PLC</i>, Oakland, California</p>	<p>TRACK TWO</p> <p>FIRST-PARTY: PERSONAL LINES AND PROPERTY</p> <p>Chair</p> <p>Jennifer Muse, <i>Anderson McPharlin & Connors LLP</i>, Los Angeles, California</p>
<p>8:05 a.m. Transferring Risk: The Interplay of Additional Insured Endorsements and Contractual Indemnity Provisions</p> <p>This topic will focus on the recent laws requiring immediate indemnity obligations by subcontractors, prevailing party attorneys' fees, the Supplementary Payments provision, and the scope of additional insured coverage.</p> <p>Christopher R. Carroll, <i>Carroll McNulty & Kull LLC</i>, New York, New York Anthony J. McMahon, <i>CNA</i>, Chicago, Illinois</p>	<p>8:05 a.m. Was It Fortuitous?</p> <p>Insurance policies contain diverse terms that are intended to limit or preclude coverage for losses that are not fortuitous. This presentation will address the scope of covered "occurrences" together with traditional and new exclusions for intentional and criminal acts, diminished capacity and known losses in first-party insurance policies.</p> <p>Michael F. Aylward, <i>Morrison Mahoney LLP</i>, Boston, Massachusetts</p>
<p>9:00 a.m. Confining Risk: Will Exclusions Really Apply?</p> <p>This program will focus on the business risk exclusions; products exclusions; contractors' amendatory endorsements; and the traps associated with products/completed operations hazard coverage.</p> <p>Kenneth Horenstein, <i>Travelers Insurance Company</i>, Hartford, Connecticut Amy L. Witt, <i>Plunkett Cooney PC</i>, Bloomfield Hills, Michigan</p>	<p>9:00 a.m. Proof of Loss and the Examination Under Oath: These Superheroes Can Rescue a Difficult Claim</p> <p>Insurers often fail to use the most valuable policy tools for insurance investigation: the POL and the EUO. Historically, insurers have hesitated to request that insureds provide a POL and submit to an EUO, believing that tough claims can be resolved without resort to these fundamental information-gathering devices. Committing the insured early to quantify and explain his or her claim can prove decisive in resolving the most difficult claims. This presentation will cover the history and purpose of the POL and EUO, use of the POL and EUO, the ramifications and consequences of both, and unique considerations such as fraud, waiver and strategy.</p> <p>Lori A. Vella, <i>Butler Pappas Weihmuller Katz Craig LLP</i>, Tampa, Florida</p>
<p>10:00 a.m. Refreshment Break <i>Sponsored by Rimkus Consulting Group Inc.</i></p>	

PROGRAM TRACKS — SCHEDULE AT-A-GLANCE

TRACK ONE
CONSTRUCTION DEFECT

Chair

Michelle M. Meyers, *Burnham Brown PLC*,
Oakland, California

TRACK TWO
**FIRST-PARTY: PERSONAL
LINES AND PROPERTY**

Chair

Jennifer Muse, *Anderson McPharlin &
Connors LLP*, Los Angeles, California

**10:15 a.m. Sharing the Fun: Contribution, Indemnity
and Subrogation**

Construction defect disputes often involve a bewildering matrix of contractual undertakings between the owner, general contractor, subcontractors and product manufacturers, together with various different types and layers of insurance coverage. This session will guide you through the maze, analyzing the intent underlying these indemnity undertakings and associated insurance and the methods employed to spread the risks associated with construction defect actions.

Scott M. Seaman, *Meckler Bugler Tilson
Marick & Pearson LLP*, Chicago, Illinois

10:15 a.m. Appraising Coverage

The attempts made by the courts to define the informal appraisal process have resulted in an abundance of confusing, and sometimes contradictory, case law. These decisions may ultimately have legal ramifications across the country. Knowing what you can expect prior to an appraisal, and having the tools needed to navigate, will smooth the bumpy roads. This presentation will discuss compliance with post-loss obligations, the need for evidentiary hearings prior to appraisals, appraisal agreements to set forth the process in detail, line item appraisal awards, coverage and causation considerations, and the dual-track line of thinking (litigation and appraisal proceeding simultaneously).

Bonnie S. Stein, *Curtin & Heefner LLP*,
Morrisville, Pennsylvania

**11:00 a.m. Closed and Shuttered: The Impact of
Foreclosures and Bankruptcy on
Construction Defect Actions**

Unfortunately, now more than ever, homeowners are being foreclosed. The program will address the effect of foreclosures on a homeowner's standing to continue prosecuting a construction defect action. It will also cover whether damages associated with foreclosure may be considered property damage and recovered, as defined by the commercial general liability policy. The interplay of foreclosure and bankruptcy will also be discussed.

Patrick J. Boley, *Larson King LLP*, St. Paul,
Minnesota

**11:00 a.m. When Lenders Come Knocking—How to
Assess a Lender's Claim Under Personal
Lines Policies**

This presentation will analyze the numerous conditions and exclusions, including the innocent spouse doctrine, in the context of insurance coverage for lien holders.

James W. Bryan, *Nexsen Pruet LLC*,
Greensboro, North Carolina

Nancy Gill, *American Modern Insurance
Group*, Amelia, Ohio

PROGRAM TRACKS — SCHEDULE AT-A-GLANCE

TRACK ONE CONSTRUCTION DEFECT Chair Michelle M. Meyers , <i>Burnham Brown PLC</i> , Oakland, California	TRACK TWO FIRST-PARTY: PERSONAL LINES AND PROPERTY Chair Jennifer Muse , <i>Anderson McPharlin & Connors LLP</i> , Los Angeles, California
12:00 p.m. Triggering the Policy Decades after the infamous <i>Montrose</i> decision, the clauses that ISO introduced to limit coverage for losses in progress and known losses are finally being litigated, with sometimes surprising results. When are courts giving effect to them, how are courts distinguishing between different causes of loss to limit their applicability and can such clauses actually extend an insurer's exposure for continuing losses? Maura Yusof , <i>Heyl Royster Voelker & Allen PC</i> , Chicago, Illinois	12:00 p.m. Special Investigation Units—Can't Live Without Them A good SIU claim investigation is sometimes critical for a claim adjuster to evaluate the merits of a claim properly, particularly where fraud is suspected. Yet SIU investigations often also form the basis for allegations of insurer bad faith. This presentation will cover SIU practices (both good and bad), the pitfalls and solutions, and how the SIU investigation can impact coverage and bad faith litigation. W. Edward Carlton , <i>Quilling Selander Lownds Winslett & Moser PC</i> , Dallas, Texas
12:45 p.m. Adjourn	

FACULTY

Michael F. Aylward is a senior partner at Morrison Mahoney LLP in Boston and chair of its complex insurance claims group. A veteran of 30 years of coverage litigation, Mr. Aylward is a frequent lecturer and published author on insurance issues. He has been a leader in the insurance defense bar, including the leadership of insurance committees for DRI, FDCC and IADC, a term on the DRI Board of Directors and current service as vice chair of DRI's Law Institute.

Floyd P. Bienstock is the partner in the international law firm of Steptoe & Johnson LLP who started the insurance coverage and bad faith group in the Phoenix office 15 years ago and remains the leader of that practice. He has defended and tried individual and class actions in more

than 20 states, defending insurance companies accused of acting in bad faith or abusing process in the defense of their insureds. Mr. Bienstock has also served as regional and national coordinating counsel for major property and casualty insurers in defending institutional claim handling programs.

Patrick J. Boley, a partner with Larson King LLP, residing in its St. Paul, Minnesota, office, has been involved in all aspects of complex, multi-party litigation in jurisdictions throughout the United States since 1997. His practice focuses primarily on complex insurance coverage litigation and counseling, including environmental coverage claims, corporate successor claims, property claims, tort and bankruptcy issues. Mr. Boley has also handled cases involving insurance bad faith claims and various general litigation matters. He is also experienced in litigation involving reinsurance, intellectual property and commercial contracts.



Louis E. Bricklin is managing attorney at Bennett Bricklin & Saltzburg LLC in Philadelphia, where he is also a member of the firm's insurance coverage bad faith department. Mr. Bricklin is a member of DRI's Insurance Coverage Committee and has served on the board of governors of the Philadelphia Association of Defense Counsel. He has lectured at meetings of that association and at the Philadelphia Defense Institute and the Pennsylvania Bar Institute.

Charles W. Browning, a shareholder and member of the board of directors of Plunkett Cooney PC, practices in the firm's Bloomfield Hills, Michigan, office. Mr. Browning oversees the firm's duties as coverage counsel for several major insurance companies and has represented insurance companies in numerous high exposure coverage matters in more than 30 states. Annually recognized as a Michigan *Super Lawyer* and listed in the publication *The Best Lawyers in America*, Mr. Browning is a member of DRI, the IADC (chair of Casualty Insurance Committee 2006–08) and the FDCC. He is the vice chair of DRI's 2012 Insurance Roundtable Steering Committee.

James W. Bryan is a member of the law firm Nexsen Pruet LLC in its Greensboro, North Carolina, office. In his 23 years of private practice, Mr. Bryan has concentrated on the areas of civil litigation, primarily insurance coverage, extra-contractual/bad faith, trucking accidents, premises liability and environmental litigation in the state and federal courts in North Carolina. He is chair of the First-Party Property SLG of DRI's Insurance Law Committee. He is co-chair of his firm's insurance litigation practice group and insurance bad faith defense group.

W. Edward Carlton, a shareholder in the Dallas law firm of Quilling Selander Lownds Winslett & Moser PC, represents business clients in complex civil litigation. During the last 10 years, his practice has focused on defending insurers and third-party administrators against claims of insurance bad faith, deceptive trade practices and insurance code violations. Mr. Carlton also provides consultation and representation in numerous areas of insurance coverage and speaks extensively on insurance issues. Over the last several years, he has successfully defended to conclusion close to 50 insurance bad faith suits.

Christopher R. Carroll, a member of Carroll McNulty & Kull LLC, with offices in New York and New Jersey, has extensive experience in resolving insurance coverage disputes, including environmental, toxic tort, asbestos, construction, advertising liability, property and automobile issues. He is experienced in reinsurance disputes and drafting reinsurance contracts. Mr. Carroll is a lecturer on litigation and insurance, including bad faith, construction defect, toxic tort and advertising liability. He is AV-Rated by Martindale-Hubbell and is on the editorial advisory board of *Insurance Law & Litigation Week*.

Robert Cusumano has been general counsel for ACE Limited in New York City since 2005 and has ultimate responsibility for all legal support to the ACE Group. He also serves as principal counsel to ACE Limited's senior leadership and has executive oversight for ACE's external affairs operations in Washington, D.C. Prior to joining ACE, Mr. Cusumano practiced with several major law firms, holding progressive levels of responsibility at each. He is admitted to the New York Bar and various federal courts.

Elizabeth A. Fitzpatrick is a partner at Lewis Johs Avallone Aviles LLP in Melville, New York, concentrating her practice on insurance law in a variety of areas for insurers across the country. She is a frequent author and lecturer on insurance related topics, serves as an adjunct professor at Touro Law School and is a member of the executive committee of the New York State Bar Association's Torts Insurance and Compensation Law Section.

Don Gibson, CEO of the Trial Division LLC headquartered in Houston, has been providing technology consulting to the legal community since 1985. For the last 17 years, he has specialized in trial consulting and the use of technology in mediation, arbitration and trial presentations. Mr. Gibson has worked on some of the largest class action and environmental coverage cases ever to go to trial.

Nancy Gill is senior corporate counsel for American Modern Insurance Group in Amelia, Ohio. Ms. Gill is responsible for managing extra-contractual litigation nationwide and advises American Modern on issues pertaining to commercial and liability claims and class action lawsuits. Before joining American Modern, Ms. Gill successfully represented insurance companies and their insureds in federal and state courts.



William T. Graden is associate general counsel in the corporate law department at State Farm Insurance Companies in Bloomington, Illinois. He leads the auto claim counsel section that supports State Farm Auto in all 50 states and three provinces of Canada. Mr. Graden began his career in private practice primarily as insurance defense trial and appellate counsel. He managed extra-contractual suits against State Farm early in his tenure, then led the life-health section prior to his current assignment. He is the chair of the DRI Insurance Law Personal Lines Auto-Fire SLG.

Rick Hammond is a shareholder with the law firm of Johnson & Bell Ltd. in Chicago and co-chairs the firm's insurance coverage group. Mr. Hammond concentrates his practice on property insurance coverage, arson and fraud and bad faith litigation. He is the past president of the Illinois Association of Defense Trial Counsel, Illinois State Representative for DRI, and a member of the Federation of Defense & Corporate Counsel. Mr. Hammond was recently selected by the Lexis Nexis Insurance Law Center to receive its honorable mention *Insurance Lawyer of the Year Award*.

Kenneth Horenstein is the managing counsel for the claim legal liability-construction group at Travelers Insurance Company in Hartford, Connecticut, which provides coverage advice, coverage litigation management and general counseling support for the construction claim organization. Before joining Travelers in 2008, Mr. Horenstein was an assistant vice president in the construction defect claim organization at AIG in New York City. He began his legal career in private practice in New York, focusing on insurance coverage litigation.

Joanne M. Locke is an assistant vice president and senior corporate counsel at the Home Office Legal Department of Liberty Mutual Group Inc. in Boston, where she manages the coverage group. Ms. Locke is also responsible for the coordination of several internal initiatives that address claims, underwriting and business concerns and specific events. Prior to joining Liberty Mutual in 1990, Ms. Locke was in private practice and served as an assistant district attorney in Middlesex County, Massachusetts.

Brooks R. Magratten is a partner in Pierce Atwood LLP in Providence, Rhode Island, and an adjunct professor of federal practice at the Roger Williams Law School.

Mr. Magratten has more than 20 years of experience in insurance, product liability and commercial litigation. He is a member of DRI's Law Institute, a former DRI Northeast Regional Director and past chair of DRI's Life, Health and Disability Committee. Mr. Magratten is "AV" rated, and recognized as a New England "Super Lawyer" in the field of employee benefits litigation.

Christopher W. Martin, the founding partner of Martin Disiere Jefferson & Wisdom LLP in Houston, tries multiple bad faith and coverage cases across the country every year. Mr. Martin is national bad faith trial counsel for a major carrier, regional bad faith trial counsel for five carriers, an author of four insurance treatises, a professor of insurance law for 13 years, and a frequent speaker at national trial and insurance seminars. For the past eight years, *Chambers USA* has recognized him as the top insurance lawyer in Texas.

Anthony J. McMahon is an attorney with CNA Insurance Company's Coverage Oversight Unit in Chicago, where his practice focuses on commercial general liability, select risk, business auto and international foreign voluntary coverage exposures. Mr. McMahon has been in the insurance industry for 20 years, beginning his career in claims with the St. Paul Companies in their Washington, D.C., office. He has also worked for the Chubb Group of Insurance Companies. Mr. McMahon has been with CNA since 2005.

Michelle M. Meyers, an attorney with Burnham Brown PLC in Oakland, California, advises and defends insurers in coverage litigation. She has extensive experience in representing insurance carriers in trial. She also regularly provides coverage analysis to insurance companies. Ms. Meyers serves on the steering committee for DRI's Insurance Law Committee and is the program chair for this seminar.

Jennifer Muse is a senior associate at the Los Angeles office of Anderson McPharlin & Conners LLP. Ms. Muse advises and represents insurers in all aspects of insurance coverage disputes arising out of first- and third-party insurance policies. She has been an active member of DRI's Insurance Law Committee since 2007 and currently serves as the committee's membership chairperson. She has spoken at past conferences on key issues in first-party policies and navigating the duty to defend.



Barbara A. O'Donnell, a partner with Zelle McDonough & Cohen LLP in Boston, has over 20 years' experience in litigating and resolving insurance coverage and extra-contractual liability disputes under commercial, specialty lines, professional and other types of liability policies. Ms. O'Donnell currently chairs the FDCC's Extra-Contractual Liability Section and previously chaired the ABA-TIPS Insurance Coverage Litigation Committee. Published numerous times, Ms. O'Donnell authored the opening chapter on "Insurance Policy Interpretation and Construction" in the West Group's *Law and Practice of Insurance Coverage Litigation* treatise.

Stephanie Schrandt-Boone is a claims expert with Swiss Re America Holding Corporation in Overland Park, Kansas. Ms. Schrandt-Boone manages coverage litigation regarding asbestos, pollution and health hazard claims. Before going in-house, she was in private practice for nine years, specializing in insurance coverage, commercial litigation and product liability litigation.

Scott M. Seaman is a partner at Meckler Bulger Tilson Marick & Pearson LLP and chair of the firm's insurance coverage litigation and counseling practice group. He concentrates his practice in complex commercial law and litigation, including insurance and reinsurance. Mr. Seaman has successfully represented companies in trial courts, appellate courts, and arbitrations across the country in a variety of high stakes matters. His treatise *Allocation of Losses in Complex Insurance Claims* (Thomson Reuters 2010) addresses many of the important issues involved in contemporary insurance and reinsurance disputes.

Bonnie S. Stein, a partner and chair of the litigation section at Curtin & Heefner LLP in Morrisville, Pennsylvania, has focused her practice on first-party property insurance and bad faith since 1988. Federal and state cases tried by her have become a significant part of Pennsylvania property and bad faith law. As approved bad faith counsel for many insurers, she serves as counsel, an expert and a consultant. Recognized as a Super Lawyer in *Philadelphia* magazine and one of the Top Fifty Female Lawyers in Pennsylvania, Ms. Stein is a frequent guest lecturer and seminar presenter.

Catalina J. Sugayan is the managing partner at Sedgwick LLP in Chicago. She represents domestic and international insurers providing primary, excess and reinsurance coverage to municipalities, school districts, churches and other entities. Ms. Sugayan has substantial experience in policy

drafting, coverage analysis and claims resolution in matters involving civil rights, employment, sexual misconduct, law enforcement liability, land use and professional liability. She has litigated coverage in matters involving allocation, limits, intentional acts, claims made issues, lost policies, UM/UIM and bad faith in several state and federal trial and appellate courts and in bankruptcy court.

Lori A. Vella is a partner in the Tampa, Florida, law firm of Butler Pappas Weihmuller Katz Craig LLP, concentrating on the defense of first-party insurance matters. Ms. Vella has particular experience investigating commercial and residential large-loss catastrophes. She is actively involved in litigation and appeals involving insurance policy appraisals and the sufficiency of post-loss obligations, namely examinations under oath, proofs of loss and books and records requests. She is an active member of the Tampa Bay Inn of Court and DRI.

John S. Vishneski III, a partner in the Chicago office of Reed Smith LLP, focuses his practice on complex insurance coverage litigation. He places special emphasis on toxic tort, environmental and intellectual property insurance coverage disputes, having represented clients in many jurisdictions, including the Supreme Court of Illinois and the Supreme Court of Connecticut. Mr. Vishneski has represented clients in insurance coverage disputes involving diverse types of insurance and has extensive knowledge of insurance policy drafting history. He also acts as both neutral and party-appointed arbitrator in complex insurance coverage disputes.

Joyce Watz is counsel in the corporate law department at State Farm Insurance Companies in Bloomington, Illinois. Ms. Watz is a member of the litigation section. Her primary role is to retain defense counsel and manage complex litigation in various states throughout the country.

Paul S. White is a partner in Tressler LLP's Los Angeles office, where he is the co-chair of the extra-contractual liability and claims handling practice group. He focuses his practice on commercial disputes, including advising and representing insurance agents and brokers in response to professional liability claims and advising and representing insurers in complex insurance coverage and bad faith claims and litigation associated with most lines of insurance. Mr. White has published extensively on both insurance and professional liability issues. He is a former chair of DRI's Insurance Law Committee.



Amy L. Witt is an attorney with Plunkett Cooney PC in its Bloomfield Hills, Michigan, office. For the past nine years, Ms. Witt has advised and represented insurance companies throughout the United States in a wide variety of complex first- and third-party insurance coverage disputes, including product liability, construction defects, environmental contamination, toxic torts, automotive, homeowner and bad faith claims. Ms. Witt is a member of DRI's Insurance Law Committee and was recently a contributing author of DRI's *Umbrella/Excess Compendium*.

Maura Yusuf is the resident lawyer in the Chicago office of Heyl Royster Voelker & Allen PC. She has extensive experience litigating construction defect cases both in the context of insurance defense and as large loss property subrogation matters for cases pending throughout the United States and internationally, including a three-week arbitration in Tokyo that resulted in a multi-million dollar recovery affirmed by the Japanese courts.

Anthony R. Zelle is the chair of DRI's Insurance Law Committee. He founded Zelle McDonough & Cohen LLP in Boston and New York City, to focus on the representation of insurers in complex coverage and bad faith litigation. He has tried many bad faith cases and has stepped in as appellate counsel on many others. Mr. Zelle compiled and edited the third edition of DRI's *Insurance Bad Faith Law* compendium, which was published in 2010.

Lawrence Zelle is a founding partner and former executive partner of Zelle Hofmann Voelbel & Mason LLP and has represented the insurance and reinsurance industry in national and international disputes for over 50 years. He has appeared in state or federal court in 29 jurisdictions. In addition to domestic reinsurance arbitrations, he has served as lead counsel in arbitrations in London, Bermuda, Canada and South Africa. Mr. Zelle is a member of the FDCC and the Loss Executive Association and is a certified ARIAS arbitrator.

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GENERAL INFORMATION

CLE ACCREDITATION

This seminar has been approved for MCLE credit by the State Bar of California in the amount of **14.5** 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. **Adjuster credit has been applied for in several states.** Credit availability and requirements vary from state to state; please check our website at www.dri.org for credit information for your state.

REGISTRATION

The registration fee is **\$745** for members and those who join DRI when registering and **\$975** for nonmembers. The registration fee includes CD-ROM course materials, continental breakfasts, refreshment breaks and networking receptions. 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 8, 2012** (*please allow 10 days for processing*). Registrations received after **March 8, 2012**, will be processed on-site.

REFUND POLICY

The registration fee is fully refundable for cancellations received on or before **March 8, 2012**. Cancellations received after **March 8** and on or before **March 15, 2012**, will receive a refund, less a \$50 processing fee. Cancellations made after **March 15** will not receive a refund, but the course materials on CD-ROM and 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 to DRI's Accounting Department at 312.795.0747. All refunds will be mailed within four weeks after the date of the conference. Substitutions may be made at any time without charge and must be submitted in writing.

HOTEL ACCOMMODATIONS

A limited number of discounted hotel rooms have been made available at the **Westin Michigan Avenue, 909 North Michigan Avenue, Chicago, Illinois 60611**. For reservations, visit www.dri.org and go to the Insurance Coverage and Claims Institute page or **contact the hotel directly at 312.943.7200**. Please mention **DRI's Insurance Coverage and Claims Institute** to take advantage of the group rate of **\$199 Single/Double**. The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **February 28, 2012**, to be eligible for the group rate. Requests for reservations made after **February 28** are subject to room and rate availability.

SPECIAL DISCOUNTS

GROUP DISCOUNT

The first and second registrations from the same firm or company are subject to the fees outlined above. The registration fee for additional registrants from the same firm or company is **\$695**, regardless of membership status. All registrations must be received at the same time to receive the discount.

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 and subsidiaries. In order to qualify for free registration, the individual must also be a DRI member and a member of DRI's Corporate Counsel Committee. Offer excludes the DRI Annual Meeting.

TRAVEL DISCOUNTS

DRI offers discounted meeting fares on various major air carriers for **DRI's Insurance Coverage and Claims Institute** attendees. To receive these discounts, please contact Hobson Travel Ltd., DRI's official travel provider, at 800.538.7464. 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.

DRI policy provides there will be no group functions sponsored by others in connection with its seminars.



2012 SEMINAR SCHEDULE

February 2–3	Civil Rights and Governmental Tort Liability <i>Eden Roc Renaissance Miami Beach, Miami Beach, FL</i>	May 2–4	Employment Law <i>Sheraton Chicago, Chicago, IL</i>
February 9–10	Toxic Torts and Environmental Law <i>Fontainebleau Miami Beach, Miami Beach, FL</i>	May 10–11	Drug and Medical Device <i>New Orleans Hilton Riverside, New Orleans, LA</i>
February 16–17	Trucking Law <i>The Westin Kierland, Scottsdale, AZ</i>	May 10–11	Retail and Hospitality <i>Swissôtel Chicago, Chicago, IL</i>
February 23–24	Sharing Success—A Seminar for Women Lawyers <i>The Westin Kierland, Scottsdale, AZ</i>	May 17–18	Commercial Litigation <i>Sheraton New York Hotel & Towers, New York, NY</i>
March 8–9	Medical Liability and Health Care Law <i>Hilton New Orleans Riverside, New Orleans, LA</i>	June 7–8	Diversity for Success <i>Swissôtel Chicago, Chicago, IL</i>
March 14–16	Trial Tactics <i>Bally's Las Vegas, Las Vegas, NV</i>	June 14–15	Young Lawyers <i>JW Marriott Eden Roc, Miami Beach, FL</i>
March 14–16	Rainmaking <i>Bally's Las Vegas, Las Vegas, NV</i>	June 21–22	Appellate Advocacy <i>Hyatt Regency Cambridge, Cambridge, MA</i>
March 28–30	Insurance Coverage and Claims Institute <i>The Westin Michigan Avenue, Chicago, IL</i>	September 20–21	Construction Law <i>Arizona Biltmore, Phoenix, AZ</i>
April 11–13	Product Liability Conference <i>The Venetian Palazzo Hotel, Las Vegas, NV</i>	September 20–21	Nursing Home/ALF Litigation <i>The Cosmopolitan of Las Vegas, Las Vegas, NV</i>
April 25–27	Life, Health, Disability and ERISA Claims <i>Swissôtel Chicago, Chicago, IL</i>	November 8–9	Asbestos Medicine <i>Fontainebleau Miami Beach, Miami Beach, FL</i>
		December 6–7	Insurance Coverage and Practice <i>Sheraton New York Hotel & Towers, New York, NY</i>



COMMITTED TO
DIVERSITY

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 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.



INSURANCE COVERAGE AND CLAIMS INSTITUTE

MARCH 28-30, 2012

THE WESTIN MICHIGAN AVENUE ■ CHICAGO, ILLINOIS

For inclusion on the preregistration list and to receive course materials in advance, register by March 8, 2012

FORMAL NAME

TITLE

NAME (as you would like it to appear on badge)

COMPANY/FIRM/LAW SCHOOL

ADDRESS

CITY

STATE/PROVINCE

ZIP/POST CODE

TELEPHONE

FAX

EMAIL

Are you a first-time attendee at this DRI seminar? Yes No

How many attorneys are in your firm? _____

What is your primary area of practice? _____

REGISTRATION FEE

Registration fee includes seminar attendance, networking events and course materials. DRI will email a link to download the course materials to all registrants two weeks in advance of the seminar. The CD will be included in the registration packet on-site. You can order additional copies by checking the appropriate box below or going online at www.dri.org.

- Member** \$745
 - Nonmember** \$975
 - Government Member** \$500
 - Law Student Member** FREE
 - In-House Counsel Member*** FREE
 - Group Discount*** \$695
- (*as defined on page 13)

ADDITIONAL COURSE MATERIALS

- Member** \$75
- Nonmember** \$95

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PAYMENT METHOD

My check for: _____ (USD) is enclosed.

Please charge my **VISA** **MASTERCARD** **AMERICAN EXPRESS**

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Please remit payment by **MAIL** to:

DRI
72225 Eagle Way, Chicago, IL 60678-7252

Please remit payment by **COURIER** to:

JP Morgan, Attn: DRI - #72225
131 S. Dearborn, 6th Floor, Chicago, IL 60603

PHONE: 312.795.1101 ■ FAX: 312.795.0749 ■ EMAIL: seminars@dri.org ■ WEB: www.dri.org



55 WEST MONROE STREET
SUITE 2000
CHICAGO, IL 60603 USA

FREE REGISTRATION FOR DRI IN-HOUSE COUNSEL* MEMBERS

All in-house counsel who are members of DRI and members of the DRI Corporate Counsel Committee are eligible for free registration to DRI seminars.

To redeem your free registration, please login to your member account and register for the seminar(s) of your choice. As a member, you are eligible to attend as many seminars as you would like free of the registration fees.

Not sure if you're eligible? Call DRI Customer Service at 312.795.1101.

WANT TO BRING AN IN-HOUSE ATTORNEY TO THE SEMINAR WITH YOU?

DRI individual members may bring an in-house counsel guest, who is not a DRI member, to a DRI seminar also with complimentary registration. In order to qualify for free attendance, your guest must be eligible to become a DRI member and a member of DRI's Corporate Counsel Committee. The invited in-house attorney may take advantage of this offer only one time. Download Nonmember Corporate Counsel Guest Seminar Registration Form at www.dri.org/open/corporate-counsel-program.aspx to register your guest today. Offer excludes the DRI Annual Meeting.

** 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 and subsidiaries. In order to qualify for free registration, the individual(s) must also be a DRI member(s) and a member(s) of DRI's Corporate Counsel Committee. Offer excludes the DRI Annual Meeting.*

NOT A MEMBER?

Visit www.dri.org to join today to attend the seminar at the discounted member rate and receive all valuable resources DRI offers to help build your professional network.

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