



Professional Liability

BEST PRACTICE



Learn how to protect yourself and your clients from vicious and sophisticated cyberattacks



Airbnb is more than a place to stay; it is a plethora of emerging legal issues. Learn from experts how to navigate this growing minefield.



Gain a keen understanding of the ever-evolving legal landscape related to transgender issues.

Walk away with techniques to use experts in malpractice disputes effectively and achieve favorable results... together!



December 7-8, 2017

Sheraton New York Times Square
New York, NY

DRI
delivers
resources
to build
your practice ■

The DRI Professional Liability Seminar provides information that will be useful to all attorneys and insurers involved in representing professionals in malpractice actions. This year's program will discuss emerging issues affecting a broad spectrum of professionals, as well as particular issues facing specific areas of practice. In addition to the top-quality educational programs, you will have the opportunity to develop relationships with professional liability claims personnel, experts, and defense counsel from across the country. Come join us in New York City for great CLE and wonderful networking opportunities.



**Penelope M. (Penny)
Deihl**
Program Chair



Seth L. Laver
Committee Chair



Zandra E. Foley
Program Vice Chair



Melody J. Jolly
Committee Vice Chair



Mark A. Fahleson
Law Institute

PRESENTED BY **DRI's Professional Liability Committee**

THIS SEMINAR BROCHURE IS SPONSORED BY










What You Will Learn

- How to protect client data from cyberthreats
- How to mediate the professional liability case effectively
- How to navigate through and “win” a billing audit
- Tips for professionals handling the evolving workplace
- How to handle attacks on professional licensure




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   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 Professional Liability 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, DECEMBER 6

6:00 p.m. **Registration**

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

SPONSORED BY **Cobb Martinez Woodward PLLC**
Cranfill Sumner & Hartzog LLP
Traub Lieberman Straus & Shrewsberry LLP

THURSDAY, DECEMBER 7

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

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

SPONSORED BY **Marshall Dennehey Warner Coleman & Goggin PC**

7:00 a.m. **First-Time Attendees Breakfast**

Seth L. Laver, *Goldberg Segalla LLP*, Philadelphia, PA

8:00 a.m. **Welcome and Introduction**

Penelope M. (Penny) Deihl, *Clark Hill PLC*, Los Angeles, CA

Mark A. Fahleson, *Rembolt Ludtke LLP*, Lincoln, NE

8:10 a.m. **What Just Happened? 2017 Professional Liability Year in Review**

To know where you're going, you have to know where you've been. Join us for this interactive examination of some of the most significant professional liability decisions of the past year.

Zandra E. Foley, *Thompson Coe Cousins & Irons LLP*, Houston, TX

Susan K. McIntosh, *Forsberg & Umlauf PS*, Seattle, WA

9:05 a.m. **Mediating the Professional Liability Case**

Professional liability claims are complex. An effective mediation can avoid the myriad pitfalls of protracted litigation. This program will present various scenarios to help attorneys, insurance professionals, and clients successfully utilize the mediation process.

Daniel G. Ecker, *David B. Lever & Associates PLLC*, White Plains, NY

Jonathan R. Harwood, *Traub Lieberman Straus & Shrewsberry LLP*, Hawthorne, NY

 **Cassandra Jean-Baptiste**, *Starr Adjustment Services*, New York, NY

The Honorable Larry S. Schachner (Ret.), *NAM (National Arbitration and Mediation)*, Garden City, NY

Andrea Schillaci, *Hurwitz & Fine PC*, Buffalo, NY

10:00 a.m. **Before the Breach: Cyberattacks on Professionals and How to Avoid Them**

Cyberattacks targeting professionals are sophisticated. Knowing how to identify vulnerabilities is important to guarding against this growing risk. This presentation will explore the types of attacks and how to avoid them.

MODERATOR | **Sean C. Pierce**, *Harbuck Keith & Holmes LLC*, Birmingham, AL

 **Adeola I. Adele**, *Willis Towers Watson*, New York, NY

 **Lisa R. Midkiff**, *CPCU, RPLU, Lawyer's Protector Plan*, Tampa, FL

10:55 a.m. **Refreshment Break**

SPONSORED BY **Black Marjeh Leff & Sanford LLP**

11:15 a.m. **Is Failure to Read the Policy a Defense to an Action by the Insured?**

Courts are divided in their answer to this important question. Two recognized experts will examine holdings from various jurisdictions and describe the salient factors that courts consider when deciding this issue.

 **Kristin Ann Kraiza**, *Travelers*, Hartford, CT


Ashley T. Parrish, *Cantey and Hanger LLP*, Dallas, TX

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

1:30 p.m. **Where to? Start Your Next [Legal] Adventure on Airbnb**

There are numerous legal issues arising from this successful and popular short-term rental option. The topic will cover various city regulations, lawsuits against landlords, and related discrimination claims relevant to all professionals and world travelers.

Thomas J. (T.J.) D'Amato, *D'Amato Law Corporation*, Orinda, CA

 **Courtney Kasper**, *QBE North America*,
Plano, TX

2:20 p.m. **How Best to Serve Your Client by Recruiting, Training, and Retaining from Within**

Todd Nordstrom reveals how top-performing employees don't necessarily come from other firms, have higher credentials, or need promotions to provide great work. This groundbreaking research reveals the number one driver of award-winning work.

Todd Nordstrom, *O.C. Tanner Institute*,
Salt Lake City, UT

3:20 p.m. **Refreshment Break**

3:35 p.m. **Legal Ethics: Conflicts and Issues Arising from Billing Audits and How to "Win"**

Recent case law suggests that billing audits provoke waivers of privileges. This session will discuss how to avoid waiving privileges ethically, while still defending your bills.

Dane S. Ciolino, *Loyola University New Orleans College of Law*, New Orleans, LA

4:35 p.m. **The Evolving Legal Landscape for Transgender Citizens**

While transgender Americans go unprotected by federal law, the EEOC and many states prohibit discrimination. Our panel of experts will discuss how professionals can help to protect employers from public scrutiny and significant exposure.

MODERATOR | **Claudia A. Costa**, *Gordon & Rees Scully Mansukhani LLP*, New York, NY

Dove A.E. Burns, *Goldberg Segalla LLP*,
New York, NY

 **Laurie Mandell**, *Chubb Insurance*,
New York, NY

 **Jennifer R. Weinstein**,
OneBeacon Insurance, Boston, MA

5:30 p.m. **Adjourn**

5:30 p.m. **Professional Liability Committee Meeting**
(open to all)

6:00 p.m. **Networking Reception**
SPONSORED BY **Freeman Mathis & Gary LLP**

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Thompson Coe Cousin & Irons LLP

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

FRIDAY, DECEMBER 8

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

7:00 a.m. **Continental Breakfast**
SPONSORED BY **Gaglione Dolan & Kaplan**

8:00 a.m. **Welcome and Introduction**
Zandra E. Foley, *Thompson Coe Cousins & Irons LLP*, Houston, TX

8:05 a.m. **The House That Jack® Built: Recent Developments in Architect Rights**

This session will explore the rights and responsibilities of architects' designs and the applicable copyright laws that affect them. It will also include an analysis of the ever-developing issues related to Certificates of Merit.

 **Margaret M. Donnell**, *Hiscox USA*,
Chicago, IL

Gary Strong, *Seiger Gfeller Laurie LLP*,
Princeton, NJ

9:00 a.m. **Life After Death: Claims by Trustees of Insolvent Entity Clients**

Trustees of insolvent entities, including bankruptcy trustees, assignees, and state-appointed receivers, have been asserting claims against professionals. Our experienced panel will describe the evolution of these theories and potential defenses.

David L. Brandon, *Clark Hill PLC*, Los Angeles, CA
William N. (Bill) Holmes, CPA, *Holmes & Company LLP*, Portland, OR

9:50 a.m. **Refreshment Break**
SPONSORED BY **Hill Ward Henderson**

10:05 a.m. **After the Breach: Cyberattacks on Professionals and How to Respond to Them**

You've been hacked: Now what? Professionals are targets of hackers because of the wealth of client data. This session will discuss the notification requirements after a breach and lessons learned from recent litigation.

MODERATOR | **David A. Cole**, *Freeman Mathis & Gary LLP*, Atlanta, GA

➤ **Nicole Barna**, *Markel Global Insurance*, Bermuda

➤ **Ashley L. Hart**, *CNA Insurance*, New York, NY

10:55 a.m. **Attacks on Professional Licensure**

Many professionals have to defend lawsuits in two arenas: in the courtroom and before their licensing board. This panel will discuss how the ruling of the licensing board can affect the civil matter.

MODERATOR | **Matthew W. Breetz**, *Stites & Harbison PLLC*, Louisville, KY

➤ **Rajiv K. Batra**, *Axis Insurance*, Berkeley Heights, NJ

Melody J. Jolly, *Cranfill Sumner & Hartzog LLP*, Wilmington, NC

11:50 a.m. **Defending Claims Against High-Volume Firms**

Attorneys practicing in high-volume areas of law face unique malpractice issues. This dis-

➤ Denotes **THE DRI CLIENT CONNECTION**: In-house and claims professional speakers

cussion will focus on recent lawsuits against high-volume law firms, common mistakes, and defense tips.

➤ **Gale S. Dwyer**, *Allied World Assurance Company*, Farmington, CT

Andrew C. Sayles, *Connell Foley LLP*, Roseland, NJ

12:45 p.m. **Experts: Help Me Help You**

In malpractice matters, the effective use of experts means the difference between a favorable result and an unhappy client. A leading CPA expert will provide tips to help the expert help you defend malpractice claims.

Salvatore A. Collemi, CPA, *Marks Paneth LLP*, New York, NY

1:35 p.m. **Adjourn**



Community Service Project

Since 1989, **Grand Central Neighborhood** (GCN) has been providing services to the homeless of New York City. GCN offers an array of programs to help individuals regain their self-esteem and find permanent housing. The organization and its clients are dependent on basics that we take for granted, such as clean clothes, a shower, and a hot meal. Offering basic necessities and a range of social services, including housing assistance, mental health counseling, employment counseling, and treatment referrals, GCN recognizes that, for some, simply coming in from the streets is a significant step. This year, our committee's community service goal is to help those people who are usually excluded from other service agencies, but who need aid most. At the symposium, you can make non-monetary donations, including toiletries and clothing, or feel free to make a monetary donation to aid those in need.

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 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.

Claims Executives

Any member of DRI employed as a claims professional by a corporation or insurance company, who spends a substantial portion of his or her professional time hiring or supervising outside counsel in the representation of business, insurance companies or their insureds, associations or governmental entities in civil litigation, will be entitled to free attendance at any DRI program. **Limited to one seminar per calendar year.** Offer excludes DRI Annual Meeting.

CLE/Claims Adjusters Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to **12.50** 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 November 6, 2017. (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

November 13, 2017 (please allow 10 days for processing). Registrations received after **November 13, 2017**, will be processed on-site.

Refund Policy

The registration fee is fully refundable for cancellations received on or before **November 13, 2017**. Cancellations received after **November 13** and on or before **November 20, 2017**, will receive a refund, less a \$100 processing fee. Cancellations made after **November 20** 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 **November 6, 2017**. After **November 6**, 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 Professional Liability 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.

DRI Financial Aid Policy

Individuals who demonstrate need may receive limited financial aid to attend DRI CLE programs under the following terms and conditions:

- Applicants must be licensed to practice law in the United States, Canada or other foreign jurisdiction. Proof of admission to the bar, including applicant's bar or Supreme Court number, must accompany the request.
- Applicants must show proof of identity and citizenship.
- Applicants must execute and deliver the approved DRI application for financial aid to the DRI Education Department, 55 W. Monroe, Suite 2000, Chicago, IL 60603 at least sixty (60) days in advance of the first day of the seminar.
- 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 **Sheraton New York Times Square, 811 7th Avenue, 53rd Street, New York, NY 10019** ([click here](#) to view hotel photos).

Take advantage of the group rate of **\$399 Single/Double** in one of two ways:

- 1) Reserve online: [Click here](#) or visit dri.org and go to the **DRI Professional Liability Seminar page** and click on the "Book hotel" button.
- 2) Or **contact the hotel directly at 212.581.1000** and mention the **DRI Professional Liability Seminar**.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **November 6, 2017**, to be eligible for the group rate. Requests for reservations made after **November 6** are subject to room and rate availability.

FACULTY *Click on any name to view bio.*

➔ **Adeola I. Adele**, Willis Towers Watson, New York, NY

➔ **Nicole Barna**, Markel Global Insurance, Bermuda

➔ **Rajiv K. Batra**, Axis Insurance, Berkeley Heights, NJ

David L. Brandon, Clark Hill PLC, Los Angeles, CA

Matthew W. Breetz, Stites & Harbison PLLC, Louisville, KY

Dove A.E. Burns, Goldberg Segalla LLP, New York, NY

Dane S. Ciolino, Loyola University New Orleans College of Law, New Orleans, LA

David A. Cole, Freeman Mathis & Gary LLP, Atlanta, GA

Salvatore A. Collemi, CPA, Marks Paneth LLP, New York, NY

Claudia A. Costa, Gordon & Rees Scully Mansukhani LLP, New York, NY

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Melody J. Jolly, Cranfill Sumner & Hartzog LLP, Wilmington, NC

➔ **Courtney Kasper**, QBE North America, Plano, TX

➔ **Kristin Ann Kraiza**, Travelers, Hartford, CT

Seth L. Laver, Goldberg Segalla LLP, Philadelphia, PA

➔ **Laurie Mandell**, Chubb Insurance, New York, NY

Susan K. McIntosh, Forsberg & Umlauf PS, Seattle, WA

➔ **Lisa R. Midkiff, CPCU, RPLU**, Lawyer's Protector Plan, Tampa, FL

Todd Nordstrom, O.C. Tanner Institute, Salt Lake City, UT

Ashley T. Parrish, Cantey and Hanger LLP, Dallas, TX

Sean C. Pierce, Harbuck Keith & Holmes LLC, Birmingham, AL

Andrew C. Sayles, Connell Foley LLP, Roseland, NJ

The Honorable Larry S. Schachner (Ret.), NAM (National Arbitration and Mediation), Garden City, NY

Andrea Schillaci, Hurwitz & Fine PC, Buffalo, NY

Gary Strong, Seiger Gfeller Laurie LLP, Princeton, NJ

➔ **Jennifer R. Weinstein**, OneBeacon Insurance, Boston, MA

View faculty bios on the Professional Liability Seminar webpage; click on "View speakers" button.

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September 7-8, 2017
Cybersecurity and Data Privacy
Westin Michigan Avenue, Chicago, IL

September 14-15, 2017
Strictly Automotive
Detroit Marriott Troy, Troy, MI

December 7-8, 2017
**Insurance Coverage and
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*Sheraton New York
Times Square Hotel, New York, NY*

January 31-February 2, 2018
Women in the Law
Nobu Eden Roc Resort, Miami, FL

February 7-9, 2018
Product Liability Conference
*San Diego Marriott Marquis,
San Diego, CA*

March 1-2, 2018
Medical Liability and Health Care Law
Manchester Grand Hyatt, San Diego, CA

March 1-2, 2018
Toxic Torts and Environmental Law
Sheraton Nashville Hotel, Nashville, TN

March 22-23, 2018
**Insurance Coverage and
Claims Institute**
Swissôtel Chicago, Chicago, IL

Publications for Your Practice

Members can access
committee newsletters
and seminar course
materials via **DRI Online**
at **dri.org**.

Newsletter *Riding the E&O Line (4 times a year)*

Visit the **Professional Liability Committee page** on **dri.org** for information about
the committee and related resources.

Insurance Law focus in *For The Defense*

April 2017

October 2016

September 2015

Defense Library Series

Professional Liability: A Compendium of State Law



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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to fax or mail**

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What is your primary area of practice? _____

Registration fee includes seminar attendance, networking events, course materials, and access to the DRI App. DRI will email a link to download the course materials to all registrants two weeks in advance of the seminar.

	On or before Nov. 6, 2017	After Nov. 6, 2017	
<input type="checkbox"/> Member	\$875	\$975	For inclusion on the preregistration list and to receive course materials in advance, register by November 13, 2017.
<input type="checkbox"/> Nonmember	\$1,110	\$1,210	
<input type="checkbox"/> Government Member	\$575		
<input type="checkbox"/> Law Student Member	FREE		
<input type="checkbox"/> In-House Counsel Member*	FREE		
<input type="checkbox"/> Claims Executive Member*	FREE		
<input type="checkbox"/> Group Discount*	\$775	\$875	
		(*as defined on page 5)	

Card # Exp. Date - CVC

Signature _____

EMAIL: seminars@dri.org | WEB: dri.org



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