



DRI delivers **resources** to build your practice

Professional Liability

NEW

Hands-on Litigation Skills Workshop to defend your clients in 30(B)(6) depositions

See page 2 for details

Conquer the trials, traps, and tribulations of advising the modern professional

- Innovative presentations on defending rare legal malpractice claims and unique law practice insurance coverage issues
- Cutting-edge information on the evolving ethical dilemmas facing professionals who provide advice to the marijuana industry
- Emerging trends and issues in claims against real estate, accounting, and design professionals



November 29–30, 2018

Sheraton New York Times Square Hotel

New York, NY

The 2018 DRI Professional Liability Seminar will provide you with the tools to defend any professional successfully in our current legal climate. With presentations by the most prominent and experienced professional liability lawyers, experts, and insurance professionals in the country, this year's seminar will again provide attendees with the most up-to-date information regarding new issues, defenses, and strategies. Through the insight, tools, and skills that you will gain at this seminar, we hope to build on DRI's renowned foundation of success by putting you at the forefront of establishing efficient and creative ways to defend the modern professional.



Zandra E. Foley
Program Chair



Seth L. Laver
Committee Chair



R. Bruce Wallace
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  **CONNELL
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Register online now at dri.org or complete the form in the back.

What You Will Learn



- How to avoid ethical violations when advising the marijuana industry
- How to defend the not-so-typical malpractice cases
- How to defend the professional at trial
- How to avoid frequent ethics traps for lawyers
- New issues and trends in errors and omissions insurance coverage

Members Get More

- Access to **LegalPoint**™ at **dri.org**: Committee newsletters, seminar course materials, and other publications.
- Access to the **DRI Professional Liability Committee Community**: Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Access to **dri circles**, where lawyer-to-lawyer connections happen. Search **dri circles** in your app store:



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- Attend a seminar
- Participate on a committee
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Visit **dri.org**, go to **My DRI** and click on **DRI Dividends** to see your balance.

Get engaged, get recognized, and get rewarded.

LITIGATION SKILLS WORKSHOP

1:00 p.m.–5:00 p.m.

Strategies for a Winning 30(B)(6) Deposition

Successful trial attorneys know that a properly prepared and defended 30(b)(6) deposition can stop plaintiffs’ counsel in their tracks. This workshop will teach the techniques necessary to master this crucial aspect of litigation. The DRI Litigation Skills Committee (formerly “Trial Tactics”) is excited to present DRI’s first Litigation Skills Workshop in conjunction with this seminar, providing attendees of this interactive program with the tools necessary to shape the

deposition topics and to prepare and defend the witness at deposition.

Take advantage of this valuable opportunity to practice techniques with highly skilled trial attorneys. One-on-one and small group exercises will assure that you are prepared to defend your client in the earliest stages of litigation. Act now to make a significant investment in your career. ***Space is limited and spots will go fast!*** See registration form for pricing.

PROGRAM SCHEDULE

Click on any speaker name to view bio.

WEDNESDAY, NOVEMBER 28

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

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

SPONSORED BY **Cobb Martinez Woodward PLLC**
Cranfill Sumner & Hartzog LLP

THURSDAY, NOVEMBER 29

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

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

SPONSORED BY **Marshall Dennehey Warner**
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8:00 a.m. **Welcome and Introduction**

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

Zandra E. Foley, *Thompson Coe*, Houston, TX

8:15 a.m. **Here Today, Gone Tomorrow: Wire Transfer Fraud and Professionals**

Wire fraud increasingly affects attorneys and other professionals. This session will explore the most common examples of wire fraud and steps that professionals can take to better protect themselves.

 **Aisling Jumper**, *YorkPro Inc.*, New York, NY
Keith L. Novak, *Kroll Associates*, New York, NY

 **Marissa Olsen**, *Sompo International Insurance*, Florham Park, NJ

Karen Painter Randall, *Connell Foley*,
Roseland, NJ

9:05 a.m. **Hot-Shot Lawyers: Overpromising and Under-Delivering**

We’ve all heard of the “hot-shot lawyer” who overstates experience and overpromises results. This session will discuss liability arising from lawyer advertising, competency, and terminating the representation, and how to defend these claims.

Joseph P. Garin, *Lipson Neilson PC*,
Las Vegas, NV

 **Kimberly K. Noble**, *Argo Pro*, Chicago, IL

David L. Wikstrom, *Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins PC*, Springfield, NJ

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

SPONSORED BY **Black Marjeh & Sanford LLP**

10:15 a.m. **Forgot Something? Accidental Waivers of Privilege or Confidentiality**

From “shoulder surfing” and eavesdropping to misdirected email and snail mail, lawyers constantly face disclosure hazards. Learn how lawyers inadvertently waive confidentiali-

ality and privilege and the avenues to correct such waivers.

➤ **Bolanle Akinrimisi**, *Allied World Insurance*, Atlanta, GA

Amber E. Storr, *Hurwitz & Fine PC*, Buffalo, NY

11:15 a.m. **When Iron Rod Found Conflicts with Iron Rod Set: Liability of Land Surveyors**

Claims against land surveyors are on the rise, which means increased liability for the real estate professionals, including lawyers, who rely on them. This session addresses the recent increase in land surveyor lawsuits, as well as common claims and defenses.

➤ **Nicholle R. Harrison**, *Allied World Assurance Co*, Farmington, CT

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

12:05 p.m. **Lunch (on your own)**

1:30 p.m. **Professionals Can Get Smoked Advising the Marijuana Industry**

With the changing landscape of marijuana use and regulation, professionals are in a world of conflicting laws. This panel will identify the ethical dilemmas faced by professionals in this unique and growing industry and how to avoid them.

➤ **Kiera O’Connell Goral**, *QBE North America*, Plano, TX

Peter R. Jarvis, *Holland & Knight*, Portland, OR

➤ **Eric L. Levine**, *Validus Underwriters Inc.*, New York, NY

2:25 p.m. **When Adding the Numbers May Equal Liability: Accountant Liability Issues**

Clients engage accountants for many functions, all with distinct duties, obligations, and exposure. This presentation will take a fresh look at how accountants in various capacities could be liable for malpractice arising from fiduciary, expert, intermediary, and other engagements.

➤ **Lisa Fontana Brennan**, *Markel*, Chicago, IL

Wilhelm Dingler, *Bullivant Houser Bailey*, Seattle, WA

➤ **W. Wesley Marston**, *CPA Mutual*, Gainesville, FL

➤ **Elizabeth P. Mulligan**, *Protect Professional Claims*, Tampa, FL

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

3:35 p.m. **Who Is My Neighbor? Litigation Involving Planned Unit Developments**

Shareholder derivative actions against directors and officers of community associations are on the rise. Examine the insurance coverage available to mitigate risk for associations and ways to avoid claims through appropriate professional planning and training.

John M. Sier, *Kitch Drutchas Wagner Valitutti Sherbrook LLC*, Detroit, MI

➤ **Holly M. Spurlock**, *CNA Insurance Company*, Chicago, IL

4:30 p.m. **HAL Strikes Back: Duties of Lawyers Related to Technology**

With the proliferation of technology, the practice of law is changing. Discover the technological advances that are improving the profession and demanding attorneys to pay attention (ethically).

Francesca Giannoni-Crystal, *Crystal & Giannoni-Crystal LLC*, Washington, DC

➤ **Courtney C. Kasper**, *QBE North America*, Plano, TX

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

5:35 p.m. **Professional Liability Committee Meeting (open to all)**

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

SPONSORED BY **Thompson Coe**

Traub Lieberman Straus & Shrewsberry LLP

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

FRIDAY, NOVEMBER 30

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

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

SPONSORED BY **Gaglione Dolan & Kaplan**

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

8:00 a.m. Announcements

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

R. Bruce Wallace, *Nexsen Pruet*, Charleston, SC

8:05 a.m. Keeping Up with the Design Professionals: 2018 Case Law Update

What in the creation is going on? This session will review developing theories of design professional liability and provide an update on the most important 2018 design professional decisions.

➤ **Gawain Charlton-Perrin**, *The Hanover Insurance Group*, Itasca, IL

Eric S. Cohen, *Goldberg Segalla LLP*,
New York, NY

9:00 a.m. Watch Your Step! Ethical Pitfalls for Lawyers

These folks have seen it all! Understand how to avoid the common ethics traps for attorneys, including plagiarism and confidentiality, negotiating ethically, investigating and terminating clients, attorneys as witnesses, and other fascinating conundrums.

➤ **Jessica Anderson**, *RSUI Group Inc.*,
Atlanta, GA

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

➤ **Jonathan P. Zayle**, *Athens Program Service Inc.*, Concord, CA

10:00 a.m. Refreshment Break**10:15 a.m. You Got Issues: Lawyers E&O Insurance Coverage**

Lawyers as insureds often face challenges in obtaining defense and indemnification under their professional liability coverage. Learn how today's carriers are managing and winning legal malpractice claims handling unique coverage issues.

➤ **R. Damian Brew**, *Marsh USA Inc.*,
New York, NY

➤ **Dennis L. Galvin**, *Argo Pro*, Boston, MA

Frances M. O'Meara, *Thompson Coe*,
Los Angeles, CA

11:05 a.m. Insurance Agent and Broker Liability

What happens when the agent procuring insurance coverage gets sued? This presentation will dissect defenses to these claims, including whether failure to read the policy is a valid defense.

➤ **Lisa Doherty**, *Business Risk Partners*,
Windsor, CT

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

➤ **LaToya Watkins Pierce**, *XL Catlin*,
Dallas, TX

11:55 a.m. Defending the Not-So-Typical Legal Malpractice Claim

This session will explore the defense of legal malpractice claims against specialized attorneys and how the causation and damage standards can differ from a typical legal malpractice claim.

➤ **Patrick S. (Sean) Ginty**, *CNA Insurance Company*, Chicago, IL

George M. Vinci, Jr., *Spector Gadon & Rosen PC*,
Philadelphia, PA

12:45 p.m. Defending the Professional at Trial

Defending professionals at trial can be particularly challenging. Learn creative tips to maneuver through all aspects of trial successfully, from voir dire, opening statements, and presentation of your client, to closing arguments.

➤ **China Ladner**, *Nationwide E&S/Specialty*,
Scottsdale, AZ

Newton C. Marshall, *Karbal Cohen Economou Silk & Dunne LLC*, Chicago, IL

Dennis J. Quinn, *Carr Maloney PC*,
Washington, DC

1:35 p.m. Adjourn

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

“It was an excellent place to learn new topics in professional liability matters and to meet my nationwide defense panel.”

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 Lawyers 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 MLE credit by the State Bar of California for up to **12.5** 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. **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 October 29, 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 **November 5, 2018** (please allow 10 days for processing). Registrations received after **November 5, 2018** will be processed on-site.

Refund Policy

The registration fee is fully refundable for cancellations received on

or before **November 5, 2018**. Cancellations received after **November 5** and on or before **November 12, 2018**, will receive a refund, less a \$100 processing fee. Cancellations made after **November 12** 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 **October 29, 2018**. After **October 29**, 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 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.
- 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.
- 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 **October 29, 2018**, to be eligible for the group rate. Requests for reservations made after **October 29** are subject to room and rate availability.

FACULTY *Click on any name to view bio.*

➤ **Bolanle Akinrimisi**, Allied World Insurance, Atlanta, GA

➤ **Jessica Anderson**, RSUI Group Inc., Atlanta, GA

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

➤ **Lisa Fontana Brennan**, Markel, Chicago, IL

➤ **R. Damian Brew**, Marsh USA Inc., New York, NY

➤ **Gawain Charlton-Perrin**, The Hanover Insurance Group, Itasca, IL

Eric S. Cohen, Goldberg Segalla LLP, New York, NY

Wilhelm Dingler, Bullivant Houser Bailey, Seattle, WA

➤ **Lisa Doherty**, Business Risk Partners, Windsor, CT

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

Zandra E. Foley, Thompson Coe, Houston, TX

➤ **Dennis L. Galvin**, Argo Pro, Boston, MA

Joseph P. Garin, Lipson Neilson PC, Las Vegas, NV

Francesca Giannoni-Crystal, Crystal & Giannoni-Crystal LLC, Washington, DC

➤ **Patrick S. (Sean) Ginty**, CNA Insurance Company, Chicago, IL

➤ **Kiera O'Connell Goral**, QBE North America, Plano, TX

➤ **Nicholle R. Harrison**, Allied World Assurance Co, Farmington, CT

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

Peter R. Jarvis, Holland & Knight, Portland, OR

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

➤ **Aisling Jumper**, YorkPro Inc., New York, NY

➤ **Courtney C. Kasper**, QBE North America, Plano, TX

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➤ **China Ladner**, Nationwide E&S/Specialty, Scottsdale, AZ

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

➤ **Eric L. Levine**, Validus Underwriters Inc., New York, NY

Newton C. Marshall, Karbal Cohen Economou Silk & Dunne LLC, Chicago, IL

➤ **W. Wesley Marston**, CPA Mutual, Gainesville, FL

➤ **Elizabeth P. Mulligan**, Protect Professional Claims, Tampa, FL

➤ **Kimberly K. Noble**, Argo Pro, Chicago, IL

Keith L. Novak, Kroll Associates, New York, NY

➤ **Marissa Olsen**, Sompco International Insurance, Florham Park, NJ

Frances M. O'Meara, Thompson Coe, Los Angeles, CA

➤ **LaToya Watkins Pierce**, XL Catlin, Dallas, TX

Dennis J. Quinn, Carr Maloney PC, Washington, DC

Karen Painter Randall, Connell Foley, Roseland, NJ

John M. Sier, Kitch Drutchas Wagner Valitutti Sherbrook LLC, Detroit, MI

➤ **Holly M. Spurlock**, CNA Insurance Company, Chicago, IL

Amber E. Storr, Hurwitz & Fine PC, Buffalo, NY

George M. Vinci, Jr., Spector Gadon & Rosen PC, Philadelphia, PA

R. Bruce Wallace, Nexsen Pruet, Charleston, SC

David L. Wikstrom, Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins PC, Springfield, NJ

➤ **Jonathan P. Zayle**, Athens Program Service Inc., Concord, CA

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

“This seminar is practice specific and very relevant to me and my job function.”

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*Sheraton New Orleans,
New Orleans, LA*

November 8–9
Asbestos Medicine
Hilton Austin, Austin, TX

November 29–30
**Insurance Coverage and
Practice Symposium**
Sheraton New York, New York, NY

November 29–30
Professional Liability
Sheraton New York, New York, NY



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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November 29-30, 2018

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Please list any special needs _____

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 includes seminar attendance, networking receptions, 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. Only members of DRI will have access to the PowerPoint presentations after the seminar.

| | On or before Oct. 29, 2018 | After Oct. 29, 2018 |
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| <input type="checkbox"/> Member | \$875 | \$975 |
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Professional Liability Seminar

November 29-30, 2018

Sheraton New York
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NEW *Hands-on Litigation
Skills Workshop to defend
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See page 2 for details.

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