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# Insurance Coverage and Claims Institute

- Discover the latest trends in insurance coverage and meet great people
- Learn how D&O coverage is adapting to nontraditional claims
- Discover how changes in technology will affect the insurance industry
- Gain practical information for analyzing additional insured issues and addressing risk transfer on the construction site
- Hear from insurers about what they want and need from their counsel



April 3-5, 2019

Loews Chicago Hotel

Chicago, IL

**G**et ready for an insurance coverage extravaganza! Chicago has always been known for its pizza, museums, jazz, and architecture. But after the 2019 DRI Insurance Coverage and Claims Institute, you can add elite continuing education and networking events to the list! Delve into the most pertinent claims topics facing the insurance practitioner today, and rub elbows with peers from across North America who are looking to meet you. Sign up now to experience all of this and more in the Second City.



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Register online now at [dri.org](http://dri.org) or complete the form in the back.

## What You Will Learn



- The latest in D&O coverage for nontraditional claims
- Common abuses in property appraisals and strategies to manage them
- What insurers want and need from their outside coverage counsel
- The hottest auto coverage topics and construction defect issues

*“I have found this seminar to be very rewarding professionally from both a knowledge standpoint and for networking.”*

## Members Get More

- Access to **LegalPoint**™ at **dri.org**: Committee newsletters, seminar course materials, and other publications.
- Access to the **DRI Insurance Law 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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## PROGRAM SCHEDULE

### WEDNESDAY, APRIL 3

1:00 p.m. **Registration**

**Networking Event: Chicago Crime Tour!** 2:00 p.m.

Join a curious bunch of insurance practitioners as we explore the Golden Age of Prohibition and Chicago's most famous mobsters and gangsters. A tour bus and guide are provided, but we will also get out of the bus to explore some historic sites on foot. Please email Eric Bowers at [ebowers@zelle.com](mailto:ebowers@zelle.com) for details and to reserve your spot.

### IN-HOUSE AND CLAIMS PROFESSIONALS ONLY

2:00 p.m. **Welcome and Introductions**

**Eric Bowers**, *Zelle LLP*, Dallas, TX

➔ **Andrew D. Deutsch**, *OneBeacon Insurance Group*, Minneapolis, MN

**Jennifer A. Ehman**, *Hurwitz & Fine PC*, Buffalo, NY

2:10 p.m. **Practical Steps to Protect Privilege**

In this program, find out what in-house counsel and claims professionals can do to protect attorney–client privilege and work product.

➔ **Joe Matetich**, *Southern Vanguard Insurance Company*, Austin, TX

3:00 p.m. **Ethics: Roundtable Discussion—  
Fair Claims Handling**

Moderated small groups of industry professionals will discuss best practices and how to document the claim file to minimize exposure to bad-faith allegations.

➔ **Jennifer M. (Jen) Hamilton**, *NAMIC Insurance Company Inc.*, Indianapolis, IN

4:00 p.m. **Adjourn**

5:00 p.m. **Women's Networking Reception**

SPONSORED BY **Carr Maloney PC**

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

SPONSORED BY **Swift Currie McGhee & Hiers LLP**

### THURSDAY, APRIL 4

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

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

SPONSORED BY **Jeff Kichaven Commercial  
Litigation  
von Briesen & Roper sc**

View faculty bios on the [Insurance Coverage and Claims Institute webpage](#); click on "View speakers" button.

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

**Eric Bowers**, *Zelle LLP*, Dallas, TX

➔ **Andrew D. Deutsch**, *OneBeacon Insurance Group*, Minneapolis, MN

**Jennifer A. Ehman**, *Hurwitz & Fine PC*, Buffalo, NY

8:05 a.m. **SIRs, High Deductible, and  
Priority of Coverage**

What happens when parties other than the insurer carry a significant proportion of the risk? Find out how to address those situations in their various incarnations, including the insured's duty to cooperate and defense issues that can arise.

**Dawn M. Gonzalez**, *Stone & Johnson Chartered*, Chicago, IL

9:00 a.m. **How to Settle Coverage Cases:  
Mediation Without a Net**

The "three-cornered mediation"—involving plaintiff, defendant, and carrier—presents special challenges to coverage lawyers. How do you walk the tightrope of potentially conflicting duties to the carrier and the policyholder/defendant without falling into the bad-faith abyss?

**Jeff Kichaven**, *Jeff Kichaven Commercial Mediation*, Los Angeles, CA

**Michael M. (Mike) Marick**, *Hinshaw & Culbertson LLP*, Chicago, IL

9:55 a.m. **Refreshment Break**

SPONSORED BY **Dykema Gossett PLLC**

10:15 a.m. **The Tripartite Relationship and  
Related Ethical Duties**

The trigger for a policyholder's right to control its defense varies depending on the jurisdiction. This presentation explores this and more, including what issues insurers should consider when issuing reservation of rights letters and appointing independent counsel, reasonable fees, and confidentiality.

**Kenyan R. Brown**, *Maynard Cooper & Gale*, Mobile, AL

11:10 a.m. **How to Avoid Being *That* Lawyer: Missed Opportunities and Other Pitfalls That Can Land You in Hot Water with Your Carrier**

We've all been there to various degrees, identifying missed opportunities either to gain leverage in a case or to resolve it more efficiently. Learn how seeing things that we could have done differently makes you a better lawyer by augmenting your ability to recognize these missed opportunities in the future, before they appear in your rear-view mirror.

**William K. (Bill) McVick**, *Tressler LLP*, Chicago, IL

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

1:30 p.m. **Evolution of D&O Coverage in a Time of Nontraditional Claims**

This presentation will examine how D&O coverage has adapted—and may need to adapt—to nontraditional claims such as social engineering, data privacy litigation, sexual harassment, and #MeToo.

 **Michael W. (Mike) Early**, *Old Republic Professional Liability Inc.*, Chicago, IL

**Meghan E. Ruesch**, *Lewis Wagner LLP*, Indianapolis, IN

2:25 p.m. **Hot Topics and Abuses in Property Appraisals**

What are the abuses and other hot topics that are trending now in commercial and residential property appraisals? Discover the significant issues that property coverage lawyers are confronting now, and how you can tackle them early to face down the abuses.

**Steven J. Badger**, *Zelle LLP*, Dallas, TX

3:20 p.m. **Refreshment Break**  
SPONSORED BY **Hurwitz & Fine PC**

3:40 p.m. **Automated Claims Handling**

Use of algorithms and AI in claims handling has many potential benefits. But these processes may create unintended consequences such as disparate impact on certain demographics and overreliance on geographical trending. Can AI use be balanced with appropriate safeguards?


 **Keith Marxkors**, *State Farm Insurance*, Bloomington, IL

**Albert K. Alikin**, *Goldberg Segalla LLP*, Los Angeles, CA

4:35 p.m. **What Do Insurers Want and Need from Their Counsel?**

Private practice coverage lawyers are always looking for ways to build better relationships with their insurer clients and to distinguish themselves from “the other guy.” In-house and claims counsel will provide you their tips on how you can do it!

 **Rachel H. Kim**, *Sompo International*, New Hyde Park, NY

 **Sarah R. Schmitz**, *OneBeacon Government Risk*, Plymouth, MN

5:30 p.m. **Insurance Law Committee Meeting** (*open to all*)

6:00 p.m. **Networking Reception** (*open to all*)  
SPONSORED BY **Meagher & Geer PLLP**

7:00 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner (*on your own*). More details on-site.

### Community Service

This year, the DRI Insurance Law Committee is proud to support **Court Appointed Special Advocates (CASA) of Cook County**. CASA's mission is to advance and safeguard the best interest of the children who have experienced abuse or neglect, involved in the court system, by utilizing trained volunteers who advocate for them in court, in school, and in their community. For nearly 30 years, CASA of Cook County has been training everyday people to stand up for children who have experienced abuse and neglect in an overwhelmed and extremely underresourced foster care system. Without a helping hand from CASA of Cook County volunteer advocates, these children might fall through the cracks and never be given an opportunity to find a place to call home.

Please consider supporting this independent, not-for-profit organization that does so much good for the children of Cook County. Check with your employer/firm about gift matching and visit <http://casacookcounty.org/donate/>. Details will also be available at the Institute with options on how you can support CASA.

### FRIDAY, APRIL 5

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

7:30 a.m. **Continental Breakfast**  
SPONSORED BY **Cassidy Schade LLP**

**Nicolaides Fink Thorpe**  
**Michaelides Sullivan LLP**

**BREAKOUT SESSIONS** Friday, April 5, 8:30 a.m.–12:30 p.m. (choose one)

	<b>■ AUTO</b>	<b>■ CONSTRUCTION</b>
8:30 a.m.	<p><b>The Crisis of Car Insurance in the Accident-Free Future</b></p> <p>Where driverless cars in theory remove driver error, which accounts for the vast majority of crashes, what type of auto insurance will drivers in the future require? How will claims be handled?</p> <p> <b>John W. Danenberger</b>, <i>State Farm Insurance</i>, Bloomington, IL</p>	<p><b>Additional Insured Issues in the Construction Arena</b></p> <p>One of the most universal issues in construction-defect coverage cases is additional insured coverage and the duty to defend. Learn the nuances of analyzing these issues and what factors may affect your evaluation, depending on your jurisdiction.</p> <p><b>Tanya T. Austin</b>, <i>Boyle Shaughnessy Law</i>, Boston, MA</p>
9:15 a.m.	<p><b>Analyzing the Trucking Claim</b></p> <p>The trucking industry presents unique risks. Hear a discussion of coverage issues associated with owned and nonowned trailers, deadheading, the MCS-90 Endorsement, choice of law, and more.</p> <p><b>Michael C. (Mike) Mills</b>, <i>Bauman Loewe Witt &amp; Maxwell PLLC</i>, Las Vegas, NV</p> <p> <b>Kristen Nowacki</b>, <i>Canal Insurance Co.</i>, Greenville, SC</p>	<p><b>Contractual and Common Law Risk Transfer</b></p> <p>Construction contracts often involve extraordinary shifting of risk. More states are beginning to legislate these contractual arrangements, and some have common law schemes already in place that govern it. Hear how risk transfer and “other insurance” clauses are affected.</p> <p><b>Jeffrey N. Labovitch</b>, <i>Nicolaides Fink Thorpe Michaelides Sullivan LLP</i>, San Diego, CA</p>
10:00 a.m.	<p><b>Personal Auto: Determining Who Is an Insured and for What</b></p> <p>This presentation will discuss practical issues in personal automobile coverage, including questions of permissive use, loading and unloading, and who qualifies as an omnibus insured.</p> <p><b>Jamie L. Wilhite Dittert</b>, <i>Sturgill Turner Barker &amp; Moloney PLLC</i>, Lexington, KY</p>	<p><b>The Nuts and Bolts of the Declaratory Judgment Action</b></p> <p>Learn when to file the DJ action, where to file it, and how to handle a DJ that relies on facts from the underlying action.</p> <p><b>Jamie L. Hull</b>, <i>Cassiday Schade LLP</i>, Chicago, IL</p>
10:45 a.m.	<p><b>Refreshment Break</b></p>	
11:05 a.m.	<p><b>“No Fault” Auto Insurance and SUM Coverage</b></p> <p>Get acquainted with “no fault” auto insurance, and supplemental uninsured/underinsured motorist coverage. Irrespective of jurisdiction, what do you need to know?</p> <p><b>Jane E. Young</b>, <i>McElroy Deutsch Mulvaney &amp; Carpenter LLP</i>, Greenwood Village, CO</p>	<p><b>Common Challenges Posed by the Business Risk Exclusions</b></p> <p>Find out why “your work” exclusions, complete versus incomplete work exclusions, and impaired property exclusions are important in construction cases and how to apply them.</p> <p><b>Jeffrey C. (Jeff) Gerish</b>, <i>Plunkett Cooney PC</i>, Bloomfield Hills, MI</p>
11:50 a.m.	<p><b>The Sharing Economy: How Insurers Have Tackled the Needs of Peer-to-Peer Ridesharing</b></p> <p>The surge in usage of apps such as Uber’s and Lyft’s allow more options for transportation, but they also create the challenge of insuring vehicles. Hear a discussion of the coverage challenges created by peer-to-peer ridesharing.</p> <p><b>Christian A. (Chris) Cavallo</b>, <i>Goldberg Segalla LLP</i>, Newark, NJ</p>	<p><b>Interplay of Carriers on Construction Losses</b></p> <p>Construction losses lend themselves to triggering various types of insurance coverages. CGL, excess, professional liability/E&amp;O, and builders risk—or a combination of these—could all potentially be triggered. Our panel will discuss hypothetical scenarios and how to resolve the cases.</p> <p><b>Stacy A. Broman</b>, <i>Meagher &amp; Geer PLLP</i>, Minneapolis, MN</p> <p> <b>Christopher J. (Chris) Butler</b>, <i>Markel Corporation</i>, New York, NY</p>
12:35 p.m.	<p><b>Adjourn</b></p>	



## 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 MCLE credit by the State Bar of California for up to **12.5** hours, including **2** hours 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](http://dri.org) for the latest information for your state.

### Registration Policy

**Save \$100 when you register by March 5, 2019.** (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 12, 2019** (*please allow 10 days for processing*). Registrations received after **March 12, 2019**, will be processed on-site.

### Refund Policy

The registration fee is fully refundable for cancellations received on or before **March 12, 2019**. Cancellations received after **March 12** and on or before **March 19, 2019**, will receive a refund, less a \$100 processing fee. Cancellations made after **March 19** 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](mailto: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 5, 2019**. After **March 5**, 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 Insurance Coverage and Claims Institute 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 **Loews Chicago Hotel, 455 N Park Dr., Chicago, IL 60611** ([click here](#) to view hotel photos).

Take advantage of the group rate of **\$229 Single/Double** in one of two ways:

- 1) Reserve online: [Click here](#) or visit [dri.org](http://dri.org) and go to the **DRI Insurance Coverage and Claims Institute page** and click on the "Book hotel" button.
- 2) Or **contact the hotel directly at 312.840.6600** and mention the **DRI Insurance Coverage and Claims Institute**.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **March 5, 2019**, to be eligible for the group rate. Requests for reservations made after **March 5** are subject to room and rate availability.

## FACULTY

**Albert K. Alikin**, Goldberg Segalla LLP, Los Angeles, CA

**Tanya T. Austin**, Boyle Shaughnessy Law, Boston, MA

**Steven J. Badger**, Zelle LLP, Dallas, TX

**Eric Bowers**, Zelle LLP, Dallas, TX

**Stacy A. Broman**, Meagher & Geer PLLP, Minneapolis, MN

**Kenyan R. Brown**, Maynard Cooper & Gale, Mobile, AL

➤ **Christopher J. (Chris) Butler**, Markel Corporation, New York, NY

**Christian A. (Chris) Cavallo**, Goldberg Segalla LLP, Newark, NJ

➤ **John W. Danenberger**, State Farm Insurance, Bloomington, IL

➤ **Andrew D. Deutsch**, OneBeacon Insurance Group, Minneapolis, MN

➤ **Michael W. (Mike) Early**, Old Republic Professional Liability Inc., Chicago, IL

**Jennifer A. Ehman**, Hurwitz & Fine PC, Buffalo, NY

**F. Lane Finch, Jr.**, Swift Currie McGhee and Hiers LLP, Birmingham, AL

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**Jeff Kichaven**, Jeff Kichaven Commercial Mediation, Los Angeles, CA

➤ **Rachel H. Kim**, Sompco International, New Hyde Park, NY

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**Roman Lifson**, Christian and Barton LLP, Richmond, VA

**Michael M. (Mike) Marick**, Hinshaw & Culbertson LLP, Chicago, IL

**Kathleen J. (Kathy) Maus**, Butler Weihmuller Katz Craig LLP, Tallahassee, FL

➤ **Keith Marxkors**, State Farm Insurance, Bloomington, IL

➤ **Joe Matetich**, Southern Vanguard Insurance Company, Austin, TX

**William K. (Bill) McVick**, Tressler LLP, Chicago, IL

**Michael C. (Mike) Mills**, Bauman Loewe Witt & Maxwell PLLC, Las Vegas, NV

➤ **Kristen Nowacki**, Canal Insurance Co., Greenville, SC

**Meghan E. Ruesch**, Lewis Wagner LLP, Indianapolis, IN

➤ **Sarah R. Schmitz**, OneBeacon Government Risk, Plymouth, MN

**Jamie L. Wilhite Dittert**, Sturgill Turner Barker & Moloney PLLC, Lexington, KY

**Jane E. Young**, McElroy Deutsch Mulvaney & Carpenter LLP, Greenwood Village, CO

**View faculty bios on the Insurance Coverage and Claims Institute webpage; click on “View speakers” button.**



### 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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February 6–8

### **Product Liability Conference**

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March 20–22

### **Trial Skills and Damages**

*Park MGM Las Vegas, Las Vegas, NV*

March 21–22

### **Medical Liability and Health Care Law**

*Hilton Nashville Downtown,  
Nashville, TN*

April 3–5

### **Life, Health, Disability and ERISA**

*Swissôtel, Chicago, IL*

April 10–12

### **Construction Law**

*Caesars Palace, Las Vegas, NV*

May 8–10

### **Retail and Hospitality Litigation and Claims Management**

*Loews Sapphire Falls/Royal Pacific  
Resorts at Universal, Orlando, FL*

June 5–7

### **Insurance Bad Faith and Extra-Contractual Liability**

*Westin Washington, D.C.  
City Center, Washington, DC*

September 12–13

### **Strictly Automotive**

*S-E-A/Sheraton Columbus at  
Capitol Square, Columbus, OH*

September 19–20

### **Nursing Home/ALF Litigation**

*Hyatt Regency Chicago, Chicago, IL*

December 5–6

### **Insurance Coverage and Practice Symposium**

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

How many attorneys \_\_\_\_\_ What is your primary  
are in your firm? \_\_\_\_\_ area of practice? \_\_\_\_\_

## REGISTRATION FEE

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 Mar. 5, 2019	After Mar. 5, 2019	
<input type="checkbox"/> Member	\$875	\$975	<i>For inclusion on the preregistration list and to receive course materials in advance, <b>register by March 12, 2019.</b></i>
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\* As defined on page 5

\*\* See description on page 3

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## Insurance Coverage and Claims Institute

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*DRI is the place to secure lawyer-  
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