

2021 DRI - IADC Virtual Insurance Roundtable

Spotlighting the Challenges of a Post-Pandemic World and the Tools of Tomorrow

Program Schedule

Virtual | September 28 - 29, 2021

TUESDAY, SEPTEMBER 28, 2021 (ALL TIMES CDT)

12:00 p.m. **Welcome and Introduction**

Thomas F. (Tom) Lysaught, QBE North America, Chicago, Illinois

E. Ford Stephens, Christian & Barton LLP, Richmond, Virginia

Emily G. Coughlin, Coughlin Betke LLP, Boston, Massachusetts

Spencer H. Silverglate, Clarke Silverglate PA, Miami, Florida

12:15 p.m. **What Will the Post-Pandemic World Look Like?**

Have any expectations changed? How about the means of communications or the methods of doing business? Are there new cost concerns or ways of evaluating performance? Are there new cyber security issues with remote working and/or vendor hacks?

Kevin J. Willging, Travelers, Hunt Valley, Maryland

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

Russell L. Dennis, Markel Service Inc., Dallas, Texas

Robert L. (Bob) Christie, Christie Law Group PLLC, Seattle, Washington

Paul D. Motz, Segal McCambridge, Chicago, Illinois

1:45 p.m. **National Foundation for Judicial Excellence**

The National Foundation for Judicial Excellence (NFJE) supports a strong, independent, responsive judiciary by providing officers of the courts with educational programs and other tools that enable them to perform at their highest level.

E. Ford Stephens, Christian & Barton LLP, Richmond, Virginia

1:50 p.m. **Break**

2:05 p.m. **Anti-Social Practical Strategies Insurers Can Implement**

Insurers face increasing pressures from social inflation and the potential for nuclear verdicts. This session will provide an overview of jury biases and trends, both pre and post pandemic, followed by a moderated discussion with our panel of experts on practical steps and strategies that insurers can implement to best position the company to mitigate the effect of social inflation on its claims portfolio.

Jeffrey Chen, Swiss Re Americas Holding, New York, New York

Mary P. Haefer, CapSpecialty, Middleton, Wisconsin

Thomas F. (Tom) Lysaught, QBE North America, Chicago, Illinois

Alan Carroll (A.C.) Nash, Marshall, Dennehey, Warner, Coleman & Goggin, P.C., Fort Lauderdale, Florida

Rachel York Colangelo, Magna Legal Services, New Alexandria, Virginia

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- 3:30 p.m. **Diversity and Inclusion**
How diversity has been and will continue to be an important aspect of the company / law firm relationship. What are the expectations of executives and outside counsel? What initiatives have been developed and will be developed? What about the diversity components of RFPs, the issue of self-reporting, the assignment of work and compensation or billing credits given by law firms? How can companies and firms retain talent?
- Sean C. Griffin, *Dykema Gossett PLLC, Washington, District of Columbia***
Angela Bretz, *Nationwide Insurance, Columbus, Ohio*
Bill Garcia, *Del Norte Consulting Services, Seattle, Washington*

- 4:30 p.m. **Networking Reception Featuring Harrison Kramer**
You will not want to miss Tuesday's reception featuring Harrison Kramer, Live Virtual Magician & Mentalist. His presentation is a fast-paced mix of magic, humor, and psychological illusions. During the performance, guests will experience modern magic crafted to happen through the screen in their own hands and witness incredible coincidences between themselves and guests far away.

WEDNESDAY, SEPTEMBER 29, 2021

- 12:00 p.m. **Understanding the Black Box of Legal Analytics**
Professor Ben Chapman will go beyond the world of "metrics" into the expanding universe of legal analytics. He will explore this powerful and useful field of analysis. Professor Chapman will bring it back to earth with a discussion of how computers and algorithms are changing the way risks are underwritten and how claims are analyzed and defended. He will also probe dark matter: risks and challenges caused by bias, coding, and data errors. Professor Chapman will conclude by discussing the exploding list of products with machine-learning components and practical suggestions for employing legal analytics to gain a competitive advantage.
- F. Lane Finch, Jr., *Swift Currie McGhee & Hiers LLP, Birmingham, Alabama***
Ben Chapman, *Georgia State University College of Law, Atlanta, Georgia*

- 1:00 p.m. **Potential Insurer Liability for Data Theft**
This panel will address insurers' potential liability for information theft, the latest data theft threats and security measures, and the emerging market for cyber liability insurance. Additionally, the panel will discuss the law of liability for data breaches and steps insurers should take to control the risk of data breach liability.
- Matthew Tucci, *Sompo International, Alpharetta, Georgia***
Michael Phillips, *Resilience, New York, New York*
Shushanie E. Liesinger, *Intact Insurance Company, Plymouth, Minnesota*

- 2:00 p.m. **Break**

- 2:15 p.m. **EDiscovery Expectations of Insurers in a Google World**
Carriers need to be prepared for eDiscovery requests in a "Google World." Companies do not have a search bar on their data management system that allows keyword searching for anything and everything but conveying that in a judicial setting can be challenging with problematic consequences. This panel will explore what companies can and should be reasonably expected to do in the face of eDiscovery requests, whether in a bad faith case or a simple breach of contract/DJ case, and how they can create or improve eDiscovery capabilities.
- Jonathan L. Schwartz, *Goldberg Segalla LLP, Chicago, Illinois***
Susanne Broadbent, *CapSpecialty, Middleton, Wisconsin*

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- 2:15 p.m. **Improving Your Company's 30(b)(6) Performance**
This will be a facilitated discussion centered on the practical issues surrounding testimony by insurance employees. You and other members of your company have served as 30(b)(6) witnesses before. It is inevitable that it will happen again, and it can be a watershed event in any litigation. This presentation will focus on how executives themselves can improve as 30(b)(6) witnesses, as well as how they can contribute to and manage the use of 30(b)(6) witnesses. Topics for discussion will include the timing of selection of witnesses, criteria for selection, and preparing witnesses for testimony at both depositions and trial.
- Leonor M. (Leo) Lagomasino, *Hinshaw & Culbertson LLP*, Miami, Florida**
Edward (Ted) O'Toole, *HDI Global Insurance Company*, Chicago, Illinois
- 3:15 p.m. **Open Mic at the Roundtable**
What's on your mind? This is your opportunity to comment, question and explore new issues or further address topics already discussed.
- Thomas F. (Tom) Lysaught, *QBE North America*, Chicago, Illinois**
E. Ford Stephens, *Christian & Barton LLP*, Richmond, Virginia
- 4:00 p.m. **Closing Remarks**
F. Lane Finch, Jr., *Swift Currie McGhee & Hiers LLP*, Birmingham, Alabama