



INSURANCE COVERAGE AND ALLOCATION ISSUES CONFERENCE

The Union League of Philadelphia | May 13, 2026

MEDIATION LESSONS LEARNED: WHAT IS/ISN'T WORKING



**Moderator:
Patricia
Santelle, Esq.**
White and
Williams LLP
Philadelphia, PA



Lisa Armon
*Senior Litigation Counsel
Brandywine Group
of Insurance &
Reinsurance Companies
Philadelphia, PA*



Jay Konkel, Esq.
*Pillsbury
Washington, DC*



**Hon. Annette M.
Rizzo (Ret.)**
*Mediator, Arbitrator
JAMS
Philadelphia, PA*



**Deborah
Rosenthal, Esq.**
*Sr. Claim Consultant
Nationwide
Somerville, NJ*



**Edward A.
Smallwood, Esq.**
*Post & Schell P.C.
Pittsburgh, PA*



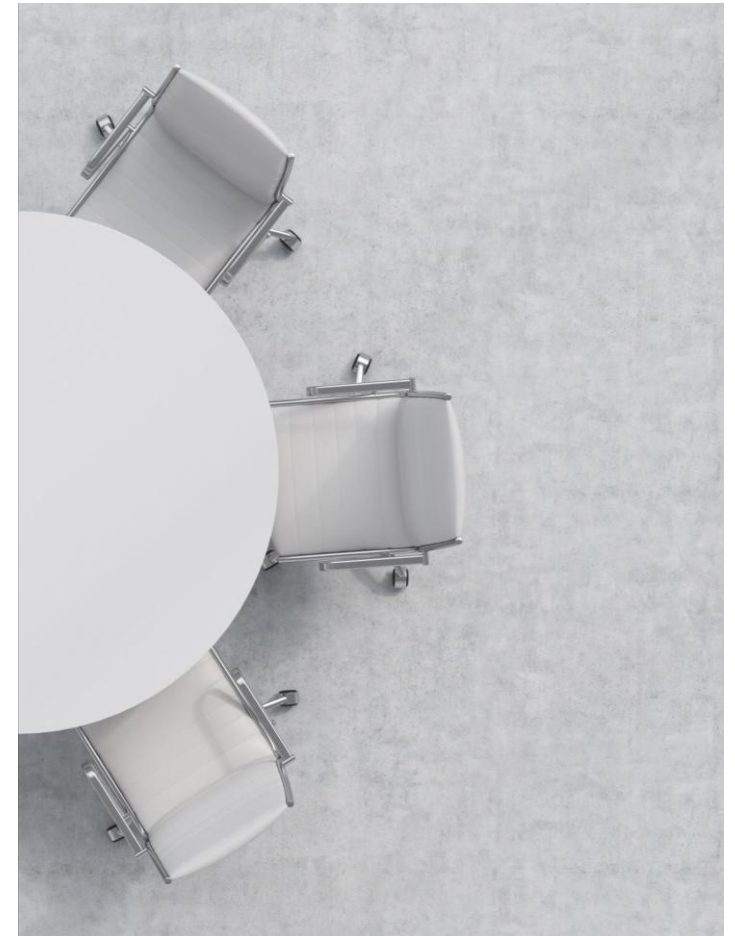
Overview

- **Preparing for Mediation:** How to Position/Tailor the Process to Your Matter
- **The Mediation Session:** How to Negotiate/Mediate Effectively to Get the Best Result
- **Lessons Learned from Challenging Mediations:** Problem Solving, How to Move Beyond Impasse and Identify Creative Solutions
- **Key Factors Behind Successful Mediations**
- **Importance of Post-Mediation Follow-up**

Preparing for Mediation: How to Position/Tailor the Process to Your Matter



- Selecting a Neutral
- Timing/When to Mediate
- What Information Should be Provided and to Whom
- Setting Expectations
- Becoming Informed on Both Liability and Coverage



The Mediation Session: How to Negotiate/ Mediate Effectively to Get the Best Result



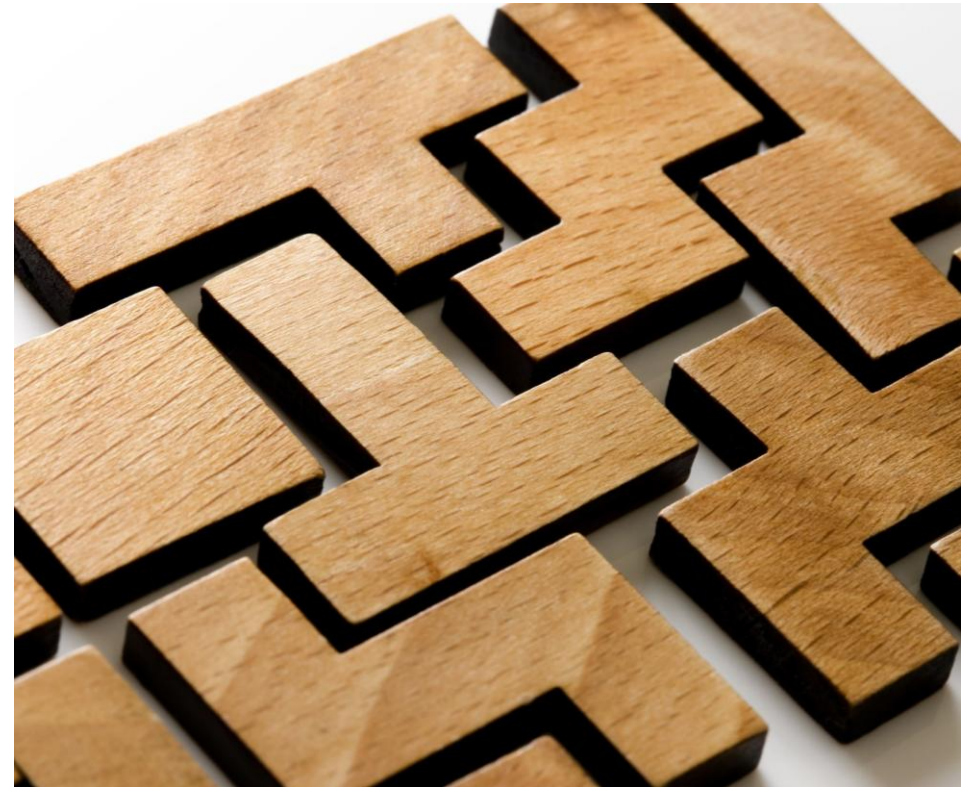
- In-Person vs. Remote/Hybrid
- Opening Statements
- Joint vs. Individual Sessions
- No Such Thing as a Failed Mediation: Maintaining Engagement
- Importance of Coming in with Terms



Lessons Learned from Challenging Mediations: Problem Solving, How to Move Beyond Impasse and Identify Creative Solutions



- Importance of Understanding the Coverage/ Liability Implications
- Challenges of Multi-Party Litigation
- What to Do When You Can't Get Finality
- High/Lows/Bracketing
- Whether/When to Get a Mediator's Number/Recommendation



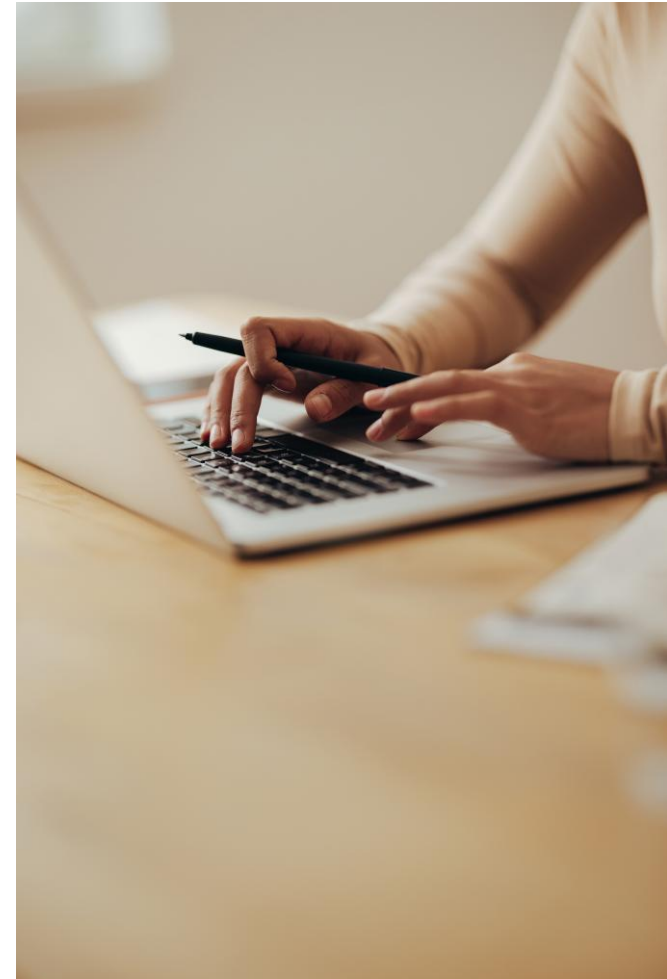
Key Factors Behind Successful Mediations



- Being Prepared/Informed
(Setting Expectations/Avoiding Surprises)
- Staying Engaged
- Being Creative
- Don't Just Focus on the Number
- Don't Leave Without a Term Sheet



Importance of Post-Mediation Follow-Up



Questions?

