

# Perrin Conferences Insurance Coverage and Allocation Issues Conference



May 08, 2024

The Union League of Philadelphia | Philadelphia, PA



## CONFERENCE CO-CHAIRS

**Melissa A. King**

Vice President - Direct Claims Audit  
Resolute Management, Inc.

**Elaine Whiteman Klinger, Esq.**

Kennedys

**Jay Konkell, Esq.**

Morgan, Lewis and Bockius LLP

**Peter Walden**

Manager, Complex Claims Unit  
The Hartford

**Perrin Conferences**  
**Insurance Coverage & Allocation Issues Conference**  
**May 8, 2024**  
**Union League of Philadelphia**

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**8:15 AM – 9:00 AM – Registration**

**9:00 AM – 9:15 AM – Welcome & Opening Remarks by Co-Chairs**

**Melissa King**, Vice President – Direct Claims Audit, Resolute Management, Inc., Boston, MA

**Elaine Whiteman Klinger, Esq.**, Kennedys, Philadelphia, PA

**Jay Konkell, Esq.**, Morgan, Lewis & Bockius LLP, Washington, D.C.

**Peter Walden**, Manager, Complex Claims Unit, The Hartford, Timonium, MD

**9:15 AM – 10:15 AM – Risk Transfer Allocation Issues**

- How are defense costs and indemnity payments allocated in the context of contractual indemnity and additional insured risk transfer scenarios?
- Possible allocation formulas and strategies
- The impact of certain policy provisions and various claims scenarios
- Who retains the liability and how to identify historical coverage

**Gary Kull, Esq.**, Kennedys, Basking Ridge, NJ

**Rejo Mathew**, Senior Consultant, Arcina Risk Group, Los Angeles, CA

**Michael S. Savett, Esq.**, Butler Weihmuller Katz Craig LLP, Philadelphia, PA

**Alexa J. Schmid**, Coverage Litigation Counsel, Selective Insurance Company of America, Branchville, NJ

**10:15 AM – 11:00 AM – Interrelated Wrongful Actions**

- History and development of Interrelated Wrongful Acts provisions contained in professional liability policies
- Relevance of such provisions on various aspects of professional liability coverage including claims made and reported requirements, retroactive dates, limits of liability, and retentions
- Approaches by the courts to Interrelated Wrongful Acts provisions
- Recent decisions in this regard and possible future developments

**Richard J. Rogers, Esq.**, Traub Lieberman, Hawthorne, NY  
**Christopher M. Wolfe, Vice President/Director, Claims**, FAIRCO, New York, NY  
**Jessica Zimmerman**, Senior Claim Examiner, Professional Liability Claims, Arch Insurance Group Inc., Garden City, NY

### 11:00 AM – 11:15 AM – Break

### 11:15 AM – 12:15 PM – Bankruptcy Update

- Insurance neutrality
- J&J
- How it effects coverage

**Moderator: Melissa King**, Vice President – Direct Claims Audit, Resolute Management, Inc., Boston, MA  
**David Christian, Esq.**, David Christian Attorneys LLC, Mission, KS  
**Isley M. Gostin, Esq.**, Wilmer Hale, New York, NY

### 12:15 PM – 1:30 PM – Lunch (*on your own*)

### 1:30 PM – 2:15 PM – Cyber Coverage

- Cyber claims that may trigger coverage under multiple policies and coverages
- How are these issues resolved?

**Judith A. Selby, Esq.**, Kennedys, New York, NY

*Additional Speakers to be Added.*

### 2:15 PM – 3:15 PM – Role of Coverage Counsel When Handling a Claim

- Who should issue declination of coverage or reservation of rights letters?
- *Cedell v. Farmers Ins. Co. of Washington*
- *Travelers Prop. Cas. Co. of Am. v. 100 Renaissance, LLC*
- Insurance company attorney-client privilege
- The differences among jurisdictions such as South Carolina

**Hillary Ladov, Esq.**, MGC, Philadelphia, PA  
**Sarannah McMurtry**, SVP, General Counsel, First Acceptance Insurance Company, Nashville, TN  
**Deborah Rosenthal, Esq.**, Senior Claims Consultant, Nationwide, Somerville, NJ

**Michael Young, Esq.**, Reichardt Noce & Young, St. Louis, MO

**3:15 PM – 3:30 PM – Break**

**3:30 PM – 4:15 PM – Nuclear Verdicts**

- The major allocation issues arising from nuclear verdicts
- How does it play out in a coverage dispute?
- Alignment
- Ethical considerations and the tripartite relationship
- The insurer's dilemma with trying to settle claims made by multiple claimants and insufficient limits to do so
- What should insurers do when there is not enough insurance and factors that they should consider

**Kimberly Acevedo**, Claims Officer, Healthcare Claims, Ironshore Insurance, New York, NY

**John Goldwater**, Managing Director, Alan Gray LLC, Boston, MA

**Elaine Whiteman Klinger, Esq.**, Kennedys, Philadelphia, PA

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

**4:15 PM – 5:15 PM – Hot Topics and Regulatory Update**

- Opioid litigation and insurance coverage
- CCR Rule and Coal Ash Recovery Litigation
- Litigation funding and disclosure requirements
- PFAS litigation

**Teri J. Diaz, Esq.**, Morgan, Lewis & Bockius LLP, Washington, D.C.

**Jay Konkel, Esq.**, Morgan, Lewis & Bockius LLP, Washington, D.C.

**Kate Vaughn**, Assistant Vice President, Manager, APO Claims, The RiverStone Group, Manchester, NH

*Additional Speaker to be Added.*

**5:00 PM – 6:00 PM – Networking Cocktail Reception (Grant Room – Union League)**

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*\*Speaker and Agenda are subject to change.*

**CONFERENCE LOCATION**

**Union League of Philadelphia**  
**140 S. Broad Street**  
**Philadelphia, PA 19102**

**REGISTRATION**

**Registration Rate: \$945**

**Paralegal Rate: \$295**

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Each registration includes private website access to course materials and admission to all sessions and networking events such as refreshment breaks and cocktail receptions. *Group discounts available, please inquire.*

**HOTEL ROOM BLOCK**

**W Philadelphia Hotel**  
**1439 Chestnut St., Philadelphia, PA 19102**

Please make your room reservations through the group booking link. The group rate is \$316/night. We suggest making your reservations as soon as possible, the discounted room block rates are ending soon.

[Reservation Link Perrin Conferences Room Block](#)

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This conference is pending approval in Texas, Oklahoma and New Hampshire for CE Adjuster credit and approved for Florida CE Credit.

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If you cannot attend the conference, please notify us prior to April 29, 2024 and we will refund your fee or provide a credit for a future conference. The credit needs to be used within one year from the conference date.

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Mail-in Registration Form

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**CIRCLE ONE:** Attorney Non-Attorney Insurance Professional In-House Counsel

**Registration Fee: \$945**

*\*All Insurance Professionals & In-House Counsel receive Complimentary attendance*

Name on Card \_\_\_\_\_

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