

# 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

Thank You to Our Agenda Sponsor:



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

---

**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**  
*Sponsored by: Wilmer Hale*

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

- Bankruptcy Primer
- Whether Financial Distress Is Required
- Insurance Carrier Standing
- Third-party releases in non-asbestos claims

**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, Washington, DC

**Mark D. Plevin, Esq.**, Crowell & Moring LLP, San Francisco, CA

**Russell W. Roten, Esq.**, Duane Morris, Los Angeles, CA

**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?

**Gabriel E. Darwick, Esq.**, White and Williams LLP, New York, NY

**Perla Heady**, AVP, U.S. Professional Lines, Sompo, New York, NY

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

**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 – The Rise of Large Verdicts**

- The major allocation issues arising from large 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
- PFAS litigation
- CCR Rule and Coal Ash Recovery Litigation
- Hair relaxer litigation

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

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

**Milind Parekh**, Assistant Vice President, Associate General Counsel, Resolute Management, Inc., Chicago, IL

**Annette P. Rolain, Esq.**, Ruggeri Parks Weinberg LLP, Washington, D.C.

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

**5:15 PM – 6:15 PM – Networking Cocktail Reception (Grant Room – Union League)**  
**Sponsored by: Kennedys and Morgan, Lewis & Bockius LLP**

---

**Perrin Conferences**  
**Insurance Coverage and Allocation Issues Conference**  
**May 08, 2024**  
**Union League of Philadelphia**

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

**CONFERENCE LOCATION**

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

**Union League of Philadelphia Dress Code:**

**For MEN:** Jacket and tie are strongly preferred. Jacket and collared shirt are required at all times on the first floor members-only section of the League House.

**For WOMEN:** Business suits, tailored pant or skirt ensembles and dresses.

**Not Permitted:** Spandex, open midriiffs, halter tops, shorts, leggings, extremely short hemlines (not more than 3" above the knee), jeans, t-shirts, athletic attire, sneakers, and flip-flops.

**REGISTRATION**

**Registration Rate:** \$945  
**Paralegal Rate:** \$295

All in-house counsel and insurance claims professionals receive complimentary registration at Perrin Conferences live programs. Contact Bethany Corio (bcorio@perrinconferences.com) 610-220-1817 or Lynnsey Perrin (lperrin@perrinconferences.com) 610-804-6165 with questions or to register at the complimentary rate.

**Register Online:** [Insurance Coverage and Allocation Issues Conference | Perrin Conferences](#)

**Register by Mail/E-mail:** Complete the Mail-In Registration Form at the end of brochure.

**Mail to:** Perrin Conferences, 214 Orchard Way, Wayne, PA 19087

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](#)

## **CLE & CE CREDIT INFORMATION**

Applications are being made to all CLE states as requested by attendees. Perrin cannot guarantee accreditation in every state. Approval is determined by each jurisdiction's governing body.

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

Please note, there will be no partial credit awarded for CE credit – The full conference must be attended to earn CE credit. Please send CLE requests for state specific accreditation to Kelsey Miner ( [kaminer@perrinconferences.com](mailto:kaminer@perrinconferences.com) ).

## **CANCELLATION POLICY**

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.

Cancellations received on April 30, 2024 and after will not be refunded. You may enroll a substitute at any time before the conference starts. Cancellations received on April 30, 2024 and after may receive a credit for \$200 less than the registration amount paid and can be used by their firm/company within one year from the conference date.

## **FINANCIAL AID POLICY**

Perrin Conferences is dedicated to providing high-quality continuing legal education to attorneys interested in course offerings. Program registrants who are unable to afford registration fees due to financial hardship may apply for a complete registration waiver or reduction in fee. Factors to be considered include employment status and annual income. Please send a written letter to Lynnsey Perrin addressing your financial situation for consideration. All requests must be submitted 14 days prior to the start of the program and are kept confidential.

# THANK YOU TO OUR SPONSORS AND PARTNERS:

## PLATINUM SPONSORS

Morgan Lewis

WILMERHALE 

WILMER CUTLER PICKERING HALE AND DORR LLP

## GOLD SPONSORS

**ARCINA**  
RISK GROUP  
Uncover • Recover • Preserve

DuaneMorris®

**HUDSON**  
COURT REPORTING

Kennedys

**mgc**

## BLUE SPONSORS

 MENDES

 RUGGERI  
PARKS  
WEINBERG LLP

TRAUB LIEBERMAN

125<sup>th</sup>  
ANNIVERSARY  White and  
Williams LLP

## PERRIN PARTNERS

 Alan Gray  
A PREMIA COMPANY

**ARCINA**  
RISK GROUP  
Uncover • Recover • Preserve

**BATES**  
**WHITE**  
ECONOMIC CONSULTING

 BELLUCK & FOX, L.L.C.

 BULLIVANT  
HOUSER

CETRULO LLP

**epiq**

FormanWatkins  
Forman Watkins & Krutz LLP

 GJK  
GAY JONES & KUHN PLLC

 GOLDBERG  
SEGALLA

 HART MCLAUGHLIN & ELDRIDGE  
CHICAGO

**HAWKINS PARNELL**  
Hawkins Parnell & Young, LLP

**KAHANA:FELD**

 Be Certain.  
KCIC

Kennedys

**LitPRO**

**MARON MARVEL.**

**MGM**  
THE LAW FIRM

 O'TOOLE SCRIVO  
A LIMITED LIABILITY COMPANY

 POLICY FIND  
Insurance  
ARCHEOLOGY SERVICES

PRIORITY-ONE  
VERITEXT  
P1Steno@Veritext.com

 RIMKUS

**ROUX**

 SEGAL  
McCAMBRIDGE

 **STOUT**

ToxicoGenomica 



**Perrin Conferences**  
**Insurance Coverage and Allocation Issues Conference**  
May 8, 2024 – Philadelphia, PA

Mail-in Registration Form

Attendee Name \_\_\_\_\_

Company/Firm Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip Code \_\_\_\_\_

Email Address \_\_\_\_\_

**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 \_\_\_\_\_

Credit Card Number \_\_\_\_\_

Expiration Date \_\_\_\_\_ Code \_\_\_\_\_ Zip \_\_\_\_\_

***Please Mail Form to: Perrin Conferences, 214 Orchard Way, Wayne, PA 19087***

***Email Form to: [bcorio@perrinconferences.com](mailto:bcorio@perrinconferences.com) or [lperrin@perrinconferences.com](mailto:lperrin@perrinconferences.com)***

***Make Checks Payable to: Perrin Conferences, LLC***