



# Environmental Risk & Litigation Conference

October 22, 2020 (Virtual)

## Conference Co-Chairs

**Scott W. Henry, Esq.,**

Maron Marvel Bradley Anderson & Tardy LLC, Chicago, IL

**Cindy Hunter, Head of Specialized Risks and Western Region Claims,**

The Hartford, New York, NY

**Adam H. Love, Ph.D., Vice President/Principal Scientist,**

Roux Associates, Inc., Oakland, CA

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## Perrin Conferences

### Environmental Risk & Litigation Conference

#### October 22, 2020 (Virtual)

All sessions are scheduled in the Eastern time zone.

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#### 10:00 AM – 10:15 AM ET: Opening Remarks & Litigation Perspective

**Scott W. Henry, Esq.**, Maron Marvel Bradley Anderson & Tardy LLC, Chicago, IL

**Cindy Hunter**, Head of Specialized Risks and Western Region Claims, The Hartford, New York, NY

**Adam H. Love, Ph.D.**, Vice President/Principal Scientist, Roux Associates, Inc., Oakland, CA

#### 10:25 AM – 11:10 AM ET: Climate Change Adaptation – Costs and Coverage Issues

Climate Adaptation has begun. Significant costs are already being incurred to avoid flooding and harden critical infrastructure. Panel Questions:

- What are some of the most significant adaptations that have already begun?
- Are any of these activities and associated costs likely to be covered environmental risks?

**Scott L. Davis, Esq.**, Husch Blackwell LLP, Dallas, TX

**Alexandra Fraher, Esq.**, CMBG3 Law, Boston, MA

**Gregory Kelder, Esq.**, Environmental Division SVP and Head of Claims for Environmental Division, Great American Insurance Group, Devon, PA

**Hiral Shah, Esq.**, Senior Vice President, Environmental, Sampo International, New York, NY

#### 11:20 AM – 12:20 PM ET: Baseless Science – the Rise in Environmental Risks from the Lack of Court Gatekeeping

Courts are supposed to act as gatekeepers to prevent flawed science from getting to a jury. There are numerous recent examples of cases where that has not occurred, and juries have ruled on causation where the scientific community would/could likely not support. Panel Questions:

- What are some examples where the lack of gatekeeping has resulted in significant environmental liability?
- Are there steps to put pressure on the courts to play a more active gatekeep role?
- Are there other types of cases on the horizon where this may also be in play?

**Moderator: Kristien V. Webber**, Assistant Vice President, The Vertex Companies, Inc., Freehold, NJ

**Helen Eichmann**, Senior Vice President Environmental Division, Allied World Insurance, New York, NY  
**Gregory Kinzel**, Assistant Vice President – Environmental Claims, Aspen Specialty Insurance, New York, NY

**Joseph J. Welter, Esq.**, Goldberg Segalla, Buffalo, NY

#### **12:20 PM – 12:35 PM ET: Break / Visit the Virtual Exhibit Booths**

#### **12:40 PM – 1:10 PM ET: Evolving Strategies for Vapor Intrusion Risk and Associated Personal Injury Claims**

Vapor intrusion and indoor air exposure continues to be a major cost sink in environmental risks. Strategies for managing vapor intrusion risk and the associated bodily injury claims continues to evolve. Panel Questions:

- Why is vapor intrusion thresholds and regulatory guidance still so variable from state to state?
- What are plaintiff's lawyers doing to capitalize on any identified exposure to indoor air?
- What are risk mitigation strategies at sites with vapor intrusion and/or indoor air issues?

**Chase Gerbig, Ph.D.**, Principal Scientist, Roux Associates, Inc., Woburn, MA

**Meghan McMeel, Esq.**, Riley Safer Holmes & Cancila LLP, San Francisco, CA

**Robert W. Petti, Esq.**, Maron Marvel Bradley Anderson & Tardy LLC, Chicago, IL

#### **1:20 PM – 2:05 PM ET: The Cost of PFAS: Assessing Environmental and Legal Risk and Costs**

This presentation will provide an overview of reported estimates of different aspects of PFAS legal and environmental cleanup cost risk—including those associated with drinking water treatment, private-party litigation, site cleanup, and natural resource damage assessment. It will also provide an overview of a novel framework for estimating the cost of treating PFAS in nationwide U.S. public drinking water sources and an assessment of trends in PFAS-related litigation.

- This information can be helpful to underwriters and claims adjusters with their pressing need to quantify PFAS-related liabilities.

**Michael H. Berman, P.E., CHMM**, Senior Principal, Geosyntec Consultants, Washington, DC

**Adena S. Edwards**, Assistant Vice President, Environmental & Crisis Management Claims, Starr Adjustment Services, Inc., New York, NY

**Matthew J. Schroeder, Esq.**, Akerman LLP, Dallas, TX

#### **2:15 PM – 3:15 PM ET: Insurance Wish List: What Would Make Insurance Recovery and Evaluating Environmental Claims Easier?**

Given the highly complex nature of Environmental contamination claims, coverage for these claims implicate a host of coverage defense. As such, environmental claim evaluations are often complex by

nature, but that does not mean the claims process could not be made easier. A panel of insurance lawyers, brokers and claims people who are each on the front line of environmental claims will discuss their wish list. Panel Questions:

- Is there a pathway to avoid insurance coverage litigation over environmental contamination claims?
- What are your top three things that insureds, along with their consultants and attorneys, can do in order to make their environmental claims evaluation easier – and why?
- Provide an overview of trends and happenings in major environmental claims.

**Moderator: Wm. Chip D'Angelo**, Division President, WCD Group/Gallagher Bassett, New York, NY  
**Joshua Fine**, Manager, Environmental Claims, Surplus & Specialty Lines, Crum & Forster, Morristown, NJ

**Ryan E. Gillespie, CLCS**, Specialty Claim Manager, Environmental Claim Unit, Nationwide Insurance, Chicago, IL

**M. Claire Juliana**, Director – Environmental Claims Advocacy, Aon, New York, NY

**Kate Vaughn**, Manager, The RiverStone Group, Manchester, NH

### 3:25 PM – 4:25 PM ET: Avoiding Underwriting Policy Exclusions in the Face of Environmental Risks

Underwriters live in a qualitative world of making risk decisions amid uncertainty. Exclusions are intended to prevent unacceptable risks but can also prevent a getting a deal done - so are only implemented when required. Panel Questions:

- Why can risk tolerances vary so greatly between different carriers?
- What are some of the more recently developed policy exclusions?
- What can be done by both the insured and insurer to avoid policy exclusions?

**Moderator: Marcel Ricciardelli**, Senior Vice President, Allied World Assurance Company, Inc., Philadelphia, PA

**Robin Kelliher, JD**, National Director – Environmental Claims, Willis Towers Watson, Short Hills, NJ

**Toby Smith**, President, Ironshore Environmental, Ironshore Insurance, New York, NY

**Mary Ann Susavidge, P.E, ARM, RPLU, CPCU**, Senior Vice President, Chief Underwriting Officer, AXA XL, Exton, PA

### 4:35 PM – 5:35 PM ET: Under the Radar: PFAS Exposure from Products

To date, most of the money and effort related to PFAS has been focused on PFAS in drinking water. In fact, unless you live near a location of a significant PFAS release, your primary exposure to PFAS is likely through consumer products – which is not widely recognized/discussed. Panel Questions:

- What is known about PFAS exposure from consumer products?
- What consumer product PFAS limitations are out there?
- What is happening on the litigation front?

- How does PFAS in product mirror asbestos litigation?
- What can members of the supply chain do from an insurance perspective for protections?

**Moderator: Catherine Boston, MPH**, Principal Scientist/Risk Assessor, Roux Associates, Inc., Woburn, MA

**Christopher Alviggi**, Senior Vice President, Environmental Insurance Practice Leader, NFP Property & Casualty, Englishtown, NJ

**Alexandra Brisky Cunningham, Esq.**, Hunton Andrews Kurth LLP, Richmond, VA

**Suzanne Englot, Esq.**, CMBG3 Law, Boston, MA

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## **Perrin Conferences: Environmental Risk & Litigation Conference October 22, 2020 (Virtual)**

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### **REGISTRATION**

#### **Registration Rates:**

- First and Second Registrants: \$450
- Third and Fourth Registrants: \$400
- Fifth and Sixth Registrants: \$350
- Seventh and Eighth Registrants: \$300
- Ninth and Tenth Registrants: \$250

All in-house counsel and insurance professionals receive complimentary registration at Perrin Conferences live programs.

Contact Bethany Corio ([bcorio@perrinconferences.com](mailto:bcorio@perrinconferences.com)) 610-220-1817 or Lynnsey Perrin ([lperrin@perrinconferences.com](mailto:lperrin@perrinconferences.com)) 610-804-6165 with questions or to register at the complimentary rate.

**Register Online:** <https://www.perrinconferences.com/conferences/environmental-risk-litigation-conference-virtual/>

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#### **Register by Phone:**

Lynnsey Perrin	610-804-6165	<a href="mailto:lperrin@perrinconferences.com">lperrin@perrinconferences.com</a>
Bethany Corio	610-220-1817	<a href="mailto:bcorio@perrinconferences.com">bcorio@perrinconferences.com</a>

Each registration includes private website access to course materials and admission to all conference sessions and networking. *Group discounts available, please inquire.*

### **VIRTUAL INFORMATION**

#### **What to Expect**

The pivot to the new virtual platform allows for the same high caliber event consisting of panels populated with thought leaders from all perspectives and constituencies in environmental litigation—leading plaintiff and defense attorneys, in-house counsel, insurance professionals, experts, etc.

#### **How Will the New Format Work?**

You will have access to a vast range of timely content and leaders in the field of environmental litigation – all from the comfort of your home office.

### **Virtual Networking**

Chat with your peers, solution providers and speakers through the Group Chat.

### **Visit Virtual Exhibitor Booths for the Latest Product Solutions**

The virtual exhibitor hall is where you'll find solution providers showcasing their products/services and are available in real-time to answer your questions. Exhibitors will also be giving demos of their products.

### **CLE & CE ADJUSTER CREDIT INFORMATION**

This conference will be approved for 6.0-8.0 CLE credits depending on the state. Applications are being made to all states as requested by attendees. Please send requests for state specific accreditation to Cassie Yacilla ([cyacilla@perrinconferences.com](mailto:cyacilla@perrinconferences.com)). Attendees must answer 3 polling questions per session to receive credit.

CE Adjuster credit is approved for 7.0 hours in Florida and Texas. No partial CE credit will be awarded. Attendees must attend the full conference and answer 3 polling questions per session to receive credit.

### **CANCELLATION POLICY**

If you cannot attend the conference, please notify us prior to October 8, 2020 and we will refund your fee. Cancellations received after this date and no-shows are subject to a \$100 administrative fee. You may enroll a substitute at any time before the conference starts.

### **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.





**Perrin Conferences- Environmental Risk & Litigation Conference**

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

**Registration Fee:**

- First and Second Registrants: \$450
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*\*All Insurance Professionals & In-House Counsel receive Complimentary attendance*

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