

PERRIN CONFERENCES

Insurance Coverage & Allocation Issues Conference

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Wednesday, April 11, 2018
The Bellevue Hotel
Philadelphia, PA

Conference Chairs:

Stanley Greenspan, Esq., Assistant Vice President & Coverage Counsel, Liability Claims, Crum & Forster, Morristown, NJ

Melissa A. King, Assistant Vice President, Direct Claims Division, Resolute Management, Inc., Chicago, IL

Jay Konkel, Esq., Morgan, Lewis & Bockius LLP, Washington, DC

Neil Selman, Esq., Selman Breitman LLP, Los Angeles, CA



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7:45 AM – Registration & Hot Breakfast (located on the Ballroom Balcony)

8:30 AM – Welcome & Opening Remarks

Stanley Greenspan, Assistant Vice President & Coverage Counsel, Liability Claims, Crum & Forster, Philadelphia, PA

Melissa A. King, Assistant Vice President, Direct Claims Division, Resolute Management, Inc., Chicago, IL

Jay Konkol, Esq., Morgan, Lewis & Bockius LLP, Washington, DC

Neil Selman, Esq., Selman Breitman LLP, Los Angeles, CA

8:45 AM – Recent Trends and Developments in Allocation Issues – Which Policies Apply and in What Order

- California Supreme Court to hear *Montrose* Case
- What Primary Policies are Primary to Which Excess Policies
- When can the insured “pick a year?”
- Developments since Viking Pump
- The KeySpan Decision

Moderator: Melissa A. King, Assistant Vice President, Direct Claims Division, Resolute Management, Inc., Chicago, IL

Angela Clemente, Claims Technical Director, San Francisco Reinsurance Company (ARM US), Allianz Resolution Management, Rancho Cordova, CA

David S. Cox, Esq., Morgan, Lewis & Bockius LLP, Los Angeles, CA

Anthony L. Miscioscia, Esq., White and Williams LLP, Philadelphia, PA

Tancred Schiavoni, Esq., O’Melveny & Myers LLP, New York, NY

10:00 AM – Cutting-Edge Trends in Additional Insured Coverage Issues

- Risk Transfer in AI coverage
- Which policies would be primary?
- The role and importance of indemnity provisions
- A survey of the most recent law and effect strategies
- Burlington Insurance Company v. NYC Transit Authority (NY)
- Walsh Construction Company v. Zurich American Insurance Co., 72 N.E.3d 957 (Ind. Ct. App. 2010): SIR Obligation Applies to the Additional Insured Too

Moderator: Stanley Greenspan, Assistant Vice President & Coverage Counsel, Liability Claims, Crum & Forster, Philadelphia, PA

David G. Hahn, Esq., Complex Claims Counsel, Selective Insurance Company of America, Branchville, NJ

Sheryl W. Leichenger, Esq., Selman Breitman LLP, Los Angeles, CA

Michael S. Saltzman, Esq., Goldberg Segalla, Philadelphia, PA

11:00 AM – Break

Sponsored by: Michaels, Schulwolf & Salerno, P.C.

11:15 AM – Emerging Risks and Recent Legal Trends in Pollution Cases

- The Washington Supreme Court alters the landscape
- How to continue to argue the effectiveness of the pollution exclusion
- New Industry Products that are intended to cover pollution risks
- Emerging issues in Legionella and MRSA claims

Moderator: Peter J. Mintzer, Esq., Selman Breitman LLP, Seattle, WA/Portland, OR

Melissa S. Elwell Anderson, Esq., RPLU, Senior Claims Examiner, Markel Corporation, Red Bank, NJ

Paul E. Del Vecchio, Esq., K&L Gates LLP, Pittsburgh, PA

Christina Remolina, Director- Environmental and Professional Liability Claims, Berkley Environmental, Jersey City, NJ

12:05 PM – Lunch (*on your own*)

1:30 PM – An Update on Cyber Insurance

- What is a cyber incident? When something goes wrong, what exactly goes wrong? What challenges does the business face?
- My business will never have a cyber claim, will it?
- How does cyber insurance help? What will it cover? What services are provided by the carrier?
- Coverage Issues that arise after a cyber loss occurs?

Moderator: Elaine F. Harwell, Esq., Selman Breitman LLP, San Diego CA

Alonzo Barber, Senior Attorney, Enterprise Commercial Sales Group, Microsoft, Washington, DC

Dave Bell, Vice President & Senior Counsel, Marriott International, Inc., Bethesda, MD

Simone McCormick, Esq., Selman Breitman LLP, Portland, OR/San Francisco, CA

Ken Pyle, CISSP, HCISPP, ECSAv8, CEHv8, OSCP, OSWP, EnCE, Sec+, DFDR Consulting LLC, Malvern, PA

Richard Sheridan, Chief Claims Officer, Berkley Cyber Risk Solutions, a W.R. Berkley Company, Morristown, NJ

2:20 PM – Policy Limit Demands – Strategies, Pitfalls and Recent Developments

- Is there a new strategy developed by claimants' counsel? What are their goals?

- What do carriers need to do to protect themselves against exposure to excess verdicts, assignments of rights and consent judgements?
- What do carriers need to do to guard against claim inflation by claim handles caused by the policy limit demand?
- What insured's need to do to protect themselves?
- What is the role of counsel?
- Unique situations posed by Texas Stowers Demand, Missouri, Florida, Camacho v. Nationwide (11th Circuit), Pennsylvania's Rancosky v. Washington National Insurance Company

Moderator: Stanley Greenspan, Assistant Vice President & Coverage Counsel, Liability Claims, Crum & Forster, Philadelphia, PA

Lloyd Bernstein, Esq., Bullivant Houser Bailey PC, Portland, OR

Kristin V. Gallagher, Esq., Kennedys CMK, Basking Ridge, NJ

Daniel H. Hecht, Assistant Vice President – Senior Claims Counsel, Sompo International Insurance, New York, NY

Brian S. Martin, Esq., Thompson Coe, Houston, TX

3:10 PM – Break

Sponsored by: Kennedys CMK

3:25 PM – Ethics of the Tri-Partite Relationship Versus Ethics Imposed by The Right to Independent Counsel

- Is the insured entitled to independent counsel in this venue based on the position taken?
- The model rules and their commentary are not clear
- The Duty of confidentiality – What does it apply to and When is there a duty to repost
- Duty of loyalty in the Tri-Partite Relationship vs. The Duty of IC to keep the carrier informed
- Are there benefits to IC and their clients to keeping clients informed?
- Professional independence vs the policy
- Carrier Guidelines- Do they apply to IC? Is it “All or Nothing?” Are their benefits to IC and their clients from attempting to respect carrier issues? Are there risks to carriers for imposing adherence?
- Preventative measures
- Cooperation and communication between insurers and their insureds

Michael Conley, Esq., Offit Kurman, Philadelphia, PA

Jan Michaels, Esq., Michaels, Schulwolf & Salerno, P.C., Chicago, IL

Robert Morello, Esq., Hoagland, Longo, Moran, Dunst & Doukas LLP, Wall, NJ

Kanan Sheth, Assistant Vice President, Claims Counsel, Sompo International Insurance, Purchase, NY

4:25 PM – Emerging Liabilities Entering the Litigation Landscape

- The wave of workplace sexual complaints: What are the coverage implications that will follow from these recent claims?

- The opioid crisis- Do CGL insurance policies provide defense or indemnity for individual or governmental liability lawsuits against drug manufacturers, distributors, and/or other defendants
- Update on concussion and sports-related head trauma litigation
- Emerging risks of Perfluoroalkyl and Polyfluoroalkyl (PFAS/PFOA) substances

Jay M. Lonerio, Esq., Larzelere Picou Wells Simpson Lonerio, LLC, Metairie, LA

Matthew J. Rabin, Director, YorkPro, Inc., New York, NY

Marc C. Scarcella, Economic and Complex Analytics Practice Area & Principal, Roux Associates, Inc., Arlington, VA

5:15-6:15 PM – Networking Cocktail Reception (*located in the Conservatory*)

Sponsored by: Morgan, Lewis & Bockius LLP and Selman Breitman LLP

**Speakers & Agenda are subject to change*

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Conference Details and Information:

REGISTRATION

Registration Cost: \$895.

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

Each registration includes private website access to course materials and admission to all networking events including refreshment breaks, cocktail reception, etc.

Group discounts available, please inquire.

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

Register Online:

https://www.perrinconferences.com/html/Upcoming_Events/emerging-insurance-coverage-and-allocation-issues-conference-2018.shtml

Register by Mail:

Complete the Mail-In Registration Form at the end of brochure.

Mail to:

Perrin Conferences
214 Orchard Way
Wayne, PA 19087

Scan & Email Form to: bcorio@perrinconferences.com or lperrin@perrinconferences.com

Register by Phone:

| | | |
|----------------|--------------|-------------------------------|
| Lynnsey Perrin | 610-804-6165 | lperrin@perrinconferences.com |
| Bethany Corio | 610-220-1817 | bcorio@perrinconferences.com |

HOTEL ROOM BLOCK

The Bellevue Hotel
200 South Broad Street
Philadelphia, PA 19102

We have reserved a room block for conference attendees. Please call the reservations office at 1-888-591-1234 and reference Perrin Conferences. The group rate is \$239 per night. Please reserve your room by March 28, 2017.

Reservations can also be made online at the following link: <https://aws.passkey.com/e/49550278>

CE/CLE CREDIT INFORMATION

Applications are being made to all CLE states as requested by attendees. CE Adjuster Credit is pending in FL, OK and TX. Please contact Katie Milnes (kmilnes@perrinconferences.com) with questions.

CANCELLATION POLICY

If you cannot attend the conference, please notify us prior to March 28, 2018 and we will refund your fee. Cancellations received after this date and no-shows are subject to a \$200 administrative fee. You may enroll a substitute at any time before the course 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.

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April 11, 2018 – Philadelphia, PA

Mail-in Registration Form

Attendee Name _____

Company/Firm Name _____

Address _____

City _____

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CIRCLE ONE: Attorney Insurance Professional In-House Counsel Other _____

Registration Fee: \$895 - *All Insurance Professionals & In-House Counsel receive Complimentary attendance

Name on Card _____

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Expiration Date _____ Code _____

Please Mail Form to: Perrin Conferences, 214 Orchard Way, Wayne PA 1908

Email Form to: bcorio@perrinconferences.com or lperrin@perrinconferences.com

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