

ADVANCE REGISTRATION DEADLINE: OCTOBER 29, 2010



INSURANCE COVERAGE AND PRACTICE SYMPOSIUM

**EXPERT SPEAKERS
INCLUDING**

**INSIGHTFUL
INSURANCE CLAIMS
PROFESSIONALS**

**SKILLED
INSURANCE
REGULATORS**

**NATIONALLY
RECOGNIZED
ATTORNEYS**

NOVEMBER 18-19, 2010

**SHERATON NEW YORK
HOTEL & TOWERS**

NEW YORK, NEW YORK

REASONS TO ATTEND

- Learn about the cutting-edge developments in liability and first-party coverage
- Hear practice tips from skilled practitioners to prepare you for the most difficult coverage litigation challenges
- Meet the industry regulators and share their insights on the changes in the insurance industry
- Share in networking, education and business development opportunities while enjoying autumn in New York City

DRI DELIVERS RESOURCES TO BUILD YOUR PRACTICE



At DRI's annual Insurance Coverage and Practice Symposium, you will be treated to a distinguished faculty of regulators, practitioners and insurance industry leaders providing insight into national trends, dissecting important recent decisions and offering creative practice tips to assure that you remain on the cutting-edge for first- and third-party coverage. The faculty consists of national coverage specialists who work in the trenches and who know how to share the most important developments in claims and insurance coverage. Make plans now to join us in New York City!



Dan D. Kohane
Program Chair



Matthew S. Foy
Program Vice Chair



Lee Craig
Committee Chair



Michael F. Aylward
Law Institute

Presented by DRI's
Insurance Law Committee

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What You Will Learn

- Practical advice, checklists and case law updates from claims professionals, in-house counsel and retained counsel that will leave the coverage practitioner with insights, skills and tips for daily practice
- Recent developments in insurance coverage areas, including first- and third-party bad faith, duty to defend, product recall and witness preparation
- Tactics of policyholder counsel in preparing and prosecuting coverage and bad faith cases
- Insurance commissioners' perspectives on the changes in the industry and the challenges ahead
- How to respond to ethical challenges facing coverage practitioners



PROGRAM SCHEDULE

Wednesday, November 17, 2010

6:00 p.m. **Registration**

6:00 p.m. **Networking Reception**

Sponsored by RGL Forensics

Thursday, November 18, 2010

7:00 a.m. **Registration**

7:00 a.m. **Continental Breakfast**

7:00 a.m. **First-Time Attendees Breakfast**

8:00 a.m. **Welcome and Introduction**

Michael F. Aylward, *Morrison Mahoney LLP*, Boston, Massachusetts

Lee Craig, *Butler Pappas Weihmuller Katz Craig LLP*, Tampa, Florida

Dan D. Kohane, *Hurwitz & Fine PC*, Buffalo, New York

8:15 a.m. **A Colorful Landscape: A Bird's-Eye View from the Regulators**

In today's challenging economic times, the role of insurance regulators in overseeing one of the nation's most important industries is a critical one. Hear what new and recurring challenges face the regulators as they seek to promote the growth, financial stability and efficiency of the insurance industry.

Thomas B. Considine, *New Jersey Department of Banking and Insurance*, Trenton, New Jersey

Michael Moriarty, *New York State Insurance Department*, New York, New York

9:10 a.m. **The Leaves Are Full of Color: Don't Get Black and Blue over Bad Faith Set-Ups**

Policyholder lawyers are utilizing new strategies to manipulate facts and circumstances surrounding the implied covenant of good faith and fair dealing in an effort to render stated policy limits irrelevant. Attempts by insurers to preserve coverage defenses and policy limits through reservation of rights letters or declaratory relief actions can become traps for the unwary. This segment will focus on how insurers can respond to policyholder tactics

designed to manufacture bad faith claims and blow the limits off liability policies.

John M. Intondi, *CPCU, AXIS Insurance*, Alpharetta, Georgia

Donald L. Myles, Jr., *Jones Skelton & Hochuli PLC*, Phoenix, Arizona

10:00 a.m. **Refreshment Break**

Sponsored by Maddin Hauser Wartell Roth & Heller PC

10:15 a.m. **Medicare Secondary Payer Act: Falling Prey**

The 2007 Amendments to the Medicare Secondary Payer Act have captured the attention of liability, automobile and workers' compensation insurers with its complex reporting requirements and harsh consequences resulting from noncompliance. This presentation will explore the many issues spawned by the Act, including compliance, enforcement, its impact on settlement negotiations and settlements, information gathering and coordination with insureds that have large SIRs.

Alan S. Miller, *Picadio Sneath Miller & Norton PC*, Pittsburgh, Pennsylvania

11:00 a.m. **The Autumn of Insurers' Discontent: Long Tails and Large Verdicts—What to Do When You Need a Coverage Chart to Map Out Your Exposure**

After decades of litigation, courts continue to redefine the legal landscape for coverage, liability and damages in environmental, asbestos and other long tail exposure claims. After having absorbed tens of billions of dollars in losses related to long tail claims, what have insurers learned as a result of the courts' interpretations of insurance policies and jury responses to BI and PD claims, and how do these lessons get applied to more recent events, such as claims by first responders at the WTC site that they were allegedly exposed to a toxic soup of deadly chemicals? In this presentation, a national director of claims will discuss the difficult issues involving coverage, liability, damages and claims management that are taxing claim professionals and the attorneys engaged to represent insurers in these high exposure claims.

Andrew Nadolna, *Chartis Claims Inc.*, New York, New York



11:50 a.m. **Lunch** (*on your own*)

1:15 p.m. **Fall Without Cover: Coverage Issues in the Era of Catastrophic Recalls**

The expansion of supply chains, the proliferation of emerging technologies, the increase of governmental regulation and the integration of the global economy place companies at enormous and unprecedented risk of a devastating product recall. Every economic sector of the global supply chain must consider whether they are prepared for the inevitable crisis management event. The traditional insurance portfolio fails to protect companies fully against recalls. Learn about the coverage issues that arise in the context of product recall claims and the insurance industry's response, including the emergence of specialty policies designed to meet the needs of the marketplace in the era of catastrophic recalls.

Joseph F. Bermudez, *Nelson Levine de Luca & Horst LLC*, Denver, Colorado

2:10 p.m. **Autumn Winds: Insurance Coverage in a Virtual World**

Companies are conducting more and more business online. Cyber bullying, defamation and advertising injury claims are all on the rise. The ease of Internet communications and advertising, increase in e-commerce, and proliferation of social and commercial networking sites (Facebook, LinkedIn, etc.) raise significant coverage issues as insurers confront inconsistent case law and varying policy language. This presentation will look at Coverage B in the Internet age, consider real life cases, and cover some general and not so general rules.

Elizabeth F. Lorell, *Gordon & Rees LLP*, Florham Park, New Jersey

3:05 p.m. **Refreshment Break**

Sponsored by **Maddin Hauser Wartell Roth & Heller PC**

3:20 p.m. **Preparing Company Witnesses for Deposition: Don't Fall for the Other Lawyer's Tricks**

In a world where insurer defendants are often not well received by juries and the overwhelming majority of cases settle before trial, presenting a well-prepared

insurance professional for deposition is critical. From both in-house and outside counsel's perspectives, learn the benefits of defining your strategy and theme in advance of the deposition, hear the most common mistakes made by the insurer witness and learn how to avoid them, and discover how to prepare the witness to tell the truth without losing the case.

William T. Graden, *State Farm Insurance*, Bloomington, Illinois

Virginia Yoder "Ginger" Trainor, *Phelps Dunbar LLP*, Baton Rouge, Louisiana

4:10 p.m. **A Cacophony of Colors: The Impact of Deductibles and SIRs When Multiple Policies Are Triggered**

More than ever, policyholders endeavor to reduce premium expenditures by purchasing policies with deductibles and self-insured retentions. Efforts by policyholders to spread losses across multiple "primary" policies in order to preserve coverage are also on the rise. What happens when these two worlds collide? This presentation will look at how courts across the country address duty to defend issues, priority and allocation, in the presence of deductibles and retentions throughout the coverage profile.

Karen Imus Johnson, *Travelers*, St. Paul, Minnesota

Brian H. Sande, *Bassford Remele PA*, Minneapolis, Minnesota

5:00 p.m. **Insurance Law Committee Meeting**
(*open to all*)

6:00 p.m. **Networking Reception**
Sponsored by Rivkin Radler LLP

Friday, November 19, 2010

7:00 a.m. **Registration**

7:00 a.m. **Continental Breakfast**
Sponsored by Jeff Kichaven, Mediator

8:00 a.m. **Announcements**
Dan D. Kohane, *Hurwitz & Fine PC*, Buffalo, New York



8:05 a.m. **Good Faith/Bad Faith: An Overview of Conduct That Causes Allegations of Bad Faith Under the Property Policy**

This presentation will explore the frequently encountered bad faith allegations implicating a first-party insurer's conduct in reaching an adverse coverage determination and consider emerging theories relating to an insurer's post-litigation conduct as evidence of bad faith. Be guided through the legal and practical issues confronting coverage lawyers and claims professionals alike when handling first-party claims, so as to avoid the bad faith traps being set by policyholders' counsel.

Rick L. Hammond, *Johnson & Bell Ltd.*, Chicago, Illinois

9:00 a.m. **Leaves Between the Pages: ILC Chairs Look Back 50 Years and Peer into the Crystal Ball**

In celebration of DRI's 50th anniversary, the Insurance Law Committee's founders and past leaders will provide perspective about the practice and evolution of coverage law in the past decade and in years to come. These highly qualified coverage practice historians and prognosticators have provided innovation, wisdom and insight to DRI, the Insurance Law Committee and the national practice of insurance coverage law.

Shaun McParland Baldwin, *Tressler Soderstrom Maloney & Priess LLP*, Chicago, Illinois

Paul B. Butler, Jr., *Butler Pappas Weihmuller Katz Craig LLP*, Tampa, Florida

Douglas G. Houser, *Bullivant Houser Bailey PC*, Portland, Oregon

9:45 a.m. **Refreshment Break**

Sponsored by Hurwitz & Fine PC

10:00 a.m. **Others People's Money, Cumis Counsel, Cold Winds and the Trouble with Tripartites**

A growing number of states are requiring insurers to furnish independent counsel in cases of alleged conflict of interest. This panel of high-level claims professionals will share their experiences in dealing with independent counsel issues. What is a conflict and when does it arise? Who chooses independent counsel and what qualifications must they have? What rates can be charged and which guidelines should be imposed? What can the insurer do to

exercise some level of control over the defense? These and other questions will be addressed by an expert panel.

Moderator

Julia A. Molander, *Sedgwick Detert Moran & Arnold LLP*, San Francisco, California

Panel

Kate Browne, *Swiss Re*, New York, New York

Christopher A. Carucci, *Everest National Insurance Company Inc.*, Liberty Corner, New Jersey

Demetrius E. Rush, *Zurich American Insurance Company*, New York, New York

11:00 a.m. **Emerging Issues Involving Employment Practices Liability Insurance**

Over the past few years, the Employment Practices Liability Insurance (EPLI) market has grown and matured. Insurers have offered new products, including defense costs coverage for wage and hour claims and expanded third-party coverage for sexual harassment and discrimination claims by nonemployees. The number of reported decisions discussing EPLI issues is rapidly increasing. An overview of new developments and practice tips in this burgeoning area will be covered.

Wendi L. Boyden, *OneBeacon Professional Insurance*, Boston, Massachusetts

Mark E. Cohen, *Zelle McDonough & Cohen LLP*, Boston, Massachusetts

11:45 a.m. **Tales from the Chinese Drywall Coverage Wars and the Implications for Other Construction Defect Claims**

2010 is the year of Chinese Drywall. The underlying lawsuits are progressing rapidly toward resolution in the MDL, while coverage actions are being hotly contested in several jurisdictions. This session will discuss the wide range of coverage issues arising from Chinese Drywall claims, including the existence of an "occurrence" and "property damage," coverage for rip and tear costs, "bodily injury," trigger, number of occurrences, the business risk exclusions and the pollution exclusion. The speaker will also consider how the resolution of these issues could influence coverage for other construction defect claims.

Charles W. Browning, *Plunkett Cooney PC*, Bloomfield Hills, Michigan



12:30 p.m. **Withering Leaves: Acting Ethically When You Fear Your Client Has Not**

Attorneys representing corporate clients, whether as defense counsel or as coverage counsel, face new challenges in the post-Lehman Brothers, post-Enron era. What must counsel do when he or she learns that unlawful or unethical conduct is occurring inside the client's organization? What are the risks associated with inaction? When is the ultimate remedy of withdrawal necessary? Learn about the relationship between state and federal criminal and tort law, the rules of professional conduct, the Sarbanes-Oxley Act and the insurer's duty to defend against covered claims. What must appointed defense counsel do, and refrain from doing, when the insured is suspected of engaging in unlawful or unethical conduct?

Andrew B. Downs, *Bullivant Houser Bailey PC*, San Francisco, California

1:30 p.m. **Adjourn**



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DIVERSITY AND INCLUSION
IN DRI:

A STATEMENT OF PRINCIPLE

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation. Diversity is a core value at DRI. Indeed, diversity is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures, and life experiences a diverse membership provides. Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

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DRI wishes to thank our sponsors for their support at this year's seminar!



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GENERAL INFORMATION

CLE Accreditation

This seminar has been approved for MCLE credit by the State Bar of California in the amount of **12** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. Credit availability and requirements vary from state to state; please check our website at www.dri.org for credit information for your state.

Registration

The registration fee is **\$745** for members and those who join DRI when registering and **\$875** for non-members. The registration fee includes CD-ROM course materials, continental breakfasts, refreshment breaks and networking receptions. If you wish to have your name appear on the registration list distributed at the conference and receive the CD-ROM course materials in advance, DRI must receive your registration by **October 29, 2010** (*please allow 10 days for processing*). Registrations received after **October 29, 2010**, will be processed on-site.

Special Discounts

The first and second registrations from the same firm or company are subject to the fees outlined above. The registration fee for additional registrants from the same firm or company is **\$695**, regardless of membership status. All registrations must be received at the same time to receive the discount.

Refund Policy

The registration fee is fully refundable for cancellations received on or before **October 29, 2010**. Cancellations received after **October 29** and on or before **November 5, 2010**, will receive a refund, less a \$50 processing fee. Cancellations made after **November 5** will not receive a refund, but the course materials on CD-ROM and a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax to DRI's Accounting Department at 312.795.0747. All refunds will be mailed within four weeks after the date of the conference. Substitutions may be made at any time without charge and must be submitted in writing.

Course Materials

In order to better serve and satisfy the numerous requests from our membership, DRI will mail the course materials to all registrants in CD-ROM format 12 days in advance of the seminar. You can order additional copies by checking the appropriate box on the registration form on the back of this brochure or ordering online at www.dri.org.

Supplemental Materials

Recommended supplemental material for this seminar is ***DRI Defense Practitioner's Guide to MSP Issues***. Order your copy by checking the appropriate box on the registration form on the back of this brochure. You can also view the entire list of DRI publications offerings and make purchases online at www.dri.org.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at the **Sheraton New York Hotel and Towers, 811 7th Avenue on 53rd Street, New York, New York 10019**. For reservations, **contact the hotel directly at 212.581.1000**. Please mention **DRI's Insurance Coverage and Practice Symposium** to take advantage of the group rate of **\$399 Single/Double**. The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **October 20, 2010**, to be eligible for the group rate. Requests for reservations made after **October 20** are subject to room and rate availability.

Travel Discounts

DRI offers discounted meeting fares on various major air carriers for **DRI's Insurance Coverage and Practice Symposium** attendees. To receive these discounts, please contact Hobson Travel Ltd., DRI's official travel provider at 800.538.7464. As always, to obtain the lowest available fares, early booking is recommended.

Flyers

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See your attendee packet on-site for information on these sponsors.

The taping or recording of DRI seminars is prohibited without the written permission of DRI.

Speakers and times may be subject to last-minute changes.

DRI policy provides there will be no group functions sponsored by others in connection with its seminars.



FACULTY

Michael F. Aylward is a senior partner in the Boston office of Morrison Mahoney LLP, where he chairs the firm's complex insurance coverage practice group. For the past 25 years, Mr. Aylward has represented insurers around the country in disputes with their policyholders, including bad faith, intellectual property disputes, environmental and mass tort claims, and construction defect litigation. He has also testified as an expert in cases involving coverage and reinsurance issues. Mr. Aylward is a past chair of DRI's Insurance Law Committee and serves on its Law Institute.

Shaun McParland Baldwin is a partner in the Chicago office of Tressler Soderstrom Maloney & Priess LLP. She focuses on insurance coverage and has handled coverage and bad faith litigation throughout the country. Ms. Baldwin has been named one of the "Top 50 Female Illinois Super Lawyers" by *Illinois Super Lawyers* and has also been selected by Leading Lawyers Network as a leading lawyer in insurance coverage and in the top 50 women business lawyers in Illinois. She is a past chair of DRI's Insurance Law Committee.

Joseph F. Bermudez is head of Nelson Levine de Luca & Horst LLC's crisis management team in Denver, Colorado. He specializes in the handling of crisis management issues, including international and domestic product recall and food contamination matters. In addition to his international and national representation of insurers, Mr. Bermudez assists clients with product wording and development. He has authored several articles and lectured throughout North America, Europe, South America and Asia on crisis management and emerging issues.

Wendi L. Boyden is the assistant vice president of claims operations at OneBeacon Professional Insurance in Boston, Massachusetts. Prior to joining OneBeacon, Ms. Boyden managed the employment practices liability claims unit at Lexington Insurance Company from 2004 through 2009, and, before that, she was in private practice for six years as a labor and employment attorney.

Kate Browne is the senior vice president and North American Casualty hub head for the large corporate and specialty division (LC&S) of Swiss Re in New York City. LC&S is the division of Swiss Re that writes excess casualty and lead umbrella business worldwide. Prior to joining Swiss Re, Ms. Browne was a director in AIGTS's coverage unit. She is a member of the Federation of Defense & Corporate Counsel and the APIW. Ms. Browne is the author of *An Insurance Professional's Quick Guide to Chapter 11*.

Charles W. Browning is a shareholder and board member with Plunkett Cooney PC, residing in its Bloomfield Hills, Michigan, office. He oversees the firm's duties as coverage counsel for several major property and casualty insurers and has represented insurance companies in high exposure cases in more than 30 states. Annually recognized as a "Michigan Super Lawyer" and listed in the publication *Best Lawyers in America*, Mr. Browning is a member of DRI, the

International Association of Defense Counsel, and the Federation of Defense & Corporate Counsel.

Paul B. Butler, Jr., serves of counsel to Butler Pappas Weihmuller Katz Craig LLP in Tampa, Florida. A past chair of DRI's Insurance Law Committee, Mr. Butler has also served as a DRI board member and as a former chair of DRI's Law Institute. He has spoken on numerous occasions on a wide range of insurance topics. Mr. Butler has been active in the ABA and the Federation of Defense & Corporate Counsel, having served as dean of the Federation's Litigation Management College and as a member of the ABA's House of Delegates.

Christopher A. Carucci is the vice president for litigation management/technical claim services for Everest National Insurance Company Inc., based in Liberty Corner, New Jersey. Mr. Carucci is responsible for managing all aspects of litigation management for the company, as well as regulatory compliance, internal audit and litigation related vendor management. He is a frequent speaker at industry events on topics that include litigation management, expense control, coverage and good faith claim handling practices.

Mark E. Cohen is a partner in the Boston, Massachusetts, office of Zelle McDonough & Cohen LLP. Mr. Cohen specializes in representing insurers in insurance coverage and bad faith matters, with a concentration in professional liability lines. He has been involved in employment practices liability insurance (EPLI) cases for more than 15 years and has handled thousands of EPLI coverage cases in every American jurisdiction and many other countries.

Thomas B. Considine has served as commissioner of the New Jersey Department of Banking and Insurance since March 22, 2010. Prior to his appointment, he worked at MetLife Inc., a global financial services company, for nearly 17 years. In his role as vice president and government relation counsel, he managed a staff of attorneys, public policy analysts and other professionals. In addition, Commissioner Considine served on a legal affairs diversity subcommittee at MetLife.

Lee Craig is a partner in Butler Pappas Weihmuller Katz Craig LLP in Tampa, Florida. An experienced trial and appellate lawyer, Mr. Craig's practice focuses on the defense of first-party insurance matters arising out of property policies. He has expertise with bad faith and other extra-contractual litigation. Mr. Craig is the chair of DRI's Insurance Law Committee. Other than DRI, his professional memberships include the Federal Bar Association.

Andrew B. Downs is a shareholder in the firm of Bullivant Houser Bailey PC, primarily resident in its San Francisco office and is also the shareholder in charge of Bullivant's Las Vegas office. Admitted in California and Nevada, Mr. Downs' practice focuses on the defense of complex coverage and bad faith litigation, including class actions and multi-district litigation. He is a former chair of the Federation of Defense & Corporate Counsel's Property Insurance Section, as well as the Property Insurance Law Committee of ABA-TIPS.



Matthew S. Foy is a partner in the San Francisco office of Gordon & Rees LLP. His practice focuses on insurance coverage litigation and advice pertaining to primary and excess general liability policies, with an emphasis on mass torts, environmental and construction defect claims. Mr. Foy also counsels clients in claims administration, policy analysis and drafting. He is a former editor of DRI's Insurance Law Committee's newsletter, *Covered Events*, and a frequent speaker on insurance related issues. Mr. Foy is the program vice chair of this seminar.

William T. Graden is the associate general counsel in the Corporate Law Department at State Farm Insurance in Bloomington, Illinois. He leads the auto claim counsel section that supports State Farm Auto in all 50 states and three provinces of Canada. Mr. Graden is licensed in Indiana and Illinois. He began his career in private practice, primarily as insurance defense trial and appellate counsel. He managed extra-contractual suits against State Farm early in his tenure, then led the life-health section prior to his current assignment. He is the chair of DRI's Insurance Law Committee's Auto Liability Subcommittee.

Rick L. Hammond, an equity shareholder with Johnson & Bell Ltd. in Chicago, co-chairs the firm's insurance group. He concentrates his practice on matters relating to property insurance coverage, arson and fraud, and bad faith litigation. He is the president of the Illinois Association of Defense Trial Counsel, a board member of the Insurance School of Chicago, and a columnist for the International Association of Special Investigative Units' publication, *SIU Awareness*. Mr. Hammond also serves as general counsel for the Insurance Committee for Arson Control.

Douglas G. Houser is senior counsel at Bullivant Houser Bailey PC's Portland, Oregon, office—handling complex, “bet the company” cases. Mr. Houser has tried 140 punitive damages and/or extra-contractual claims cases. Some of his DRI leadership roles include past board member, former treasurer, chair of Task Force on Tort Reform and past chair of Insurance Coverage Committee. He is also a former chair of ABA-TIPS, a past president of the Oregon Association of Defense Counsel and a fellow in the American College of Trial Lawyers.

John M. Intondi, CPCU, is the executive vice president and insurance claims director for AXIS Insurance, with claim offices in Alpharetta, Georgia; Berkeley Heights, New Jersey; Kansas City, Missouri; Bermuda; Dublin; and London. Prior to joining AXIS in 2002, Mr. Intondi was the senior vice president of claims for Combined Specialty Group, Royal Specialty Underwriting Inc., ACE USA and Westchester Specialty Group. He is an active member of the Federation of Defense & Corporate Counsel and is also the AXIS representative to the International Association of Claims Professionals.

Karen Imus Johnson is the second vice president, complex claims manager for the business torts claim group at Travelers in St. Paul, Minnesota. Her duties include management and resolution of claims involving intellectual property, computer and electronic products and services, and business disputes. Ms. Johnson provides advice and

counsel to internal business partners regarding litigation trends and legislative developments. She also gives collaborative assistance in the areas of strategic planning, new product development, training and marketing.

Dan D. Kohane, a partner at Hurwitz & Fine PC in Buffalo, New York, heads the firm's insurance coverage and extra-contractual liability, class actions/mass torts and ADR practice groups. Mr. Kohane edits the firm's nationally distributed e-newsletter, *Coverage Pointers*. He has been an adjunct professor of insurance law for more than 20 years and has served as an expert witness and consultant in insurance matters in the U.S. and Great Britain. Mr. Kohane is a past DRI board member. He is the program chair for this seminar.

Elizabeth F. Lorell is a partner in the Florham Park, New Jersey, office of Gordon & Rees LLP. Ms. Lorell is a member of the firm's insurance practice group and has been at the forefront of major insurance coverage litigation for over 20 years. She handles counseling and litigation for national insurers on unique and complex coverage issues stemming from director and officers, errors and omissions, and first- and third-party insurance policy disputes. Ms. Lorell has been recognized as a top insurance coverage lawyer in trade publications and practices in New Jersey and New York.

Alan S. Miller is the managing partner of Picadio Sneath Miller & Norton PC, a Pittsburgh litigation boutique. Mr. Miller concentrates his practice in the fields of environmental law, insurance coverage and bad faith, representing insurers in complex coverage matters involving commercial and personal lines policies. He has been listed in *Best Lawyers in America* in the field of environmental law since 2005 and has been designated a Pennsylvania “Super Lawyer.”

Julia A. Molander is a partner in the San Francisco office of Sedgwick Detert Moran & Arnold LLP, a litigation firm with more than 400 attorneys in offices nationwide. Ms. Molander's practice emphasizes insurance claims practices, insurance coverage, insurance regulatory and market conduct issues. She has served as counsel to property and casualty insurers, life, health and disability carriers, umbrella and excess insurers, marine, professional liability and D&O programs, brokers and agents, commercial and personal lines, reinsurers and reinsurance intermediaries. Ms. Molander is the immediate past chair of DRI's Insurance Law Committee.

Michael Moriarty is the deputy superintendent for property and capital markets for the New York State Insurance Department in New York City. His responsibilities include overseeing the licensing, examination and regulation of all property-casualty insurers and related entities, and oversight of the capital markets and risk management activities of insurance companies. Deputy Superintendent Moriarty also oversees the regulation of captive insurance companies in New York. Previously he was the director of the department's Capital Markets Bureau. He has served as chair of the Risk Assessment Working Group and chair of the Valuation of Securities Task Force for the National Association of Insurance Commissioners.



Donald L. Myles, Jr., a partner with Jones Skelton & Hochuli PLC in Phoenix, Arizona, concentrates his practice on insurance coverage, bad faith and professional liability. Mr. Myles is the past president of the Arizona Association of Defense Counsel, past president of the USLAW Network and past chair of the Federation of Defense & Corporate Counsel's Professional Liability Committee and its Extra-Contractual/Bad Faith Committee. He is currently the Arizona state representative for the Council on Litigation Management. He is also a member of DRI and the American Board of Trial Advocates.

Andrew Nadolna is the executive vice president of P&C Severity Claims for Chartis Claims Inc., residing in New York City. In that capacity, he has responsibility for asbestos and environmental claims, along with health care professional liability and excess workers' compensation matters. Mr. Nadolna has been with Chartis and its predecessors for 12 years and has handled most types of general liability claims. Previously, he was an attorney handling defense and coverage matters for a variety of insurance clients.

Demetrius E. Rush, the vice president and assistant general counsel for Zurich American Insurance Company residing in its New York City office, has national supervisory responsibility for extra-contractual and institutional bad faith litigation. His supervisory experience covers both personal lines and complex commercial property and liability litigation. Mr. Rush has also served as trial counsel representing both insurance companies and insureds.

Brian H. Sande is a shareholder at Bassford Remele PA in Minneapolis, practicing primarily in complex insurance coverage, commercial litigation and appellate practice. Prior to joining the firm, he was an assistant attorney general for the state of Minnesota. Mr. Sande is the author of several published articles and chapters on insurance topics. He has spoken at seminars concerning a variety of insurance coverage matters. Mr. Sande is an active member of DRI's Insurance Law Committee.

Virginia Yoder "Ginger" Trainor is a partner in the insurance and reinsurance group in the Baton Rouge, Louisiana, office of Phelps Dunbar LLP. Her litigation experience encompasses a broad range of insurance coverage issues, with an emphasis on complex insurance coverage disputes, including time element claims related to windstorm and flood catastrophes, Chinese drywall, environmental cleanup, chemical exposures and professional liability. Ms. Trainor is a frequent lecturer and steering committee member of DRI's Insurance Law Committee.

2010 SEMINAR SCHEDULE

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| August 12-13 | Oil Spill Litigation and Emerging Issues <i>The Houstonian Hotel</i> , Houston, Texas |
| September 23-24 | Nursing Home/ALF Litigation <i>Swissôtel Chicago</i> , Chicago, IL |
| September 30-October 1 | Construction Law <i>Bellagio</i> , Las Vegas, NV |
| October 20-24 | DRI Annual Meeting <i>San Diego Marriott</i> , San Diego, CA |
| November 4-5 | Fire and Casualty <i>Millennium Knickerbocker Hotel</i> Chicago, Chicago, IL |
| November 11-12 | Asbestos Medicine <i>Hilton San Diego Bayfront</i> , San Diego, CA |
| November 18-19 | Corporate Conduct: Emerging Sources of Criminal and Civil Liability Across Europe for Corporations and Their Directors and Officers <i>Le Meridien</i> , London, ENG |
| November 18-19 | Insurance Coverage and Practice <i>Sheraton New York Hotel & Towers</i> , New York, NY |
| November 18-19 | Best Practices for Law Firm Profitability <i>Sheraton New York Hotel & Towers</i> , New York, NY |

2011 SEMINAR SCHEDULE

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| January 26-28 | Civil Rights and Governmental Tort Liability <i>The Ritz-Carlton New Orleans</i> , New Orleans, LA |
| March 10-11 | Appellate Advocacy <i>JW Marriott Orlando Grande Lakes</i> , Orlando, FL |
| March 10-11 | Medical Liability and Health Care Law <i>Palace Hotel</i> , San Francisco, CA |
| March 23-25 | Damages <i>Caesars Palace</i> , Las Vegas, NV |
| March 30-April 1 | Insurance Coverage and Claims Institute <i>Fairmont Chicago Millennium Park</i> , Chicago, IL |
| April 6-8 | Product Liability Conference <i>Hilton New Orleans Riverside</i> , New Orleans, LA |
| April 27-29 | Life, Health, Disability and ERISA Claims <i>Boston Marriott Copley Place</i> , Boston, MA |
| May 5-6 | Drug and Medical Device Litigation <i>Sheraton Chicago Hotel and Towers</i> , Chicago, IL |
| May 18-20 | Employment Law <i>The Westin Kierland</i> , Scottsdale, AZ |



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DRI MEMBERSHIP APPLICATION

This application/registration form for first-time members only—all other registrants please use reverse side.

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Law Student—\$20 USD/year

Male Female

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CITY

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Is this the first time you are attending this DRI seminar? Yes No

First time admitted to the Bar in (Law students include expected admission date.) STATE/PROVINCE MONTH/DAY/YEAR BAR NUMBER

In-house counsel (as defined below)**

I am a member of a state or local defense organization. Yes No

NAME OF ORGANIZATION

PRIMARY AREA OF PRACTICE

NUMBER OF ATTORNEYS IN YOUR FIRM

OPTIONAL

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Native American Caucasian Other

DATE OF BIRTH MONTH/DAY/YEAR

REFERRED BY (name of DRI member attorney, if applicable)

To the extent that I engage in personal injury litigation, I DO NOT, for the most part, represent plaintiffs. I have read the above and hereby make application for individual membership.

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* Those eligible for Young Lawyer membership will receive a certificate for one free seminar when they join.

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NOVEMBER 18-19, 2010

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