

ALFA INTERNATIONAL

THE GLOBAL LEGAL NETWORK



FINDING THE YELLOW BRICK ROAD— CLAIMS HANDLING BEYOND THE CRASH

EPLI & PROFESSIONAL LIABILITY SEMINAR

Co-Hosted by ALFA International's LABOR & EMPLOYMENT, INSURANCE,
and PROFESSIONAL LIABILITY PRACTICE GROUPS

June 13-15, 2012 — The Ritz-Carlton Battery Park
New York, New York

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ALFA INTERNATIONAL EPLI & PROFESSIONAL LIABILITY LEADERSHIP

INSURANCE

D. Larry Kristinik

Chair, Insurance Practice Group
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SCARBOROUGH LLP
Columbia, South Carolina

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Program Chair, Insurance Practice Group
BROWN & JAMES, P.C.
St. Louis, Missouri

Bates Lovett

Course Book Editor,
Insurance Practice Group
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Savannah, Georgia

LABOR & EMPLOYMENT

Carol B. Ervin

Chair, Labor & Employment Practice Group
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Charleston, South Carolina

Thomas E. Rice

Program Chair,
Labor & Employment Practice Group
BAKER STERCHI COWDEN & RICE L.L.C
Kansas City, Missouri

David M. Eisenberg

Course Book Editor,
Labor & Employment Practice Group
BAKER STERCHI COWDEN & RICE L.L.C
Kansas City, Missouri

PROFESSIONAL LIABILITY

Joseph R. Marconi

Chair, Professional Liability Practice Group
JOHNSON & BELL, LTD.
Chicago, Illinois

Richard Granofsky

Program Chair,
Professional Liability Practice Group
LESTER SCHWAB KATZ & DWYER, LLP
New York, New York

Jeffrey Hengeveld

Course Book Editor,
Professional Liability Practice Group
PLUNKETT COONEY
Bloomfield Hills, Michigan

FINDING THE YELLOW BRICK ROAD- CLAIMS HANDLING BEYOND THE CRASH

**Co-Hosted by ALFA International's Labor & Employment,
Insurance, and Professional Liability Practice Groups**

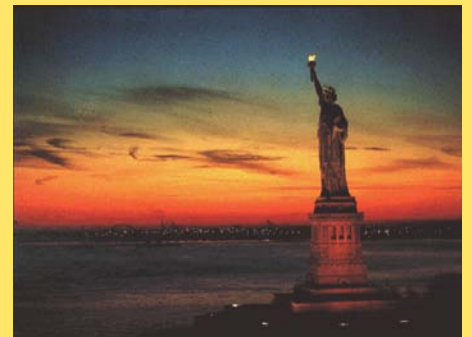
June 13-15, 2012

**The Ritz-Carlton Battery Park
New York, New York**

Like the Wicked Witch of the East, in 2008, Wall Street found itself on the wrong end of a house, or more properly, the housing market. The post bubble economy (i.e. trillions of dollars in real and paper losses) and resulting national mood greatly heightened exposure to civil liability and regulatory non-compliance from old and new regulations, statutes, and agencies. This cyclone of risks is converging upon banks, insurance companies and law firms to a degree not seen since the S&L debacle of the 1980's and early 1990's. Additionally, societal sensitivity to fraudulent behavior has extended this exposure far beyond the world of real estate, insurance and lending, to also include employer liability and consumer related fraud. In terms of risk avoidance, we are not in Kansas anymore and there is now many a "man behind the curtain" to whom attention must be paid. Yet, for every new or heightened difficulty, there is an opportunity to provide superior and effective strategies for our clients and customers. This seminar will provide insights to developing such strategies and help ensure that your clients and customers regard you as a "whiz of a Wiz".

ALL ABOUT BATTERY PARK/ LOWER MANHATTAN:

Lower Manhattan is undergoing an exciting revitalization, yet it also retains a rich history. Enjoy the same panoramic views that welcomed millions of immigrants to life in a new land. Explore an abundance of cultural and historical attractions that together tell the tale of New York's rise to become the first modern city in the world, all within comfortable walking distance of your accommodations at the only luxury waterfront hotel in Lower Manhattan. With panoramic views of the Statue of Liberty, Ellis Island, and New York Harbor, our Battery Park hotel is within a five-minute walk of the Skyscraper Museum, Wall Street, Museum of Jewish Heritage, and Smithsonian Museum of the American Indian. Our Lower Manhattan hotel is a five-minute cab ride to the trendy Soho, Tribeca and Meatpacking neighborhoods known for their boutique shopping, restaurants and nightlife.



Wednesday, June 13, 2012

5:30 p.m. – 9:00 p.m.

WELCOME RECEPTION & BUFFET DINNER AT THE RITZ-CARLTON BATTERY PARK

Ritz-Carlton Salons

Thursday, June 14, 2012

7:45 a.m. - 8:45 a.m.

BREAKFAST

Ritz-Carlton Salons

8:45 a.m. – 4:15 p.m.

PROGRAM SESSIONS

Ritz-Carlton Salons

8:45 a.m. - 9:00 a.m.

INTRODUCTORY REMARKS

Michael J. Murphy

Chair, ALFA International

CARTER, CONBOY, CASE, BLACKMORE,
MALONEY & LAIRD, P.C.
Albany, New York

9:00 a.m. - 10:15 a.m.

GENERAL SESSION

**BANK DIRECTORS & OFFICERS,
LAWYERS, BROKERS AND INSURERS:
SEEKING SHELTER IN THE
POST-BUBBLE RUBBLE**

The fallout from the credit crisis imposes new or heightened liability exposure to a wide category of executives and professionals. The odor of fraud permeated many residential mortgage operations and potentially taints all those involved, innocent or not, in millions of questionable finance and real estate transactions. Apart from fraud, the resulting loss in value to real estate and debt security holdings is a potential explosion of exposure against professionals responsible for valuating, insuring, selling, lending on or borrowing on such holdings. The panel will

discuss the crisis, major areas of liability exposure, what lies ahead, and protective measures that can be implemented to limit or reduce it.

Joseph R. Marconi

Moderator

JOHNSON & BELL, LTD
Chicago, Illinois

Paul Ablan

President, Professional Liability Group

ONEBEACON PROFESSIONAL
INSURANCE
Minnetonka, Minnesota

Timothy C. Krsul

Bond & Financial Products Claim

TRAVELERS INSURANCE
St. Paul, Minnesota

Justin S. Kudler

Assistant Vice President, Claims

XL PROFESSIONAL
Hartford, Connecticut

10:15 a.m. - 10:30 a.m.

BREAK

10:30 a.m. - 11:45 a.m.

**WHITE COLLAR CRIME—YOUR TICKET
TO THE CHAIN GANG: CRIMINAL
LIABILITY OF DIRECTORS
AND OFFICERS**

The temptation to take what does not belong to you is timeless. Theft and corruption can run a close second to the world's oldest profession. In the wake of the economic crisis this country has taken some serious steps to police corporate fraud and white collar crime in

general. This panel will discuss what steps companies should take to insure their compliance with Federal and State laws as well as what defenses are available for employers who may be the victims of bad actors within their own organization. The panel will also include a guest speaker from the FBI Field Office in New York City, who will provide insights from the federal law enforcement perspective on the issue of white collar crime.

Schaun D. Henry

Moderator

MCNEES WALLACE & NURICK LLC
Harrisburg, Pennsylvania

Claudia Cinardo

Vice President

ARCH INSURANCE GROUP
New York, New York

Katrice Bridges Copeland

Assistant Professor of Law

PENN STATE UNIVERSITY
University Park, Pennsylvania

Jeff Randall

Vice President, Human Resources

TIMBAR PACKAGING & DISPLAY
Hanover, Pennsylvania

FBI Guest Speaker

FBI FIELD OFFICE
New York, New York

11:45 a.m. - 12:45 p.m.

LUNCH

Ritz-Carlton Salons

BREAKOUT SESSION FOCUS

LABOR & EMPLOYMENT: L&E

INSURANCE: IN

PROFESSIONAL LIABILITY: PL

12:45 p.m. - 1:45 p.m.

GROUP 1 – BREAKOUT

L&E LITIGATING WITH THE EEOC

The Equal Employment Opportunity Commission continues to aggressively purge discrimination in the workplace through administrative investigations as well as civil litigation. Adverse results can have dire consequences for employers both in the form of monetary damages as well as injunctive relief. Often, the scope of the EEOC's investigation and/or civil litigation depends in part on the employer's approach to the EEOC's early inquiries. Our panel will discuss issues that generally arise when litigating with the EEOC as well as best and worst practices from the EEOC's and the employer's perspective.

Joseph F. Spitzzeri
Moderator

JOHNSON & BELL, LTD
Chicago, Illinois

Lisa Fentress
Director of Specialty Claims
MARRIOTT INTERNATIONAL INC.
Bethesda, Maryland

Justin Mularire
Trial Attorney
U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
New York, New York

Eric Ross
Claims Manager
BEAZLEY INSURANCE
Hartford, Connecticut

IN KEEPING THE BAD FAITH INDUSTRY IN THE COTTAGE – STRATEGIES FOR AVOIDING AND WINNING BAD FAITH AND CONSUMER FRAUD SUITS

Bad faith litigation is becoming a cottage industry, which insured attorneys use to coerce insurers into paying uncovered claims and to pay the insured's attorneys' fees. Even in states with statutory limits on bad faith damages, the use of consumer fraud statutes is being used to get around the limits. Meanwhile, bad faith plaintiffs use the insurer's claim investigation and coverage litigation tactics as evidence of bad faith. This session will address strategies for insurers to use in investigating claims and asserting their coverage defenses which will minimize their bad faith exposure, without requiring them to give up valid coverage arguments. It will also strategies for winning bad faith cases which are filed despite the insurer's best efforts to act in good faith.

Bill McVisk
Moderator
JOHNSON & BELL, LTD
Chicago, Illinois

Stephen P. Tasy
*Senior Vice President and
General Counsel*
MS&AD INSURANCE GROUP
Warren, New Jersey

David T. Vanalek
Manager, Claims
MARKEL
Deerfield, Illinois

PL WHAT IS A BROKER TO DO?

This panel will explore the conflicts and risks that brokers face in light of the ever increasing level of service required by clients. Brokers now are frequently caught in claims for placing too much insurance, too little insurance or the wrong insurance. In addition, courts have become more willing to allow assignments of claims against brokers, particularly where the insured has inadequate coverage for the risk. The panel is comprised of representatives from an insurance company, a large brokerage firm and a law firm handling professional liability claims to present points and counterpoints on these issues.

Elaine M. Moss
Moderator
BROWN & JAMES, P.C.
St. Louis, Missouri

Sally Combs
*Technical Director for Professional
Liability Claims*
FIREMAN'S FUND
INSURANCE COMPANY
Novato, California

Alfred L. Green
BUTT THORNTON & BAEHR PC
Albuquerque, New Mexico

Liz Staruck
Litigation Counsel
ARTHUR J. GALLAGHER & CO
Itasca, Illinois

1:45 p.m. - 2:00 p.m.

BREAK

2:00 p.m. - 3:00 p.m.

GROUP 2 – BREAKOUT

L&E THE TRIFECTA OF EPLI CLAIMS SETTLEMENT: THE INSURER, THE INSURED, AND THE PLAINTIFF

EPLI claims present distinct challenges when it comes to settlement. From the start of negotiations through the executed agreement, this panel will explore the unique issues associated with EPLI claims settlement, including communications between defense counsel, insurer and insured when objectives diverge, disclosure of defense coverage to plaintiffs and its impact on negotiations, use of "hammer" clauses, managing insureds' unrealistic settlement expectations, and "out of the box" settlement options.

Sandra L. Jezierski
Moderator
NILAN JOHNSON LEWIS, P.A.
Minneapolis, Minnesota

Deanna M. Beacham
Assistant Vice President
CHUBB GROUP
Warren, New Jersey

Jonathan H. Kurens
*Senior Vice President and
Executive Director*
AON RISK SOLUTIONS
New York, New York

Jim McQuaid
Vice President, EPL Claims
CHARTIS
New York, New York

Doug Onley
Senior Claims Counsel
UNITED EDUCATORS
Washington, District of Columbia

IN E&O / D&O – ON THE HORIZON

This panel will explore emerging challenges in Errors & Omissions and Directors and Officers coverage, including the increased use of informal regulatory investigations, coverage for investigation costs and shifting coverage triggers. It will also discuss the impact of recent legislation and case law, and new policies being offered on the market.

Lisa F. Mickley
Moderator
HALL & EVANS, LLC
Denver, Colorado

Anne Barnett
Professional Liability Claims Supervisor
PHILADELPHIA INSURANCE COMPANIES
Bala Cynwyd, Pennsylvania

Cheryl Chiovetta
*Assistant Vice President, Financial Lines-
Directors and Officers*
CHARTIS
New York, New York

J. Michael Morales
Vice President, Claims
EVEREST SPECIALTY
UNDERWRITERS, LLC
New York, New York

Salvatore Pollaro
Managing Director
MARKEL CORPORATION
New York, New York

PL SURE, THAT'S FAIR. UNDERSTANDING CLAIMS UNDER THE FAIR DEBT COLLECTION PRACTICES ACT

With its broad definition of what constitutes debt collection and who is a debt collector, together with the prospect of payment of attorneys' fees, litigation under the Fair Debt Collection Practices Act ("FDCPA") has increased dramatically over the past several years, and all indications are that the FDCPA will be a fertile ground for attorneys specializing in this area of the law. This program will provide an overview of the FDCPA from the defense and plaintiff's perspectives, including developments in case law affecting debt collectors and those who represent them and unresolved issues that are certain to arise due to the numerous methods of communication currently available to debt collectors.

Doyle C. Valley
Moderator
MORRISON MAHONEY LLP
Boston, Massachusetts

Matthew B. Johnson
Vice President – Legal
ALLIED INTERSTATE LLC
New York, New York

Gerald Grenon
Senior Level Claims Consultant
CNA INSURANCE
Chicago, Illinois

Paul Sheldon
STRASBURGER & PRICE, LLP
Dallas, Texas

3:00 p.m. - 3:15 p.m.

BREAK

3:15 p.m. - 4:15 p.m.

GROUP 3 – BREAKOUT

L&E PRIVACY – WHO OWNS THE INFORMATION AND HOW DO YOU PROTECT IT?

Increased reliance on advanced technologies such as smartphones, tablets, and computers make it possible for employers to monitor their business

operations and many aspects of their employees' workplace communications. However, these new technologies also make the employers' property and information extremely portable. With the increasing use of social media and electronic devices, privacy issues and who owns the information has become even more challenging and complex. This panel will explore how an employer can protect its information and assets while still protecting employees' privacy rights.

Yvette Davis
Moderator
HAIGHT BROWN & BONESTEEL LLP
Los Angeles, California

Miles R. Afsharnik
*Senior Vice President, Claim &
Legal Resource Director*
WELLS FARGO INSURANCE SERVICES
USA, INC
New York, New York

Diane Carmen
*Senior Counsel, Director of Labor
and Employment Law*
GAMESA TECHNOLOGY
CORPORATION, INC.
Philadelphia, Pennsylvania

William C. E. Robinson
Corporate Secretary
GEICO
Washington, District of Columbia

IN TO ARBITRATE OR NOT TO ARBITRATE—THAT IS THE QUESTION

The past year has brought significant changes in the value and enforceability of arbitration agreements. Whether an arbitration clause is available and enforceable is the first question. But perhaps more importantly, will arbitration provide a better dispute resolution process and outcome than litigation? This distinguished panel of experts will explain where, when, why, and how they decide and recommend whether to arbitrate or not within their specific areas of expertise, including employment contracts, reinsurance, general liability, and property and casualty insurance disputes. This point/counterpoint of our panel's substantial collective experience in various contexts may surprise you, and it will certainly inform your future decisions concerning whether to arbitrate.

Jill F. Endicott

Moderator

DINSMORE & SHOHL LLP
Louisville, Kentucky

Adam D. Roberts

*Senior Vice President and
General Counsel, Program Business
and Reinsurance*

QBE THE AMERICAS
New York, New York

Gary Schuman

Sr. Counsel - Litigation

COMBINED INSURANCE COMPANY
Glenview, Illinois

Mary Beth Sipos

Senior Claims Counsel

LIBERTY MUTUAL AGENCY MARKETS,
REGIONAL COMPANIES
San Diego, California

**PL ETHICAL DILEMMAS FOR
INSURERS AND DEFENSE COUNSEL**

This panel will discuss ethical issues currently affecting insurance companies and defense counsel. The discussion will include issues raised by insurance company litigation guidelines, outside vendor billing reviews, and fixed fee

arrangements. The defense attorney's duty to avoid conflicts of interest and maintain client confidences in the context of the tripartite relationship between insurer, insured and defense counsel will also be explored. The panel will also review recent developments relating to the use of conflicts screens by law firms and other recent developments relating to the ethical obligations of litigators

Richard Granofsky

Moderator

LESTER SCHWAB KATZ & DWYER, LLP
New York, New York

Leslie Levin

Professor of Law

UNIVERSITY OF CONNECTICUT
SCHOOL OF LAW
Hartford, Connecticut

Douglas Richmond

Managing Director

AON RISK SOLUTIONS
Chicago, Illinois

William D. Slease

Chief Disciplinary Counsel

DISCIPLINARY BOARD OF
THE STATE OF NEW MEXICO
Albuquerque, New Mexico

4:15 p.m.

ADJOURNMENT

5:00 p.m. – 9:00 p.m.



**ALL ABOARD!
SUNSET DINNER
CRUISE ABOARD
A PRIVATE YACHT**

Please join us on a lovely sail around New York aboard a beautiful luxury yacht with a close-up view of the Statue of Liberty and the New York City skyline.

5:00 p.m. – 6:00 p.m.

Cocktail Reception, boat is dockside

6:00 p.m. – 9:00 p.m.

Yacht sails and dinner is served

Staff will guide the group on the short bus ride to Pier 61 at Chelsea Piers where the Atlantica is docked

Friday, June 15, 2012

7:45 a.m. - 8:45 a.m.



**WOMEN'S
INITIATIVE
BREAKFAST**

Heritage Room

Can there possibly be anything else to say about work/life balance? Probably not – so we won't go there. Instead, join us for a discussion of a variety of issues facing women lawyers in the insurance, employment and professional liability practice areas, specifically, and as lawyers in general. And, of course if you have the answer to work/life balance, we'd love to hear from you.

Angela Logan Edwards

Moderator

DINSMORE & SHOHL LLP
Louisville, Kentucky

Cheryl Chiovetta

*Assistant Vice President,
Financial Lines- Directors and Officers*
CHARTIS
New York, New York

Georgette M. Lovelace

Litigation Manager
HARTFORD LIFE INSURANCE
COMPANIES
Simsbury, Connecticut

8:00 a.m. - 9:00 a.m.

GENERAL BREAKFAST

Ritz-Carlton Salons

9:00 a.m. – 12:30 p.m.

PROGRAM SESSIONS

Ritz-Carlton Salons

9:00 a.m. - 10:00 a.m.

GENERAL SESSION

**DEPOSITIONS IN COVERAGE CASES:
"WHO YA' GONNA' CALL" WHEN THAT
TEN PAGE DEPOSITION NOTICE HITS
YOUR DESK?**

When claims are denied or reservation of rights letters are issued, corporate representatives of insurers and insureds

are frequently targeted to be deposed. Opposing attorneys want to be able to ask questions about policy interpretations, coverage defenses and claims handling. Such requests invariably give rise to various privilege, waiver, hearsay and other issues. After presenting a short video depicting a snapshot of a “normal” coverage deposition, the panel will discuss some of the fundamental problems that arise when coverage-oriented depositions are requested, and offer practical guidance and strategies about what can be done to avoid such depositions or limit their scope, and “Who Ya’ Gonna Call” and what can be done to prepare for such depositions.

George D. Fagan

Moderator

LEAKE & ANDERSSON, L.L.P.
New Orleans, Louisiana

Wendi L. Boyden

Vice President of Claims Operations

ONEBEACON PROFESSIONAL
INSURANCE
Boston, Massachusetts

Janet B. Dreifuss

Senior Vice President, Executive Risk

ALLIANT INSURANCE SERVICES
New York, New York

David J. Murray

Vice President, Directors & Officers

CHARTIS
New York, New York

10:00 a.m. - 10:15 a.m.

BREAK

10:15 a.m. - 11:15 a.m.

GROUP 4 – BREAKOUT

L&E EMPLOYMENT LAW UPDATE

This panel will provide an overview of key employment law decisions from the U.S. Supreme Court and United States circuit courts in 2011 and 2012 which will surely have a significant impact on employers and their insurers. The panelists will provide insight and suggest strategies for addressing claims in light of these recent rulings in anticipation of the new arguments and theories likely to be pursued by employee counsel. The

long term implications of these decisions from a claims-perspective and the impact on the defense of employers will be analyzed and discussed. Gain valuable insight on current employment law trends and learn about important recent judicial developments regarding employment liability for sexual harassment, retaliation, discrimination and wage/hour claims.

Kevin Greene

Moderator

HALLORAN & SAGE LLP
Hartford, Connecticut

Natalie S. Abbott

Employment Counsel

SAINT-GOBAIN CORPORATION
Valley Forge, Pennsylvania

Jennifer Weinstein

Senior Claims Counsel

FREEDOM SPECIALTY
INSURANCE COMPANY
New York, New York

Jason C. Welch

Claims Manager, Specialty Lines

BEAZLEY USA
Farmington, Connecticut

**IN THE TRIPARTITE
RELATIONSHIP: THE COMPANY
WE KEEP**

If two is company, is three a crowd? When a claim is made against an Employer or Professional, it is not alone – its defense team includes its Insurer and Counsel. Each member of this relationship must maintain their respective commitments while understanding each other’s positions and the effect of those positions on the goals of the defense. This session will address the best practices to maintain the proper professional relationship between the insured Employer or Professional, the Insurer, and Counsel, while providing the optimal defense for all concerned. We will address how strategies are formed, how communications and conflict should be handled between the parties, and the dynamics of working with and benefitting from each other’s company.

Jessica A. Desany

Moderator

CARTER, CONBOY, CASE, BLACKMORE,
MALONEY & LAIRD, P.C.
Albany, New York

Karen S. Austin

Attorney

TRACTOR SUPPLY COMPANY
Nashville, Tennessee

Glenn Fischer

Senior Claim Examiner

MARKEL CORPORATION
Deerfield, Illinois

William A. Peterson

S.V.P. & Associate General

Counsel- Litigation
ZURICH NORTH AMERICA
Owings Mills, Maryland

**PL A TANGLED WEB –
WHEN PROFESSIONALS SERVE
AS DIRECTORS: D&O AND
PROFESSIONAL LIABILITY
INSURANCE COVERAGE CHALLENGES**

Attorneys are frequently asked to serve on corporate and nonprofit boards. Less frequently, the skills of accountants, engineers, and other professionals are also solicited for these positions. While professionals bring education and expertise to any board of directors, they also bring their own professional risks to the board. It is important for insurers to understand the unique risks posed to both the professional serving as a board member, and to the corporation or nonprofit that board member serves. This panel will address these not uncommon circumstances, often creating tensions between professional liability and D&O insurance

Cathleen H. Heintz

Moderator

HALL & EVANS, LLC
Denver, Colorado

Benjamin R. Minard

Senior Claims Counsel

XL INSURANCE AMERICA, INC
Hartford, Connecticut

Kim Noble

Senior Vice President

ONEBEACON PROFESSIONAL
PARTNERS
Chicago, Illinois

Elizabeth Whitney

Risk Manager

SWISS RE AMERICA CORPORATION
Chicago, Illinois

11:15 a.m. - 11:30 a.m.

BREAK

11:30 a.m. - 12:30 p.m.

GROUP 5 – BREAKOUT

L&E ATTORNEY FEES AWARDS AND CONTESTS — EVERYONE TALKS ABOUT IT BUT WHAT CAN BE DONE?

Attorney fees awards and contests, in federal litigation, state law disputes or even during a mediation, can become a central focus of almost any legal dispute. Sometimes, fee expectations on the part of a client or an opponent overwhelm a discussion to the point that a matter is driven to trial. There are also circumstances where a minimal verdict threatens the imposition of a substantial fee award, while the scope and application of a rejected offer of judgment or settlement will prove crucial to an outcome. The scope and impact of such issues can impact the adjuster, the insured, retained counsel and opposing counsel. Join the discussion with this panel of well-informed and experienced participants, dedicated to sorting through such complexities.

Thomas J. Lyons

Moderator

HALL & EVANS, LLC
Denver, Colorado

R. Clinton Saxton

*Managing Director, Litigation
Legal and Regulatory Affairs*

FEDEX CORPORATION
Memphis, Tennessee

Richard A. Spiers

*Vice President-Midwest Regional
Claim Manager*

GENESIS UNDERWRITING
MANAGEMENT CO.
Cary, Illinois

IN SOCIAL MEDIA: IT'S CHANGING EVERYTHING

At every seminar someone is talking about social media. We will, too, but in a new and different way. First, lawyers need to be aware of how one can use social media to inform their case and their clients. Next, all need to be aware of the vulnerability that all forms of social media place us as professionals, employees and citizens and potential defendants.

Jonathan W. Brogan

Moderator

NORMAN HANSON & DETROY, LLC
Portland, Maine

Pamela Champ

Business Development Advisor

CHAMP ADVISORS, LLC
Carmel, Indiana

Holly T. Filomena

Litigation Manager

HARTFORD LIFE INSURANCE
COMPANIES
Simsbury, Connecticut

Elizabeth O'Neill

HAWKINS PARNELL THACKSTON &
YOUNG LLP
Atlanta, Georgia

PL CHANGING WORLD OF LEGAL SERVICES: PENNY WISE, POUND FOOLISH?

The world is no longer immune to bargain hunters. To compete and survive, firms are turning to outsourcing as a means of improving efficiency and cutting costs. But at what risk? This panel will discuss the emerging area of legal outsourcing and its potential impact on a lawyer's relationship with his/her client, vendor, opposing counsel, and the court, as well as how the error and omissions policy relates to the outsourcing practitioner.

Jennifer K. Saunders

Moderator

HAIGHT BROWN & BONESTEEL LLP
Los Angeles, California

Mario D'Aversa

Senior Claims Specialist

AXIS INSURANCE
Berkeley Heights, New Jersey

Jody Harris

*Area Senior Vice President &
Managing Director*

GALLAGHER LAW FIRM SOLUTIONS
Chicago, Illinois

Lisa R. Midkiff

Claims Training Supervisor

LAWYER'S PROTECTOR PLAN
Tampa, Florida

12:30 p.m.

ADJOURNMENT

WHAT IS ALFA INTERNATIONAL?

ALFA International is a network of independent law firms. ALFA International's membership is comprised of 145 international law firms (85 U.S. based firms, 60 non-U.S. based firms) employing over 9,000 lawyers and 10,000 other legal professionals. Member firms are located in nearly every U.S. state as well as in Canada, Mexico, Europe, Latin America, South America, Southeast Asia, Australia, Africa and the Pacific Rim. ALFA International's basic objective, accomplished through its member firms and their activities, is to improve the quality and efficiency of legal services and to provide those services to clients within a reasonable and value oriented cost formula across jurisdictions around the world.

FACULTY BIOS

NATALIE S. ABBOTT is Employment Counsel for North America at Saint-Gobain Corporation, a leading producer of abrasives, building materials, glass containers, flat glass, high performance plastics, industrial ceramics, insulation, piping and reinforcements with \$8.1 billion in annual sales in North America, 24,000 employees and over 200 locations in the United States, Canada and Mexico. Ms. Abbott is a seasoned employment law advisor, who provides strategic advice to businesses on a wide range of employment-related matters including terminations, hiring, investigations, compensation, employment agreements, and personnel policies. Her counseling and litigation experience cover a wide variety of employment law matters, including laws dealing with employment discrimination, wage and hour requirements, employee raiding, unfair competition, trade secrets, disability accommodation, leaves of absence, and workforce reductions. In addition, Ms. Abbott provides employment training and compliance review services.

PAUL ABLAN is the President of the Professional Liability Group at OneBeacon Professional Insurance. He is responsible for oversight of all non-healthcare professional liability business, including lawyers, media, technology, network security, real estate and design professionals. Paul began his career as an attorney in private law practice and entered the insurance industry in 1991. Before joining OneBeacon in late 2005, he held a variety of professional liability and public entity management positions with the U.S. and international operations of The St. Paul Companies. Paul received his B.A. from Hamline University in 1982 and his J.D. from the University of Minnesota Law School in 1985. He was certified by the Minnesota State Bar Association as a real property law specialist in 1990 and has earned the Associate in Risk Management and Chartered Property Casualty Underwriter designations from the Insurance Institute of America

MILES R. AFSHARNIK is the National Claims & Legal Resource Director for the Professional Risk Group of Wells Fargo Insurance Services USA, Inc. Miles' main role is to advocate on behalf of clients in relation to coverage and legal matters relating to complex management liability claims. Prior to joining the insurance industry in 1999, Miles was an Assistant Corporation Counsel for the City of New York working on employment litigation and civil rights matters and worked as a litigation associate at Phillips Lytle LLP in Buffalo, New York. Prior to that, he clerked for a federal judge in the Western District of New York. Miles graduated with a B.A. from the University of California at Irvine in 1990. He earned his J.D. in 1993 from SUNY Buffalo School of Law where he was the Publications Editor for the *Buffalo Law Review*. He is admitted to practice in New York. Miles has been published in the *New York Bar Journal* and the *Employment Practices Liability Consultant* and is a frequent speaker on management liability at various conferences including the American Bar Association, American Conference Institute, Defense Research Institute, PLUS and CPCU.

KAREN S. AUSTIN has spent her career entirely in-house working for major corporations including Texas Instruments, Overhead Door Corporation, Louisiana-Pacific Corporation and Tractor Supply Company. She served as General Counsel for a publicly traded security products company and an insurance adjusting company in the Dallas area before moving to Nashville in 2006. She currently serves as Counsel for Tractor Supply Company. She has experience in almost every aspect of in-house practice, with a strong focus on product liability defense, employment law, ethics and compliance. She received a B.S. in Business from Indiana University and a JD from University of Chicago Law School.

ANNE BARNETT is a Claims Supervisor at Philadelphia Insurance Companies, a member of the Tokio Group and an A++ rated provider of specialty insurance

products to niche markets. Anne has been with Philadelphia for 12 years and is part of the Home Office management team overseeing all claims under D&O and E&O policies. Her industry experience spans 27 years and includes extensive experience in the handling of complex litigation and coverage matters.

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MICHAEL J. MURPHY is a partner of the Albany, New York ALFA International firm of Carter, Conboy. Mr. Murphy is a trial attorney handling complex litigation with an emphasis on employment law. He maintains an active trial practice in state and federal courts as well as before the EEOC and the New York State Division for Human Rights. He is regularly retained by leaders in business, government and the professions to represent their interests in sensitive, high profile litigation and investigations. Mr. Murphy is currently Chair of ALFA International and Past President of the Northern District of New York Federal Court Bar Association. He is a graduate of the State University of New York at Oswego and Albany Law School.

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KIM NOBLE is the Sr. Vice President at One Beacon in Chicago, IL. Kim managed the launch of a lawyers' professional liability product. She has drafted admitted forms and assisted in developing filed rate plans. Kim has managed underwriting and distribution strategy for product and directed a group of underwriters in the launch and build out of a \$40MM lawyers' professional liability book in less than four years

ELIZABETH O'NEILL is a seasoned and accomplished trial lawyer with more than 20 years experience in handling civil litigation matters. Her practice currently focuses on the defense of professional liability, products liability and asbestos/toxic tort claims. Licensed to practice in the State and Federal Courts in Georgia, Wisconsin, Mississippi, Texas, California and West Virginia, she has represented clients in matters in all of those states, as well as in trials in New Jersey, Pennsylvania, Louisiana, South Carolina, Minnesota, and Washington. Her appellate work includes cases before the Seventh, Eleventh and Ninth Circuit Courts of Appeal.

DOUG ONLEY is Senior Claims Counsel and head of the South Claims Team for United Educators Insurance, the nation's premier insurer of education institutions. He supervises a team of attorneys and claims analysts responsible for litigation management, case analysis and dispute

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WILLIAM A. PETERSON is the head of the Corporate Litigation Team in the Corporate Law department of Zurich North America. Bill and his team manage "bad faith" cases as well as non-claim litigation including collection litigation on loss-sensitive policies where insureds attempt to place the adequacy or good faith of claims handling at issue. The group also handles subpoena responses, provides advice on pre-litigation disputes, and provides support to the Claims organization on corporate and underwriting issues arising in coverage litigation. Bill began his legal career as a litigation associate with Cahill Gordon & Reindel in New York and then with Dickstein Shapiro & Morin in Washington, D.C. He joined Zurich in 1994. Bill is a graduate of the University of North Carolina at Chapel Hill and received his J.D. from the University of Virginia School of Law.

SALVATORE POLLARO leads the Markel Management Liability product line team. Prior to joining Markel, Sal spent 14 years with Zurich North America's Management Solutions Group (MSG). He held various management and executive roles including leading several MSG Profit Centers. In these roles, he was the executive responsible for nationwide

P&L overseeing teams that underwrote, developed and marketed Zurich's portfolio of management liability solutions, including Corporate Directors & Officers (D&O) coverage, Middle Market D&O coverage, Employment Practices Liability Insurance, Fiduciary coverage, and Crime. Pollaro led the development and launch of Zurich's Executive Asset Protection and their D&O Select product suite. Sal was an Executive member of Zurich Financial Services Global Financial Lines team; and, one of the Zurich Financial Services' top 600 global executives. Prior to joining Zurich, Pollaro spent 3 years with Frank Crystal & Co. in New York brokering EPL and Miscellaneous E&O. Sal is a graduate of Iona College, New Rochelle, NY and earned his MBA from Pace University, New York, NY. He is a frequent speaker at insurance industry events and has authored numerous Management Liability articles

JEFF RANDALL is Vice President, Human Resources, for Timbar Packaging & Display, a private company with approximately 1,000 employees in manufacturing facilities up and down the East Coast. Prior to his employment with Timbar, Mr. Randall was Regional Human Resources Manager for International Paper, supervising ten different operations (both union and non-union) spanning from Texas to California. Mr. Randall has experience in quality management and operations, having worked for Union Camp Corporation prior to Union Camp's acquisition by International Paper. He served in the United States Marine Corp for ten years, attaining the final rank of Major. Mr. Randall graduated with a B.S. degree from Kansas State University and received his M.S. degree from the U.S. Naval Postgraduate School in Monterey, California.

THOMAS E. RICE is a founding Member of Baker, Sterchi, Cowden & Rice, LLC in Kansas City, Missouri, and has served as a member of the firm's Executive Committee. His civil litigation practice emphasizes toxic torts, product liability and employment litigation. He has tried cases in numerous states for various Fortune 500 companies. He has experience coordinating national,

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DOUGLAS RICHMOND is Managing Director in the Professional Liability Services Group of Aon Risk Solutions, where he consults with law firms on professional responsibility and liability issues. He is a member of the American Law Institute, the American Board of Trial Advocates, the International Association of Defense Counsel, and the Federation of Defense and Corporate Counsel. He is the co-author of several significant treatises on insurance law and professional responsibility. He has published over 50 articles in law reviews, scholarly and professional journals. He teaches Legal Ethics at the Northwestern School of Law, and is a regular National Institute of Trial Advocacy faculty member. He earned his J.D. at the University of Kansas, an M.Ed. from the University of Nebraska, and his B.S. from Fort Hays State University.

ADAM D. ROBERTS is Senior Vice President and General Counsel for Program Business and Reinsurance at QBE the Americas, where he is responsible for compliance, regulatory matters, contracts, litigation and arbitration. Previously, he was Vice President and Assistant General Counsel at General Reinsurance Corporation and Counsel at National Reinsurance Corporation after beginning his legal career in private practice. He served on the Insurance and Reinsurance Dispute Resolution Task Force for the 2009 update of the Procedures for the Resolution of U.S. Insurance and Reinsurance Disputes. Mr. Roberts received his B.A., *cum laude*, from

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WILLIAM (BILL) C. E. ROBINSON

serves as corporate secretary of GEICO, a position he has held since December 2007. Prior to assuming his current responsibilities, Robinson served as counsel in GEICO's general counsel office. He joined GEICO in December of 1999 as a senior trial attorney for the company's Kensington, Md., staff counsel office. In 2001, he transferred to headquarters' general counsel office where he has been promoted twice. Robinson serves on the board of three non-profit organizations; the Hesus Fund in New York; the Frederick B. Abramson Memorial Foundation; and the Counsel for Court Excellence. He holds a bachelor's degree in history and a J.D. degree from Howard University in Washington, D.C. Robinson currently resides in Mitchellville, Md.

ERIC ROSS has been involved in the management of professional liability and employment practices claims for nearly 20 years and currently serves as Claims Focus Group Leader for Beazley's Global Private Enterprise businesses which includes its Employment Practices focus area. In this role, Eric oversees and sets strategy for the management of all of the company's employment practices and fiduciary claims underwritten through both Lloyds and the company's admitted carrier, Beazley Insurance Company Inc. Eric regularly works with the company's underwriters, product managers and actuaries in the maintenance and development of related products. Prior to joining Beazley, Eric managed the Executive Liability claim group for the Travelers Bond organization.

JENNIFER K. SAUNDERS is a Partner in Haight, Brown & Bonesteel's Los Angeles office and a member of the Professional Liability Practice Group. She is certified in Legal Malpractice Law by the State Bar of California with over 25 years of experience in the field. Her experience includes the defense of lawyers, accountants, directors and

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R. CLINTON SAXTON is Managing Director Litigation for FedEx Express, where he has worked for nine years. Prior to joining Fed Ex, he was in private practice in Eastern Arkansas for twenty-seven years. Mr. Saxton earned his undergraduate degree from the University of Alabama and his law degree from the University of Arkansas.

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STEVEN H. SCHWARTZ is a shareholder at the ALFA International law firm of Brown & James, P.C. in St. Louis, Missouri. Mr. Schwartz is an active trial lawyer who has handled business litigation, professional liability, officer/director liability and employment cases for over 24 years. With extensive business litigation experience, Mr. Schwartz represents officers, directors and corporate entities in all types of cases, including shareholder disputes, disputes between competitors, non-compete agreements, intellectual property disputes and software disputes. Prior to joining his current firm, Mr. Schwartz was an Investigative Attorney for the U.S. International Trade Commission. Mr. Schwartz received his J.D. with Honors from George Washington University.

PAUL SHELDON has represented businesses in litigation matters for over 15 years and currently handles complex matters involving commercial disputes, consumer fair credit reporting act and debt collection practices act lawsuits under the FCRA and FDCPA. He has gained extensive experience representing one of the three major consumer credit reporting agencies across the country and has been called upon to handle class action matters involving the Fair Debt Collection Practices Act and the Telephone Consumer Protection Act on behalf of debt collectors. Mr. Sheldon is a graduate of California Western School of Law, Rice University, and New Mexico Military Institute. In addition to his extensive civil trial law experience, Mr. Sheldon is also an Army officer in the JAG Corps and has handled numerous criminal law trials both as a prosecutor and defense counsel.

MARY BETH SIPOS is Senior Claims Counsel for Liberty Mutual Agency Corporation where she is the chief in-house coverage resource for claims on California-issued policies. She is also responsible for advertising injury, environmental/toxic tort, and construction defect matters nationally as counsel for the company's Specialty Claims Unit, which has included Chinese drywall, DuPont Imprelis, and Jensen Farms cantaloupe listeriosis claims. Prior to joining Liberty Mutual, Ms. Sipo

spent fourteen years in private practice in Los Angeles as a coverage attorney and litigator. She received her bachelor's degree in French literature from Smith College and spent a year at l'Université de Paris IV (La Sorbonne). She holds a J.D. from the Boston University School of Law and received the CPCU designation in 2007.

WILLIAM D. SLEASE is the Chief Disciplinary Counsel for the Disciplinary Board of the State of New Mexico. He has also served as an adjunct professor at the University of New Mexico School of Law teaching employment law and ethics. Mr. Slease received his undergraduate, graduate and law degrees from the University of New Mexico, graduating summa cum laude from the UNM School of Law in 1991. Prior to being appointed to the position of Chief Disciplinary Counsel, Mr. Slease was in private practice in a small civil defense firm, representing governmental entities and their employees in civil rights, employment and tort litigation.

RICHARD A. SPIERS is the Vice President- Midwest Regional Claim Manager with Genesis Underwriting. He has thirty-two years of insurance industry experience, twenty-seven years in reinsurance and excess and surplus, as well as five years in the primary marketplace. Mr. Spiers also has extensive experience analyzing and creating solutions to a wide range of technical claims issues, including reserve adequacy and operational procedures.

JOSEPH F. SPITZZERI is a co-chair of Johnson & Bell's Employment group. Mr. Spitzzeri has litigated race, sex and national origin cases under Title VII as well as age and disability cases under ADEA & ADA. He has also litigated cases under the Illinois Human Rights Act as well as other wrongful termination litigation and litigation arising from breach of employment agreements/ restrictive covenants. He has also handled administrative matters before the EEOC and the IDHR. Mr. Spitzzeri has litigated FLSA cases as well as actions brought under the Illinois Minimum Wage

Payment and Collection Act. In addition, Mr. Spitzzeri represents employees and employers before the Inspector General for the City of Chicago and State of Illinois and defends Welfare & Pension Fund Contribution Deficiency cases. Mr. Spitzzeri does on-site training in employment discrimination/harrasment issues and assists clients in preparing and revising their employee handbooks.

LIZ STARUCK is a litigation attorney with Arthur J. Gallagher & Co. in Itasca, Illinois. Ms. Staruck manages Gallagher's professional liability disputes. Prior to joining Gallagher, Ms. Staruck was a partner at Hinshaw & Culbertson where she represented carriers in insurance coverage matters, and defended professionals in legal and accountant's malpractice matters. Ms. Staruck has frequently lectured on insurance coverage issues.

STEPHEN P. TASY is Senior Vice President and General Counsel for the U.S. operation of the MS&AD Insurance Group (formerly, Mitsui Sumitomo Insurance Group), a Japanese commercial lines insurer, with responsibility for legal matters in the United States, Canada and Latin America. Mr. Tasy has more than twenty years of insurance industry experience and 25 years of experience in the legal profession, including more than twelve years as in-house legal counsel for the Chubb Group of Insurance Companies (three years as regional General Counsel for Chubb's Asia Pacific operations, based in Singapore), and seven years handling complex insurance and civil rights litigation for the New Jersey Attorney General's Office.

DOYLE C. VALLEY is a trial attorney in the Boston office of Morrison Mahoney LLP. Since joining the firm in 1997, Mr. Valley's practice has concentrated on the defense of professionals. Mr. Valley has obtained defense verdicts in cases involving malpractice claims against attorneys, medical professionals and insurance agents before state and federal trial courts and has successfully argued before Massachusetts Court of Appeals.

Mr. Valley has represented professionals before the Board of Bar Overseers, the Board of Registration in Medicine and the Board of Registration in Nursing on numerous occasions. Prior to joining Morrison Mahoney LLP, Mr. Valley was an Associate with Thaler & Thaler in Ithaca, New York (1992-1997) and with Hough & Cook in Chicago (1989-1992), where he tried insurance defense cases and successfully argued before the appellate courts of those jurisdictions.

DAVID T. VANALEK is an attorney and Manager of Professional Liability and Management Liability Claims at Markel in Deerfield, Illinois, just outside of Chicago. Mr. Vanalek joined Markel in 2007 as a senior claims attorney, and shortly thereafter assumed a management role overseeing a team of claims professionals and attorneys responsible for a wide array of professional liability product lines, which has included over the years Employment Practices Liability, Directors & Officers, Miscellaneous Errors & Omissions, Lawyers, Insurance Agents & Brokers, Architects & Engineers, Financial Advisors, and Information Technology and Data Breach claims. Prior to joining Markel, Mr. Vanalek was in private practice since 1998, representing clients in jury and non-jury cases in state and federal court in California and Illinois. He received his Bachelor's degree, *magna cum laude*, in Political Science from the University of California, Los Angeles, and his law degree from the University of California, Davis, where he served as an Editor on Law Review, and had the pleasure of serving as the first judicial extern for a newly appointed associate justice of the California Supreme Court. Mr. Vanalek is a member of the California and Illinois State Bar, and has been published in the San Francisco Daily Journ

JENNIFER R. WEINSTEIN is Senior Claims Counsel for Freedom Specialty Insurance Company in New York City, where she handles employment practices and professional liability claims and is involved in overseeing outside counsel, litigation strategy decisions, coverage issues, settlement authority and arbitrations

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JASON C. WELCH is a Claims Manager for Specialty Lines with Beazley Group located in Farmington, Connecticut. Beazley Group is the United States syndicate for Lloyd's of London. Mr. Welch oversees professional liability and employment claims throughout the United States. He holds an undergraduate degree in economics from Hamilton College and a juris doctorate from Quinnipiac University. Prior to joining Beazley, Mr. Welch practiced law in Hartford, Connecticut and is admitted to the Connecticut and New York bar.

ELIZABETH WHITNEY is the risk manager for the Lawyers Professional Liability team at SwissRe/Westport in Chicago, IL. She earned a Bachelors degree in Civil Engineering at Virginia Tech and her law degree at DePaul University. After college she worked in Philadelphia for Raytheon Engineers and Constructors in their nuclear and environmental groups. Following law school she practiced insurance defense law at the Chicago firm of Querrey & Harrow, Ltd. During her time at Querrey & Harrow, Ltd. she successfully tried a dozen jury trials to verdict. Beth joined SwissRe/Westport 8 1/2 years ago as a claim adjudicator handling lawyers and architects/engineers malpractice claims. She was promoted to claims team leader in 2003 and oversaw a group of 5 claim handlers.

PROGRAM INFORMATION

MEETING LOCATION:

The Ritz-Carlton Battery Park
Two West Street
New York, New York 10004
Tel: (212) 344-0800
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REGISTRATION:

Please contact your ALFA International Attorney to register for this program.

ATTENDANCE IS OPEN ONLY TO MEMBERS OF ALFA INTERNATIONAL AND THEIR INVITED GUESTS.

HOTEL INFORMATION:

The **ALFA International Room Block Rate is:**
\$395 per night Deluxe Room
\$455 per night Statue of Liberty View Room
(single or double occupancy)

The deadline for obtaining a room reservation at the ALFA International rate is May 22, 2012. After that date, or once the block is filled, reservations will be made based on hotel availability and at a rate determined by the hotel. It is possible that all rooms in the ALFA block will be reserved before the deadline so please REGISTER EARLY. Hotel reservation requests are submitted by completing the online seminar registration process. Please contact your ALFA International attorney to register.

ATTIRE:

The attire for the educational sessions throughout the conference is business casual.

CLE CREDIT:

ALFA International certifies that this program has been approved for 8.5 hours of General CLE credit in the States of Illinois and California.

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