

ADVANCE REGISTRATION DEADLINE: **NOVEMBER 25, 2011**



**IN-HOUSE SPEAKERS  
INCLUDING**

**DEAN CONSTANTINE**  
*CHARTIS CLAIMS INC.*

**RAYMOND T. DEMEO**  
*IRONSHORE INC.*

**ANDREW NADOLNA**  
*CHARTIS CLAIMS INC.*

**LEAH A. SPIVEY**  
*MUNICH REINSURANCE  
AMERICA*

**PETER THOMAS**  
*WILLIS RE*

# **INSURANCE COVERAGE AND PRACTICE SYMPOSIUM**

**DECEMBER 15-16, 2011**

**SHERATON NEW YORK  
HOTEL & TOWERS**

**NEW YORK, NEW YORK**

## **REASONS TO ATTEND**

Keep up-to-date on the most recent insurance coverage issues and trends

Learn practice tips from skilled practitioners regarding the handling of first- and third-party claims, both in and outside of litigation

Enjoy presentations providing unique perspectives on case handling from judges and policyholders' counsel

Network nationally with peers and clients, while earning CLE credit and enjoying the holiday season in New York City

DRI DELIVERS RESOURCES TO BUILD YOUR PRACTICE



DRI's Insurance Coverage and Practice Symposium offers an unparalleled opportunity to hear from a distinguished faculty of lawyers, insurance industry leaders and judges on emerging issues, recent court rulings, and national claims trends, as well as practical advice for both the first- and third-party practitioner and claims professional. This program will help you sharpen the tools you need to litigate and navigate a wide range of insurance coverage claims and issues successfully, while networking with senior claims executives, industry leaders and experienced coverage lawyers from across the country. What is more, you will experience all of this in the midst of New York City, fully decked out for the holiday season!



**Matthew S. Foy**  
Program Chair



**Beth Zaro Green**  
Program Co-Vice Chair



**Audrey A. Seeley**  
Program Co-Vice Chair



**Anthony R. Zelle**  
Committee Chair



**Michael F. Aylward**  
Law Institute

Presented by DRI's  
**Insurance Law  
Committee**

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## WHAT YOU WILL LEARN

- Practical advice and case law updates from claims professionals and leading coverage lawyers from around the country
- Recent developments and national trends impacting first- and third-party coverage issues
- Practice tips for successfully using experts in insurance coverage litigation
- The latest on an excess insurer's "drop down" defense and indemnity obligations
- Emerging claims and issues impacting personal and advertising injury coverage and directors' and officers' liability coverage
- Strategies for handling insurance-related class actions and for litigating the confessed judgment case
- A policyholder's perspective on common mistakes made by insurers and their counsel
- How to handle a first-party claim effectively when litigation has been filed



## PROGRAM SCHEDULE

## WEDNESDAY, DECEMBER 14, 2011

6:00 p.m. **Registration**6:00 p.m. **Networking Reception***Sponsored by Clausen Miller PC*

## THURSDAY, DECEMBER 15, 2011

**Internet Café***Sponsored by WestlawNext*7:00 a.m. **Registration**7:00 a.m. **Continental Breakfast***Sponsored by Roux Associates Inc.*7:00 a.m. **First-Time Attendees Breakfast**8:00 a.m. **Welcome and Introduction****Michael F. Aylward**, *Morrison Mahoney LLP*, Boston, Massachusetts**Anthony R. Zelle**, *Zelle McDonough & Cohen LLP*, Boston, Massachusetts**Matthew S. Foy**, *Gordon & Rees LLP*, San Francisco, California8:15 a.m. **Beyond the Hudson River: Top 10 Practice Tips for Handling Coverage Issues Nationally**

Handling claims on a national basis can present unexpected pitfalls for claims personnel and coverage counsel alike. The “roadmap” for handling a claim can differ significantly from one jurisdiction to the next, given the diverse rules, procedures and anomalies of applicable state law. Even anticipating which state’s laws apply presents difficulties. From responding to a tender, to retaining counsel to defend the insured, to filing and litigating a declaratory relief action, the substantive and procedural laws can differ substantially from state to state. This session presents a national coverage litigator’s perspective on the top 10 issues and tips for handling coverage cases around the country.

**Michael M. Marick**, *Meckler Bulger Tilson Marick & Pearson LLP*, Chicago, Illinois9:15 a.m. **It’s a “Wrap.” Or Is It? Fundamentals and Emerging Issues Regarding Construction Claim Insurance**

Once touted as the perfect solution to the problem of multiple overlapping coverages in complex construction projects, so-called wrap-up or owner controlled insurance policies have created their own unique set of problems. This session will cover the fundamentals of wrap-up insurance, its intended purpose and purported benefits. It will explore emerging issues created by wrap-up insurance, including defense obligations to certificate holders and additional insureds, subrogation, indemnity, other insurance and employer liability.

**Meryl R. Lieberman**, *Traub Lieberman Straus & Shrewsbury LLP*, Hawthorne, New York10:00 a.m. **Refreshment Break**10:15 a.m. **Slippery Slopes and Slaloms: Emerging Claims and Coverage B**

Increasingly, policyholders and claimants are seeking CGL coverage for commercial disputes, including intellectual property, false advertising and product disparagement claims. This session will discuss emerging legal issues, claims and trends under Coverage B, including whether false advertising and product disparagement claims are covered under CGL policies, potential coverage for “green washing” and green certification claims, Internet advertising, cyber-offenses and how various jurisdictions handle these coverage issues.

**Verne A. Pedro**, *Goldberg Segalla LLP*, Princeton, New Jersey11:00 a.m. **Mean Streets and Icy Potholes: Pitfalls in Adjusting and Defending the Litigious First-Party Claim**

First-party insurers and their lawyers face a particularly difficult set of issues in attempting to investigate and adjust claims that are already in suit. Do statutory claims handling guidelines apply or are they trumped by civil procedure and discovery rules? Are communications between counsel and adjuster confidential or may they be discovered under various theories? What about the insurer’s obligation to continue the investigation in good faith after it has been sued? Mr. Clark will review the issues that can arise when an unresolved insurance claim moves into litigation and provide practical advice for avoiding the landmines.

**Ronald J. Clark**, *Bullivant Houser Bailey PC*, Portland, Oregon

11:45 a.m. **Lunch** (*on your own*)

1:00 p.m. **Gangs of New York: The Insurer's Strategy for Defending Class Action Suits**

Class action suits against insurers for coverage and claims handling practices are on the rise. Despite passage of the Class Action Fairness Act years ago, jurisdictional issues may still maroon many of these disputes in problematic jurisdictions. Ms. Eisenstein will overview the insurance coverage class actions filed in recent years and strategies for defending them, including removal to federal court, demanding appraisal or arbitration where provided for in the insurance policy, phasing discovery, *Daubert* motions, early motions to strike class certification and conducting evidentiary hearings.

**Marci A. Eisenstein**, *Schiff Hardin LLP*, Chicago, Illinois

2:00 p.m. **Deck the Halls: The Excess Insurer Is Coming to the Party! Excess Insurer's Rights and Obligations in Long-Tail Claims**

Umbrella and excess insurers are increasingly being called upon to undertake the defense of or accept coverage for diverse types of claims, even when underlying insurance may not be fully exhausted. This session will address the most recent cases from across the country regarding "drop down" claims in the event of insolvent or nonpaying underlying insurers, the scope of "follow form" obligations, the continued viability of "horizontal exhaustion," and the ability of excess insurers to dispute exhaustion. It will also explore whether defending primary insurers owe a duty of care to excess insurers, and what remedies may be available to an excess insurer when the primary has taken actions that seek to accelerate the excess insurer's obligations or are otherwise contrary to the excess insurer's interests.

**Devin C. Maddox**, *Tressler LLP*, Chicago, Illinois

3:00 p.m. **Refreshment Break**

3:15 p.m. **He's a Keen One, Mr. Grinch: A Policyholder's Perspective on Common Mistakes Made by Insurers and Their Counsel**

The co-chair of Anderson Kill & Olick's insurance recovery group will afford a unique opportunity to hear a policyholder counsel's perspective regarding the most prevalent mistakes and miscalculations made by insurers and their counsel. This session will cover what policyholders like to see when they are trying to maximize coverage.

**William G. Passannante**, *Anderson Kill & Olick PC*, New York, New York

4:05 p.m. **Frosty Relations: What You Always Wanted to Know About Reinsurance, but Were Told Never to Ask**

This session will explore the evolving interrelationship between ceding casualty insurance and assuming casualty reinsurance markets. How do decisions made by cedents impact their reinsurers? Why will lessons from the past inform the future and shape the reinsurance industry over the next decade?

**Ronald R. Robinson**, *Berkes Crane Robinson & Seal LLP*, Los Angeles, California

**Leah A. Spivey**, *Munich Reinsurance America*, Princeton, New Jersey

**Peter Thomas**, *Willis Re*, McLeansville, North Carolina

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

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

*Sponsored by RGL Forensics*

7:30 p.m. **Dine-Arounds**

Join colleagues and friends at selected restaurants for dinner (*on your own*).

*More details on-site.*

**FRIDAY, DECEMBER 16, 2011**

**Internet Café**

*Sponsored by WestlawNext*

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

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

*Sponsored by Jeff Kichaven, Mediator*

8:00 a.m. **Announcements**

**Matthew S. Foy**, *Gordon & Rees LLP*, San Francisco, California

8:05 a.m. **Holiday Cheer: The Successful Use of Experts in Insurance Coverage Litigation**

Experts are increasingly being used in insurance coverage litigation to testify about policy interpretation, drafting history and compliance with claims handling guidelines. When is expert testimony allowed? What kinds of experts should be considered? How do you properly qualify—or challenge—experts before and during trial? This session will overview strategy and the myriad evidentiary issues arising out of the use of experts in insurance coverage litigation.

**Asim K. Desai**, *Carlson Calladine & Peterson LLP*, Los Angeles, California



9:00 a.m. **Following the Money: The Evolution of D&O Claims and Coverage Issues**

The nature of litigation and claims against directors and officers continues to evolve. Insider trading and M&A-related liabilities persist, but emerging claims resulting from Sarbanes-Oxley, Dodd Frank and the UK Bribery Act raise new issues for the D&O liability insurer and its counsel. This session will examine the duty to defend, scope of the duty to indemnify, and the duty to settle, in the context of evolving directors' and officers' claims.

**F. Lane Finch, Jr.**, *Hand Arendall LLC*, Birmingham, Alabama

**Priya Cherian Huskins**, *Woodruff-Sawyer & Co.*, San Francisco, California

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

*Sponsored by* **Hurwitz & Fine PC**

10:15 a.m. **You Better Watch Out, You Better Not Cry: A Judicial Review of Insurance Disputes and Litigation**

The Honorable Jerome B. Abrams and the Honorable Patricia J. Kerrigan will discuss emerging insurance coverage issues and decisions from their jurisdictions over the past year. They will also reflect on their involvement with state civil justice reform and afford invaluable insight regarding decorum before the court and the trial and appeal of an insurance coverage case.

**Moderator**

**Audrey A. Seeley**, *Hurwitz & Fine PC*, Buffalo, New York

**Panel**

**The Honorable Jerome B. Abrams**, *First Judicial District Court*, Shakopee, Minnesota

**The Honorable Patricia J. Kerrigan**, *190th Judicial District Court*, Houston, Texas

11:00 a.m. **Auld Lang Syne: Insurance Coverage Claims and Issues That Shaped 2011**

This moderated panel discussion will address the property and casualty coverage decisions and claims that defined the past year and may shape litigation in the years to come.

**Moderator**

**Anthony R. Zelle**, *Zelle McDonough & Cohen LLP*, Boston, Massachusetts

**Panel**

**Raymond T. DeMeo**, *Ironshore Inc.*, Simsbury, Connecticut

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

11:45 a.m. **Litigating the Confessed Judgment Coverage Case: There May Be a Diamond in That Lump of Coal**

With increasing frequency, coverage issues are being litigated against the backdrop of massive confessed judgments. Mr. Spevacek will explore the unique issues and tactics presented in handling the confessed judgment case, including a multi-jurisdictional discussion of the validity of confessed judgments, the defenses available to the insurer beyond the lack of coverage, practice tips for litigating the confessed judgment case and strategies for attacking the confessed judgment itself.

**Charles E. Spevacek**, *Meagher & Geer PLLP*, Minneapolis, Minnesota

12:30 p.m. **The Elf in the Room: Ethical Conundrums**

These panelists will engage in a review and discussion of the frequently encountered ethical issues faced by the insurer and defense counsel. Topics will include defense counsel's candor towards the mediator and opposing counsel during mediation, the obligations of defense counsel toward the insurance carrier paying for the defense, the ethics of defense counsel serving as the insured's coverage counsel and what to do when a lawyer who was averse to your client joins your firm.

**Dean Constantine**, *Chartis Claims Inc.*, New York, New York

**Donald J. Verfurth**, *Gordon & Rees LLP*, Seattle, Washington

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



## 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. **Adjuster credit has been applied for in several states.** Credit availability and requirements vary from state to state; please check our website at [www.dri.org](http://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 **\$975** for nonmembers. 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 course materials in advance, DRI must receive your registration by **November 25, 2011** (*please allow 10 days for processing*). Registrations received after **November 25, 2011**, will be processed on-site.

### IN-HOUSE COUNSEL

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys, who are employed exclusively by a corporation or other private sector organization, for the purpose of providing legal representation and counsel only to that corporation, its affiliates and subsidiaries. In order to qualify for free registration, the individual must also be a DRI member and a member of DRI's Corporate Counsel Committee. Offer excludes DRI Annual Meeting.

### 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 **November 25, 2011**. Cancellations received after **November 25** and on or before **December 2, 2011**, will receive a refund, less a \$50 processing fee. Cancellations made after **December 2** 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

DRI will email a link to download the course materials to all registrants two weeks in advance of the seminar. The CD will be included in the registration packet on-site. 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](http://www.dri.org).

### SUPPLEMENTAL MATERIALS

Recommended supplemental material for this seminar is *Insurance Bad Faith—2010*. 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](http://www.dri.org).

### HOTEL ACCOMMODATIONS

A limited number of discounted hotel rooms have been made available at the **Sheraton New York Hotel & Towers, 811 7th Avenue on 53rd Street, New York, New York 10019**. For reservations, **contact the hotel directly at 212.581.1000**. Please mention the **DRI Seminar** 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 **November 15, 2011**, to be eligible for the group rate. Requests for reservations made after **November 15** 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

**The Honorable Jerome B. Abrams** is a First Judicial District Court judge for the state of Minnesota. Judge Abrams is a member of the Minnesota Supreme Court Civil Justice Reform Task Force and serves on the board of directors for the Minnesota District Judges Association. He is also an adjunct associate professor of law at the University of Minnesota, teaching complex litigation. Prior to his judicial appointment, Judge Abrams practiced in the areas of insurance coverage and bad faith, product liability, environmental and professional liability, and complex commercial litigation.

**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 30 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 presently serves as vice chair of its Law Institute.

**Ronald J. Clark** is a partner with Bullivant Houser Bailey PC, splitting his time between the offices in Seattle, Washington, and Portland, Oregon. Mr. Clark's practice over the past 23 years has focused on insurance coverage litigation involving first-party and third-party claims. He has defended multiple insurance bad faith cases in the western United States and is a frequent author and lecturer on insurance and litigation topics. Mr. Clark is an active member of DRI, the Federation of Defense and Corporate Counsel and the International Association of Defense Counsel.

**Dean Constantine**, Vice President of Directors & Officers Claims for Financial Lines Claims in New York City, a division of Chartis Claims Inc., has been with Chartis for 11 years. He is currently the manager of the D&O Mainstream Claims Department, which adjusts claims made on employment, directors & officers, not-for-profit and financial institutions insurance products. Mr. Constantine also has served as vice president of litigation management and panel counsel. Prior to Chartis, he practiced insurance defense law and engineering.

**Raymond T. DeMeo**, Assistant Vice President, Property Claims at Ironshore Inc. in Simsbury, Connecticut, is responsible for the management of all first-party property claims. Previously an assistant vice president for property claims at Travelers Insurance, Mr. DeMeo supervised the World Trade Center property litigation and oversaw other

high exposure litigation, including claims arising out of Hurricane Katrina. He also worked as senior counsel and assistant vice president in the life and disability group at the Hartford.

**Asim K. Desai** is a partner with Carlson Calladine & Peterson LLP in Los Angeles. Mr. Desai's bad faith litigation and trial experience includes analyzing, interpreting and enforcing first- and third-party policy provisions. He is often retained as associate or substitute trial counsel on the eve of trial in multi-million dollar exposure cases and serves as a regional litigation and trial troubleshooter for one of the nation's largest property and casualty insurers.

**Marci A. Eisenstein** is a partner in the Chicago office of Schiff Hardin LLP and co-leader of the firm's insurance and class action practice groups. Ms. Eisenstein concentrates her practice on the defense of class action litigation and has litigated more than 50 consumer-based class action challenges in federal and state courts throughout the country.

**F. Lane Finch, Jr.**, is a member of Hand Arendall LLC in its Birmingham, Alabama, office. He has advised on insurance coverage, defended bad faith claims and litigated first-party and third-party claims in Alabama and California for 22 years. Mr. Finch is recognized by "Super Lawyers" and has handled insurance coverage claims involving up to \$500 million, as well as class action and other liability claims exceeding \$100 million. He has authored numerous articles on insurance coverage and bad faith issues.

**Matthew S. Foy** is a partner in the San Francisco office of Gordon & Rees LLP. Mr. Foy represents insurers nationally on issues involving primary and excess general liability policies, with an emphasis on mass tort, Coverage B, environmental and construction defect claims. He also counsels clients on first- and third-party coverage issues, claims administration and policy drafting. Mr. Foy is a frequent speaker and author on insurance-related issues. He currently serves as the publications chair for DRI's Insurance Law Committee and is the program chair for this seminar.

**Beth Zaro Green** is the senior vice president and managing attorney of the Litigation Management E&O and Coverage Counsel Department for Chartis Insurance in New York. Her firm, Law Offices of Beth Zaro Green, is responsible for managing extra-contractual litigation against Chartis member companies nationwide. The firm also directly litigates coverage matters in New York and New Jersey on behalf of Chartis. Previously, Ms. Green was a trial attorney representing both insurance companies and insureds in New York and New Jersey. She is the program co-vice chair for this seminar.



**Priya Cherian Huskins**, Senior Vice President at Woodruff-Sawyer & Co. in San Francisco, is a recognized expert in D&O liability risk and its mitigation. In addition to consulting on D&O insurance matters, Ms. Huskins counsels clients on corporate governance, including ways to reduce exposure to shareholder lawsuits and regulatory investigations. She is a frequent speaker nationally and internationally on D&O issues and a regular guest lecturer at Stanford's Directors' College. Prior to joining Woodruff-Sawyer in 2003, Ms. Huskins practiced corporate and securities law.

**The Honorable Patricia J. Kerrigan** presides over the 190th District Court in Harris County, Texas. She was recently invited to participate in the Advanced Science and Technology Adjudication Resource, a federal program to develop resource judges for complex litigation. Previously, she was a founding partner of Werner Kerrigan & Ayers LLP in Houston. Judge Kerrigan is a past DRI board member and secretary-treasurer. She is a former president of the Texas Association of Defense Counsel and the Association of Defense Trial Attorneys, and is a member of ABOTA. She is a senior fellow of the American Leadership Forum.

**Meryl R. Lieberman**, a founding partner of Traub Lieberman Straus & Shrewsbury LLP in Hawthorne, New York, heads the firm's casualty insurance practice. She specializes in all aspects of casualty liability insurance, including counseling and litigation. For close to 30 years, Ms. Lieberman has litigated high-profile coverage disputes involving general liability, environmental and toxic torts, product liability, employment liability and bad faith issues, representing domestic and international insurers. She is a member of DRI, the Federation of Defense and Corporate Counsel and the Association of Professional Insurance Women.

**Devin C. Maddox** is a senior associate in the Chicago office of Tressler LLP, where she advises insurance clients nationally on issues involving complex insurance coverage disputes, reinsurance and employment law. She serves as national coverage counsel and analyzes insurance and reinsurance contracts, underwriting intent and case law to advise clients proactively on minimizing exposure and risks of litigation. Ms. Maddox also provides counseling and litigation services to clients involving all aspects of employment, ranging from breach of contract to discrimination claims.

**Michael M. Marick** is a founding partner of Meckler Bulger Tilson Marick & Pearson LLP, a Chicago-based firm with offices in Dallas, Phoenix and San Francisco. His nationwide practice focuses exclusively on insurance coverage

counseling and litigation. He is a frequent author and speaker on insurance-related topics, and for many years taught insurance law at the law school level. Mr. Marick has been selected for inclusion in *The Best Lawyers in America* and *Euromoney's Guide to the World's Leading Insurance and Reinsurance Lawyers*. He is the vice chair of DRI's Insurance Law Committee.

**Andrew Nadolna**, Executive Vice President of P&C Severity Claims for Chartis Claims Inc., residing in New York City, 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 13 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.

**William G. Passannante** is the co-chair of Anderson Kill & Olick PC's insurance recovery group in New York City. He has represented corporate and individual policyholders in litigation and trial in precedent-setting cases. His policyholder-only practice includes all areas of insurance recovery, and his clients include financial institutions, manufacturers, technology companies and service providers. Mr. Passannante has been ranked by *Chambers USA* as a leading policyholder attorney in New York and nationally. He served as vice chair of the Professionals' Officers' and Directors' Liability Committee of the ABA.

**Verne A. Pedro** is special counsel in Goldberg Segalla LLP's Princeton, New Jersey, office. His practice focuses on complex insurance coverage disputes, commercial litigation and product liability litigation. Mr. Pedro has a diverse litigation background and has handled insurance matters and rendered coverage opinions in various disciplines, including additional insured and priority of coverage, construction defect, first-party property, environmental, advertising injury, professional liability, directors' and officer's liability and bodily injury cases.

**Ronald R. Robinson**, founder and executive partner of Berkes Crane Robinson & Seal LLP in Los Angeles, has a national insurance underwriting and coverage law practice. In 2010, the firm was ranked as one of the 24 Best Tier One insurance law firms in America by *U.S. News & World Report*. Mr. Robinson is a member of the Federation of Defense and Corporate Counsel and chair of DRI's Subcommittee on the Terrorism Risk Insurance Acts of 2005 and 2007. He is a former member of DRI's Law Institute and former chair of DRI's Insurance Law Committee.





**Audrey A. Seeley**, attorney with Hurwitz & Fine PC in Buffalo, New York, focuses her practice in insurance coverage, no-fault coverage, arbitration, litigation and municipal liability and counseling. Ms. Seeley is listed among the *Who's Who in Law* and as one of the Top 40 Under Forty by *Buffalo Business First* newspaper. Ms. Seeley is the program co-vice chair for this seminar. She is the marketing chair and a steering committee member of DRI's Insurance Law Committee.

**Charles E. Spevacek**, a partner in the Minneapolis law firm of Meagher & Geer PLLP, specializes in litigating complex insurance coverage disputes, including breach of contract, declaratory judgment and bad faith actions. He was selected for inclusion in the insurance law and mass tort litigation sections of *Best Lawyers in America*. Mr. Spevacek has been named a Minnesota Top 100 "Super Lawyer" and a Top 10 Appellate Law "Super Lawyer." In 2006, *Minnesota Lawyer* selected him as one of its 15 "Attorneys of the Year," for successfully representing insurers in coverage litigation involving junk fax claims under the Telephone Consumer Protection Act.

**Leah A. Spivey**, Senior Vice President and head of Environmental Mass Tort Claims at Munich Reinsurance America in Princeton, New Jersey, currently serves on the board of directors of the Association of Insurance and Reinsurance Runoff Companies and co-chairs its Publication Committee. A member of the New York Chapter of the Association of Professional Insurance Women, Ms. Spivey speaks and presents papers each year at the Reinsurance Association of America's Claims Seminar, as well as other insurance and reinsurance industry conferences. She holds a CPCU designation.

**Peter Thomas**, Chief Risk Officer of Willis Re in McLeansville, North Carolina, has 36 years of insurance and reinsurance management, underwriting, broking, risk assessment, contract drafting and claims management experience. His management expertise includes executive level positions with a focus on production, strategic planning, business operations, information technology, human resources and marketing. Mr. Thomas is the co-chair of the HB Insurance and Reinsurance Litigation and Insolvency Roundtable and a regular lecturer for the Reinsurance Association of America on a range of reinsurance technical topics.

**Donald J. Verfurth** is a co-managing partner of the Seattle office of Gordon & Rees LLP. Since entering private practice, Mr. Verfurth focuses his practice on insurance coverage, with emphasis on environmental, product liability, professional liability, directors and officers, excess casualty, ERISA and construction issues. He represents major insurance carriers both in litigation and non-litigation matters. He has tried numerous jury and nonjury cases in both state and federal court in Washington, Oregon and Idaho, and argued appeals in the appellate courts of Washington and the Ninth Circuit.

**Anthony R. Zelle**, the founder of Zelle McDonough & Cohen LLP in Boston and New York City, represents insurers in complex coverage and bad faith litigation. Mr. Zelle is the chair of DRI's Insurance Law Committee and a past chair of DRI's Bad Faith and Extra-Contractual Claims Subcommittee. Mr. Zelle compiled and edited DRI's *Insurance Bad Faith* compendium. In addition to his DRI involvement, he has served the insurance industry for more than a decade as a member of the faculty of the National Forum for Property Loss Professionals.



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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.

## SEMINAR SPONSORS

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

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## 2011 SEMINAR SCHEDULE

- October 26–30 **Annual Meeting**  
*Washington Marriott Wardman Park, Washington, D.C.*
- November 10–11 **Asbestos Medicine**  
*Bellagio, Las Vegas, NV*
- November 17–18 **The Changing Landscape of International Litigation**  
*Gallery Hotel, Barcelona, Spain*
- December 15–16 **Insurance Coverage and Practice**  
*Sheraton New York Hotel & Towers, New York, NY*
- December 15–16 **Professional Liability**  
*Sheraton New York Hotel & Towers, New York, NY*

## 2012 SEMINAR SCHEDULE

- February 2–3 **Civil Rights and Governmental Tort Liability**  
*Eden Roc Renaissance, Miami Beach, FL*
- February 9–10 **Toxic Torts and Environmental Law**  
*Fontainebleau Miami Beach, Miami Beach, FL*
- February 16–17 **Trucking Law**  
*The Westin Kierland, Scottsdale, AZ*
- February 23–24 **Sharing Success—A Seminar for Women Lawyers**  
*The Westin Kierland, Scottsdale, AZ*
- March 8–9 **Medical Liability and Health Care Law**  
*Hilton New Orleans Riverside, New Orleans, LA*
- March 14–16 **Trial Tactics**  
*Bally's, Las Vegas, NV*
- March 14–16 **Rainmaking**  
*Bally's, Las Vegas, NV*
- March 28–30 **Insurance Coverage and Claims Institute**  
*The Westin Michigan Avenue, Chicago, IL*
- April 11–13 **Product Liability Conference**  
*The Venetian, Las Vegas, NV*
- April 25–27 **Life, Health, Disability and ERISA Claims**  
*Swissôtel Chicago, Chicago, IL*
- May 2–4 **Employment Law**  
*Sheraton Chicago, Chicago, IL*
- May 10–11 **Drug and Medical Device**  
*New Orleans Hilton Riverside, New Orleans, LA*
- May 10–11 **Retail and Hospitality**  
*Swissôtel Chicago, Chicago, IL*
- May 17–18 **Commercial Litigation**

**JOIN DRI NOW AND REGISTER AT THE MEMBERSHIP RATE—A \$230 SAVINGS!**

**DRI MEMBERSHIP APPLICATION**

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

**MEMBER CATEGORY**

- Defense Attorney**—\$250 USD/year
- Government Attorney**—\$160 USD/year
- Young Lawyer\***—\$130 USD/year (admitted to the Bar for five years or less)
- Law Student**—\$20 USD/year

**Male**  **Female**

FORMAL NAME \_\_\_\_\_ TITLE \_\_\_\_\_

NAME (as you would like it to appear on badge) \_\_\_\_\_

COMPANY/FIRM/LAW SCHOOL \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

STATE/PROVINCE \_\_\_\_\_ ZIP/POST CODE \_\_\_\_\_

COUNTRY \_\_\_\_\_

TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_ EMAIL \_\_\_\_\_

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** DRI is committed to the principle of diversity in its membership and leadership. Accordingly, applicants are invited to indicate which one of the following may best describe them:

- African American**
- Asian American**
- Hispanic**
- 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.

SIGNATURE \_\_\_\_\_ DATE (all applications must be signed and dated) \_\_\_\_\_

**REGISTRATION/APPLICATION FEES**

- SEMINAR REGISTRATION:**
- \$745 **Member**
  - \$975 **Nonmember**
  - \$500 **Government DRI Member**
  - FREE **Law Student DRI Member**
  - FREE **In-House Counsel\*\*\***
  - \$695 **Special Discount**

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

\*\* In-house counsel is defined as a licensed attorney who is employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates and subsidiaries.

\*\*\* Must meet definition and also be a DRI member and a member of DRI's Corporate Counsel Committee. Offer excludes DRI Annual Meeting.

- MEMBERSHIP (Check One):**
- \$250 **Defense Attorney**
  - \$160 **Government Attorney**
  - \$130\* **Young Lawyer**
  - \$20 **Law Student**

TOTAL: \_\_\_\_\_

**PAYMENT METHOD**

My check for \_\_\_\_\_ (USD) is enclosed.

Please charge my  **VISA**  **MASTERCARD**  **AMERICAN EXPRESS**

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**INSURANCE COVERAGE AND PRACTICE SYMPOSIUM**  
DECEMBER 15-16, 2011

*For inclusion on the preregistration list and to receive course materials in advance, register by November 25, 2011.*

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FORMAL NAME \_\_\_\_\_

NAME (as you would like it to appear on badge) \_\_\_\_\_

COMPANY/FIRM/LAW SCHOOL \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE \_\_\_\_\_

FAX \_\_\_\_\_

EMAIL \_\_\_\_\_

Are you a first-time attendee at this DRI seminar?

Yes  No

How many attorneys are in your firm? \_\_\_\_\_

What is your primary area of practice? \_\_\_\_\_

**REGISTRATION FEES** (includes course materials)

*If joining DRI to get the member rate, complete the form on the reverse side.*

Member: \$745

Nonmember: \$975

Government DRI Member: \$500

Law Student DRI Member: Free

In-House Counsel: Free (see brochure for eligibility)

Special Discount Price: \$695

(see brochure for eligibility)

**PUBLICATIONS FOR PURCHASE**

**COURSE MATERIALS** (included in registration fees)

Member: \$75  Nonmember: \$95

**SUPPLEMENTAL MATERIALS**

**Insurance Bad Faith-2010**

CD-ROM

Member: \$125  Nonmember: \$155

HARD COPY

Member: \$180  Nonmember: \$210

(Shipping charges will be added to each order. Illinois residents, please add 9.75% sales tax.)

**PAYMENT METHOD**

My check for \_\_\_\_\_ (USD) is enclosed.

Please charge my  VISA  MASTERCARD

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CARD #

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