NEW YORK STATE BAR ASSOCIATION

NYSBA

Friday, September 21, 2012
Albany
Syracuse

Friday, September 28, 2012
Buffalo

Wednesday, October 10, 2012
New York City

Thursday, October 11, 2012
Long Island

2012 Law School for Insurance Professionals

Register Now!
Save Money, and Guarantee Your Seat at the Program!!!

Sponsored by the New York State Bar Association Torts, Insurance and Compensation Law Section, Professional Association for Chartered Property Casualty Underwriters-CPCU Society, Syracuse Chapter, Westchester Chapter, Buffalo Chapter, Northeast Chapter, Long Island Chapter, Upstate New York RIMS

NYSBA

Program Description

Join insurance industry professionals and their counsel for an interactive day exploring topics which confront insurance professionals daily. New York's most respected attorneys will provide insights and updates on the law affecting notice, disclaimers, assignment of independent counsel, investigating a loss and avoiding a spoliation charge, social media in the claims investigation and legal process, and an update on the law regarding premises liability claims.

This year's program will also include a mock trial featuring the examination of an expert by defense and plaintiff's counsel with rulings by a judge.

Panelists will cover situations you encounter in your daily practice.

A program coursebook will be distributed to all attendees the morning of the program.

Register online now at www.nysba.org/LSFIP12 to guarantee your seat at the program.

Agenda

8:30 – 8:55 a.m. **Registration**

8:55 – 9:00 **Welcome and Introductions**

9:00 – 9:50
Accident scene investigation: what you need to know; what actions should you undertake to assist in the defense of a case; spoliation and how to protect materials from discoverability.
Speakers: Michael P. O' Brien, Esq. (Albany)
Lisa M. Robinson, Esq. and Michael Rubin, Esq. (Syracuse)
Joel B. Schechter, Esq. (Buffalo)
Glenn A. Monk, Esq. (New York)
Brian J. Donnelly, Esq. (Long Island)

9:50 – 10:45
Update on Developments regarding notice, disclaimers, right to independent counsel, and direct actions
Speakers: Craig L. Rokuson, Esq. (Albany)
Valerie L. Barbic, Esq. (Syracuse)
Jessica L. Foscolo, Esq. and Elsa J. Schmidt, Esq. (Buffalo)
Mirna M. Santiago, Esq. (New York)
Joanna Roberto, Esq. (Long Island)

10:45 – 10:55 **Break**

10:55 – 11:50
Social Media and Claims-recent developments, caselaw, and the implications of the various platforms in defending a lawsuit and issues regarding the use of the platforms by claims
Speakers: Matthew S. Lerner, Esq. (Albany)
Maureen E. Maney (Syracuse)
Sarah J. Delaney, Esq. (Buffalo)
Elizabeth A. Fitzpatrick, Esq. (New York and Long Island)

11:50 – 1:00 **Lunch** (on your own)

1:00 – 1:55
Update on the law regarding Premises Liability-practical knowledge for better claims handling of indemnity and additional insured issues
Speakers: Robert H. Coughlin, Esq. (Albany)
Maureen G. Fatcheric, Esq. (Syracuse)
Dan D. Kohane, Esq. (Buffalo)
Dennis M. Wade, Esq. (New York)
Neil L. Sambursky, Esq. (Long Island)

1:55 – 2:45
Liens, subrogation rights, and the present status of Medicare set asides
Speakers: Robert J. Permutt (Albany)
Catherine A. Gale (Syracuse)
J. Michael Hayes (Buffalo)
Michael C. Tromello (New York and Long Island)

2:45 – 2:55 **Break**

2:55 – 4:15

Mock Trial
Presentation of the examination and cross-examination of an expert witness using a fact pattern involving an auto accident with an explanation of the issues, medicine, and rulings.
Albany Speakers: Marco Caviglia, Esq., Plaintiff's Attorney; TBD, Defendant's Attorney; TBD, Expert; TBD, Judge

Syracuse Speakers: James E. Reid, Esq., Plaintiff's Attorney; Matthew A. Lenhard, Esq., Defendant's Attorney; TBD, Expert; Hon. Therese Wiley Dancks, Magistrate Judge NDNY

New York Speakers: Gary Cusano, Esq., Plaintiff's Attorney; Kevin G. Mescall, Esq., Defendant's Attorney; TBD, Expert; TBD, Judge

Long Island Speakers: Edward J. Nitkewicz, Esq., Plaintiff's Attorney; Mike Colavecchio , Esq., Defendant's Attorney; Dr. Howard B. Reiser, MD, Expert; TBD, Judge

Buffalo Mock Trial Cause and Origin of a Fire
The presentation will demonstrate effective use of scientific testing as well as scene analysis in a complex cause and origin lawsuit. The presentation will demonstrate analysis of possible sources of combustion and burn patterns in eliminating or including different causes for the fire. The presentation will be conducted by experienced trial attorneys and an experienced cause and origin expert.
Speakers: Linda J. Marsh, Esq., Plaintiff's Attorney; Michael F. Perley Esq., Defendant's Attorney; John W. Cavanaugh , Certified Fire and Explosion Investigator, Expert; TBD, Judge

4:15 – 4:35 **Q&A – Adjournment**

A Certificate of Attendance will be provided to each attendee.

The New York State Bar Association is not an accredited provider of Continuing Education "CE" programs for insurance professionals. Program attendees must follow up in their respective jurisdictions to obtain "CE" credits for participation in this course.

Please Note: This course is geared toward insurance professionals and does not carry MCLE credit for attorneys.

Program Faculty

Overall Planning Co-Chairs

Elizabeth A. Fitzpatrick, Esq.
Lewis Johs Avallone Aviles, LLP
Melville, New York

Laurie A. Giordano, Esq.
Leclair Korona Giordano Cole LLP, Rochester, NY

Chair, Torts, Insurance and Compensation Law Section

Jean F. Gerbini, Esq.
Whiteman Osterman & Hanna LLP, NYC

Albany: Robert H. Coughlin, Esq. (Co-Chair), Flink Smith LLC, Albany * **Mirna M. Santiago, Esq.** (Co-Chair), White Fleischner & Fino LLP, New York * **Marco Caviglia Esq.,** Law Firm of Marco Caviglia, Poughkeepsie * **Matthew S. Lerner, Esq.,** Goldman Segalla LLP, Albany * **Michael P. O'Brien, Esq.,** O'Brien & Jacobs, PLLC * **Robert J. Permutt, Esq.,** Nationwide Insurance, Elmsford * **Craig L. Rokuson, Esq.,** White Fleischner & Fino LLP, New York

Syracuse: Eileen E. Buholtz, Esq. (Co-Chair), Connors & Corcoran, PLLC, Rochester * **Michael Rubin, Esq.** (Co-Chair), Goldberg Segalla LLP, Syracuse * **Valerie L. Barbic, Esq.,** Trevett Cristo Salzer & Andolina PC * **Hon. Therese Wiley Dancks,** Magistrate NDNY * **Maureen G. Fatcheric, Esq.,** Costello Cooney & Fearon, PLLC * **Catherine Gale, Esq.,** Gale Gale Hunt LLC * **Matthew A. Lenhard, Esq.,** Rupp Baase Pfalzgraf Cunningham & Coppola LLC, Rochester * **Maureen E. Maney, Esq.,** Hancock Estabrook, LLP * **James E. Reid, Esq.,** Green & Reid * **Lisa M. Robinson, Esq.,** Goldberg Segalla LLP

Buffalo: Dan D. Kohane, Esq. (Chair), Hurwitz & Fine, P.C., Buffalo * **John W. Cavanaugh,** Certified Fire and Explosion Investigator, Rochester * **Sarah J. Delaney, Esq.,** Goldberg Segalla LLP, Buffalo * **Jessica L. Foscolo, Esq.,** Kenney Shelton Liptak Nowak LLP, Buffalo * **J. Michael Hayes, Esq.,** Law Offices of J. Michael Hayes, Buffalo * **Joel B. Schechter, Esq.,** Watson Bennett Colligan & Schechter LLP, Buffalo * **Elsa J. Schmidt, Esq.,** Kenney Shelton Liptak Nowak LLP, Buffalo

New York City: Charles J. Siegel, Esq. (Chair), Law Office of Charles J. Siegel, New York * **Gary A. Cusano, Esq.,** Law Office of Gary A. Cusano PC, Baldwin Place * **Elizabeth A. Fitzpatrick, Esq.,** Lewis Johs Avallone Aviles, LLP, Melville * **Kevin G. Mescall, Esq.,** Lewis Johs Avallone Aviles LLP, Melville * **Glenn A. Monk, Esq.,** Harringtron Ocko & Monk LLP, White Plains * **Mirna M. Santiago, Esq.** (Co-Chair), White Fleischner & Fino LLP, New York * **Michael C. Tromello, Esq.,** Tromello, McDonnell & Kehoe, Melville * **Dennis M. Wade, Esq.,** Wade Clark Mulcahy, New York

Long Island: Elizabeth A. Fitzpatrick, Esq. (Chair) Lewis Johs Avallone Aviles, LLP, Melville * **Mike Colavecchio, Esq.,** Lewis Johs Avallone Aviles LLP, Melville * **Brian J. Donnelly, Esq.,** Ahmuty Demers & McManus, NYC * **Edward J. Nitkewicz, Esq.,** The Sanders Firm, Mineola * **Dr. Howard B. Reiser, MD,** Huntington * **Joanna Roberto, Esq.,** Goldberg Segalla LLP, Garden City * **Neil L. Sambursky, Esq.,** Miranda Sambursky Slone Sklavin Verveniotis LLP, Mineola * **Michael C. Tromello, Esq.,** Tromello, McDonnell & Kehoe, Melville

Information and Policies

Pre-registration Strongly Advised: You can save money and guarantee your seat and course materials by registering early. Registrations received or postmarked within 10 days of the event, or at the door, are subject to a higher registration fee. Seating is limited in all locations and registrations are taken on a first-come, first-served basis. If you plan to pre-register within 10 days of the program or to register at the door, please call Debra Harrington or Pat Johnson at 518.463.3200 to verify that the program is not sold out or that the date or location has not been changed. Pre-registrants are guaranteed a seat and set of course materials, and will automatically be notified if there are any such changes in the date or location of the program.

Cancellations are easy – full refunds are given: Your full registration fee will be refunded if you give us notice no later than the close of business (4:45 pm) two business days prior to the date of the program for which you are registered. To cancel, write Pat Johnson at One Elk Street, Albany, New York 12207; or fax 518.487.5688 or call Pat Johnson or Debra Harrington at 518.463.3200. If you do not cancel and do not attend the program, a complete set of materials will be forwarded to you in consideration of the registration fee. Non-registrants may purchase program materials after the final program date.

Tape Recording of NYSBA Seminars is not permitted.

Accommodations for Persons with Disabilities: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Pat Johnson at 518.487.5688.

REGISTRATION FORM

Name _____ Member ID _____

Address _____ Business Phone (_____) _____

_____ Email _____

City _____ State _____ Zip _____

Please enroll me in "2012 Law School for Insurance Professionals"

☐ **Albany,** Friday, September 21, 2012
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PROGRAM FEES
Registration Fee - **$85** | Discounted rate for CPCU and RIMS Members - **$75**
CPCU/RIMS Member ID _____
Group Rate (for groups of 5 or more) - **$75 per person**

☐ Check or money order enclosed in the amount of $ _____
(Please make checks payable to the New York State Bar Association.)

☐ Charge $ _____ to ☐ American Express ☐ Discover ☐ MasterCard ☐ Visa
Valid from _____ to _____

Card number ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Authorized Signature _____

4 EASY WAYS TO REGISTER

Online at **www.nysba.org/LSFIP12**

Call us at **1.800.582.2452** (U.S. and Canada) or **518.463.3724** in the Albany & surrounding area

Mail to: State Bar Service Center
New York State Bar Association
One Elk Street, Albany, NY 12207

Fax the order form to **518.463.5993**

Program Locations

Important Note: If you plan to pre-register within 10 days of the program or register at the door, please call us at **(800) 582-2452** or in Albany and surrounding area, dial **(518) 463-3724**, to verify that the program is not sold out or that the date or location has not been changed. Those who pre-register in advance of the program will automatically be notified of any such changes and will receive a full refund up to the day prior to the program, if they cannot attend and notify us of their cancellation. Please pre-register as early as possible.

Friday
September 21, 2012
Albany

New York State Bar Association
One Elk Street
Albany, NY 12207
(518) 463-3200

Friday
September 21, 2012
Syracuse

The Genesee Grande Hotel
1060 East Genesee Street
Syracuse, NY 13210
(315) 476-4212

Friday
September 28, 2012
Buffalo

Holiday Inn Amherst
1881 Niagara Falls Blvd.
Amherst, NY 14228
(716) 691-8181

Wednesday
October 10, 2012
New York City

New York State Insurance Fund
199 Church Street
Auditorium - 15th Floor
New York, NY 10007

Thursday
October 11, 2012
Long Island

Melville Marriott
1350 Old Walt Whitman Road
Melville, L.I., NY 11747
(631) 423-1600

REGISTER EARLY, SAVE MONEY, AND GUARANTEE YOUR SEAT AT THE PROGRAM!!!

NYSBA Torts, Insurance and Compensation Law Section *presents*

2012 Law School for Insurance Professionals

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NYSBA

REGISTRANT: PLEASE PROVIDE MAILING INSTRUCTIONS OR ADDRESS CORRECTION

☐ Send program admission ticket to address shown on label at right
☐ This is a new address, please change your records
☐ Send to the address below

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Business Address _____
STREET/SUITE NUMBER/CITY/STATE/ZIP

Telephone (_____) _____

NYSBA

NEW YORK STATE BAR ASSOCIATION

Mail to: State Bar Service Center
New York State Bar Association
One Elk Street, Albany, NY 12207

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