

# 2017 Law School for Insurance Professionals

**New York City** | September 13, 2017

**Syracuse** | September 19, 2017

**Albany** | September 26, 2017

**Long Island** | September 27, 2017

Co-Sponsored by the New York State Bar Association Torts, Insurance & Compensation Law Section; Insurance Federation of New York, Inc.; and New York Insurance Association, Inc.

## 2017 Topics:

- Labor Law Claims: Controlling and Valuing the Economics
- Legal Procedures and Nuances that Impact a Claim
- Auto Insurance Claims
- Additional Insured Coverage: Can the Risk Really Be Shifted?
- The Unruly Realm of Workers' Compensation: How Will It Impact Your Claim?
- Deciding When a Case Needs to Be Tried or Should Be Mediated

Registration: [www.nysba.org/LSIP2017](http://www.nysba.org/LSIP2017)



## PROGRAM DESCRIPTION

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Join insurance industry professionals and their counsel in exploring topics that confront insurance professionals daily. Respected New York insurance and defense attorneys will provide insights and updates on current legal issues that the savvy insurance professional won't want to miss!

Both attorneys and insurance professionals can benefit from the topics discussed at this full-day seminar, and the on-site lunch provides opportunity to network with colleagues in the field.

Now in its twelfth year, Law School for Insurance Professionals is produced annually by the Torts, Insurance and Compensation Law Section of the New York State Bar Association. We are pleased to be joined again by the New York Insurance Association as a program co-sponsor, and extend a warm welcome to the Insurance Federation of New York.

**This course does not offer MCLE or CE credit. Attendees will receive a certificate of attendance.**

## PROGRAM LOCATIONS

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### **New York City | September 13, 2017**

NYS Insurance Fund: 199 Church Street, New York, NY

### **Syracuse | September 19, 2017**

Sheraton Syracuse University Hotel and Conference Center: 801 University Avenue, Syracuse, NY

### **Albany | September 26, 2017**

New York State Bar Center: 1 Elk Street, Albany, NY

### **Long Island | September 27, 2017**

Inn at Fox Hollow: 7755 Jericho Turnpike, Woodbury, NY

## EVENT GOLD SPONSORS

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# AGENDA

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- 8:30–8:55 a.m. Registration
- 8:55–9:00 a.m. Welcome and Introductions
- 9:00–10:00 a.m. **Labor Law Claims: Controlling and Valuing the Economics**
- Ultimate impact of vicarious liability; how contracts can change the pendulum
  - Criminal penalties; relying on experts to save the claim; update on case law and how it impacts your claim
- 10:00–11:00 a.m. **Legal Procedures and Nuances that Impact a Claim**
- Understanding how procedural hurdles such as collateral source, contribution, offset and pre/post judgment interest will affect your claim in comparison to substantive steps faced in litigation like IME results, appealing judgments, and a bankrupt insured.
- 11:00–11:10 a.m. Refreshment Break
- 11:10 a.m.–12:00 p.m. **Auto Insurance Claims**
- Insurance fraud – how to detect it and respond
  - Staged accidents, medical providers; and assignment of benefits
- 12:00–1:00 p.m. Lunch (Included with registration – served on premises)
- 1:00–1:50 p.m. **Additional Insured Coverage: Can the Risk Really Be Shifted?**
- Impact of contractual requirements on insurance coverage; privity requirements
  - Update on recent case law discussing interpretation of endorsements using terms “caused by” and “arising out of”
  - Horizontal and vertical exhaustion and impact of additional insured’s coverage
- 1:50–2:45 p.m. **The Unruly Realm of Workers Compensation: How Will It Impact Your Claim?**
- Liens on third party settlement; subrogation and impact of Medicare Set Aside Arrangements in third party cases
  - Lump sums settlements; conditional payment and releases
  - Interplay with general liability claims and litigation
- 2:45–3:00 p.m. Break
- 3:00–4:00 p.m. **Interactive Presentation: Deciding When a Case Needs to be Tried or Should be Mediated**
- Candid discussions with a mediator or judge (depending on venue) and a seasoned trial attorney
  - How the damages, venue and evidence make a difference in the decision

## PROGRAM FACULTY

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### Overall Program Chair:

**Joanna M. Roberto, Esq.**  
Goldberg Segalla LLP, Garden City, NY

### TICL Section Chair:

**Elizabeth A. Fitzpatrick, Esq.**  
Island Companies, Calverton, NY

### Local Program Chairs:

#### Albany:

**Mark T. Whitford, Jr., Esq.**  
Barclay Damon LLP, Rochester, NY

#### Long Island:

**Elizabeth A. Fitzpatrick, Esq.**  
Island Companies, Calverton, NY

#### New York City:

**Joanna M. Roberto, Esq.**  
Goldberg Segalla LLP, Garden City, NY

#### Syracuse:

**Paul J. Callahan, Esq.**  
Brown & Kelly, LLP, Buffalo, NY

### Speakers:

Listed alphabetically by last name – Additional speakers will be announced online at [www.nysba.org/LSIP2017](http://www.nysba.org/LSIP2017).

#### Albany:

**Jonathan H. Bard, Esq.**, Barclay Damon LLP, Buffalo \* **James J. Gascon, Esq.**, Costello, Cooney & Fearon, PLLC, Camillus \* **Carolyn B. George, Esq.**, Friedman, Hirschen & Miller, LLP, Albany \* **Jonathan Glasser, Esq.**, Lester Schwab Katz & Dwyer, LLP, New York City \* **Steven E. Peiper, Esq.**, Hurwitz & Fine, P.C., Buffalo \* **Mark R. Sonders, Esq.**, E. Stewart Jones Hacker Murphy, Troy

#### Long Island:

**Hon. Paul Baisley, Jr.**, Supreme Court, Suffolk County, Riverhead \* **Julian D. Ehrlich, Esq.**, Aon Risk Services Northeast, Inc., Garden City \* **Elizabeth A. Fitzpatrick, Esq.**, Island Companies, Calverton \* **Christine Malafi, Esq.**, Campolo, Middleton & McCormick, LLP, Ronkonkoma \* **Dirk Marschhausen, Esq.**, Marschhausen & Fitzpatrick PC, Hicksville \* **Brian W. McElhenny, Esq.**, Goldberg Segalla LLP, Garden City \* **Francis (Frank) Scahill, Esq.**, Picciano & Scahill, PC, Westbury

#### New York City:

**Alfredo J. Alvarado, Esq.**, Lester Schwab Katz & Dwyer, LLP, New York City \* **Jerri Ann DeCamp, Esq.**, Traub Lieberman Straus & Shrewsbury, LLP, Hawthorne \* **Brian J. Donnelly, Esq.**, Ahmuty Demers & McManus, New York City \* **Michael P. Mezzacappa, Esq.**, Kaufman Borgeest & Ryan LLP, Valhalla \* **Laurine M. Rubin, Esq.**, Picciano & Scahill PC, Westbury \* **Hon. Larry S. Schachner (Ret.)**, Justice of the Supreme Court, Bronx \* **Sim R. Shapiro, Esq.**, Baxter Smith & Shapiro, PC, White Plains \* **David J. Tetlak, Esq.**, Picciano & Scahill PC, Westbury

#### Syracuse:

**Eileen E. Buholtz, Esq.**, Connors, Corcoran & Buholtz, PLLC, Rochester \* **Paul J. Callahan, Esq.**, Brown & Kelly, LLP, Buffalo \* **Kristen B. Degnan, Esq.**, Brown & Kelly, LLP, Buffalo \* **Michael Menard, Esq.**, Law Offices of Michael Menard, Buffalo \* **Arthur J. (A.J.) Smith, Esq.**, Baxter Smith & Shapiro, P.C., Hicksville \* **Melanie Slaughter Wolk, Esq.**, Trevett Cristo P.C., Rochester \* **Leonard D. Zaccagnino, Esq.**, Shaw & Shaw, P.C., Hamburg

# REGISTRATION

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## 4 EASY WAYS TO REGISTER

**Online** at [www.nysba.org/LSIP2017](http://www.nysba.org/LSIP2017)

**Call** us at **1.800.582.2452** (U.S. and Canada)

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

**Fax** the order form to **518.463.5993** (secure)

Name \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone ( \_\_\_\_\_ ) \_\_\_\_\_ Email \_\_\_\_\_

Member ID (if applicable) \_\_\_\_\_

Please enroll me in "2017 Law School for Insurance Professionals"

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## PROGRAM FEES

**Registration fee:** \$105

**Group rate** (5 or more from the same company): \$95 each (please attach list of names)  
*10% discount for NYIA, IFNY, or TICL Section members (\$94.50 individual, \$85.50 group rate)*

**Law Student:** \$20

- General Registration    TICL Section member    NYIA member    IFNY member

## PAYMENT INFORMATION

- 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

Card number \_\_\_\_\_ Expiration \_\_\_\_\_

Authorized Signature \_\_\_\_\_

## INFORMATION AND POLICIES

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**Pre-registration Strongly Advised:** You can guarantee your seat and course materials by registering early. Registrations are taken on a first-come, first-served basis. If you plan to pre-register a group within 10 days of the program or to register at the door, please contact [ticlsection@nysba.org](mailto:ticlsection@nysba.org) or call Kathy Plog at 518.487.5681 to verify space availability.

**Cancellations are easy** – full refunds are given: Your full registration fee will be refunded if notice of cancellation is provided no later than 5:00 pm two business days prior to the date of the program for which you are registered. To cancel, contact [ticlsection@nysba.org](mailto:ticlsection@nysba.org) or call Kathy Plog at 518.487.5681. If you do not cancel and do not attend the program, a complete set of materials is available upon request. Those who did not register may purchase program materials after the final program date.

**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 Stephanie Bugos at 518.487.5524 or [sbugos@nysba.org](mailto:sbugos@nysba.org).

NEW YORK STATE BAR ASSOCIATION  
**TORTS, INSURANCE AND  
COMPENSATION LAW SECTION**  
One Elk Street, Albany, NY 12207



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Or Call the NYSBA Member Resource Center at **(800) 582-2452**

