



# NYSBA

**Thursday, September 12, 2013**  
*Albany*

**Monday, September 16, 2013**  
*Buffalo*

**Friday, October 4, 2013**  
*New York City*

**Thursday, October 10, 2013**  
*Syracuse*  
*Long Island*

# 2013 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



# 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 timeliness and specificity, reasonable fees and liens, entitlement to independent counsel, strategic use of the declaratory judgment action, social media in the claims investigation and legal process, the role of the insurance professional in bad faith litigation and liability claims.

This year's program will include also an interactive panel discussion of case values in different venues, with the assistance of a judge/mediator and with your input and participation.

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/LSFIP13](http://www.nysba.org/LSFIP13) to guarantee your seat at the program.**

## Agenda

**8:30 – 8:55 a.m. Registration**

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

**9:05 – 10:30**

### Back to the Basics

- Tips for writing a great coverage position letter and avoiding the common pitfalls.
- Partial denials in New York.
- When is the insured entitled to independent counsel?
- What are reasonable fees?
- What do you need to tell the insured?
- Update on case law regarding timeliness and specificity.
- Does Ins. Law 3420 apply between insurers?
- The impact of the *K2 Investment* decision on claims handling

**Speakers:** Anthony J. Piazza, Esq. (Albany)  
Dan D. Kohane, Esq. (Buffalo)  
Kevin R. Van Duser, Esq. (Syracuse)  
Elizabeth A. Fitzpatrick, Esq.  
(Long Island & New York City)

**10:30 – 11:00**

### Strategic Use of the Declaratory Judgment Action— Understanding the Direct Action Statute in NY

- When should each be used?
- What is litigated in a direct action and who are the proper parties?
- When are attorneys' fees awarded to the successful litigant?

**Speakers:** Jason L. Shaw, Esq. (Albany)  
Edward B. Flink, Esq. (Buffalo)  
I. Paul Howansky, Esq. (New York City)  
Clifford G. Tsan, Esq. (Syracuse)  
Glenn A. Kaminska, Esq. (Long Island)

**11:00 – 11:10 BREAK**

**11:10 – 12:00**

### The Use of Social Media In Claims Investigations, Discovery and Jury Selection

- How may you ethically avail yourself of information available through social media platforms?
- How can social media be used against the insured?
- Now that you've got it, is it admissible?

**Speakers:** Steven Peiper, Esq. (Albany)  
Maureen E. Maney, Esq. (Syracuse and Buffalo)  
Michael P. Mezzacappa, Esq. and  
Stephen Ward (New York City)  
Dennis M. Wade, Esq., Jill Huntley Taylor, Ph.D.  
(Long Island)

**12:00 – 1:10 LUNCH** (on your own)

**1:10 – 2:05**

### The Role of the Insurance Professional In Bad Faith Litigation

- Tips for preventing a claim;
- How to protect your file;
- What is discoverable and what is privileged;
- Preparing for a deposition – do's and don'ts.

**Speakers:** Mirna M. Santiago, Esq. (Albany)  
Arthur J. Smith, Esq. (Buffalo)  
Evan H. Krinick, Esq. (New York City and Long Island)  
Kristen M. Benson, Esq. (Syracuse)

**2:05 – 2:55**

### So Many Liens – So Little Time

- Workers' Compensation, No-Fault, Medicare – understanding, negotiating and resolving claims involving liens;
- Intercompany reimbursement;
- The rights of health insurers.

**Speakers:** Robert J. Permutt, Esq. (Albany and New York City)  
Gary A. Cusano, Esq. (Buffalo)  
George Skandalis, Esq. (Syracuse)  
Dirk Marschhausen, Esq. (Long Island)

**2:55-3:05 BREAK**

**3:05 – 4:15**

### What's My Case Worth?

An interactive panel discussion of case values in different venues, with the assistance of a judge/mediator and with your input and participation.

**Speakers:** Sheri Holland, Esq., Robert Coughlin, Esq.,  
Robert J. Permutt, Esq., Hon. Lucindo Suarez (Albany)  
Sharon Stern Gerstman, Esq.,  
Hon. Robert J. Lunn, Esq. (Buffalo)  
Ronnie Gallina, Esq.  
Hon. George J. Silver (New York City)  
David S. Howe, Esq.,  
Kevin E. Hulslander, Esq. and Janet M. Izzo, Esq.  
(Syracuse)  
Michael T. Colavecchio and  
Hon. Joseph Farneti (Long Island)

**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 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 and the date or location has not been changed. Those that registered in advance of the program will automatically be notified of any changes and will receive a full refund if they are unable to attend by notifying us 24 hours prior to the program. Please pre-register as early as possible.

Thursday  
September 12, 2013  
**Albany**  
**New York State Bar Association**  
One Elk Street  
Albany, NY 12207

Monday  
September 16, 2013  
**Buffalo**  
**Holiday Inn Amherst**  
1881 Niagara Falls Boulevard  
Amherst, NY 14228

Friday  
October 4, 2013  
**New York City**  
**New York State Insurance Fund**  
199 Church Street, 15th Floor  
New York, NY 10007

Thursday  
October 10, 2013  
**Syracuse**

**Sheraton Syracuse University Hotel & Conference Center**  
801 University Avenue  
Syracuse, NY 13210

Thursday  
October 10, 2013  
**Long Island**

**Long Island Melville Marriott**  
1350 Walt Whitman Road  
Melville, NY 11747



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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[www.nysba.org/TICL](http://www.nysba.org/TICL)

## 2013 Law School for Insurance Professionals

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