

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 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 <u>does not</u> carry MCLE credit for attorneys.

Program Faculty

Overall Planning Chairs

Elizabeth A. Fitzpatrick, Esq. Hurwitz & Fine, PC, Melville, NY

Glenn A. Monk, Esq. Harrington Ocko & Monk White Plains, NY

Chair, Torts Insurance and Compensation Law Section

Robert F. McCarthy, Esq.

Northeast Zone Practice Group Leader, Nationwide Mutual Insurance Company, Mineola, NY Albany: Robert J. Permutt, Esq., (Co-Chair) Nationwide Insurance, Elmsford * Mirna M. Santiago, Esq., (Co-Chair) White Fleischner & Fino LLP, New York * Robert H. Coughlin, Esq., Flink Smith, Albany, * Sheri Holland, White Fleischner & Fino, New York, * Steven E. Peiper, Hurtwitz & Fine, Buffalo * Anthony J. Piazza, Hiscock & Barclay, Rochester * Jason L. Shaw, Whiteman Osterman & Hanna, Albany * Hon. Lucindo Suarez, Supreme Court, Bronx County.

Buffalo: Eileen E. Buholtz, Esq., (Chair), Connors & Corcoran, PLLC, Rochester * Gary A. Cusano, Esq., Law Office of Gary A. Cusano PC Baldwin Place * Edward B. Flink, Esq., Flink Smith LLC, Albany * Sharon Stern Gerstman, Esq., Magavern Magavern Grimm LLP, Buffalo * Dan D. Kohane, Esq., Hurwitz & Fine, P.C., Buffalo * Hon. Robert J. Lunn, Esq., Trevett, Cristo, Salzert, Andolina, Rochester * Maureen E. Maney, Esq., Hancock Estabrook, LLP, Syracuse * Arthur J. Smith, Esq., Baxter Smith & Shapiro PC, Hicksville.

New York City: Glenn A. Monk, Esq., Harrington Ocko & Monk, White Plains, NY (Chair) * Elizabeth Fitzpatrick, Esq., Hurwitz & Fine PC, Melville, NY * Ronnie Gallina, Esq., JAMS, NYC * I. Paul Howansky, Esq., Harrington Ocko & Monk LLP, White Plains * Evan H. Krinick, Esq., Rivkin Rader, Uniondale, NY * Michael P. Mezzacappa, Esq., Kaufman Borgeest & Ryan LLP, Valhalla, NY * Robert J. Permutt, Esq., Nationwide Insurance, Elmsford * Hon. George J. Silver, Supreme Court, NY County * Stephen Ward, Pinkerton, NYC.

Syracuse: Timothy J. Fennell, Esq., (Chair), Amdursky, Pelky, Fennell and Wallen, PC, Oswego * Kristen M. Benson, Esq., Smith Sovik Kendrick & Sugnet PC, Syracuse * David S. Howe, Esq., Porter Nordby Howe, LLP, Syracuse * Kevin E. Hulslander, Esq., Smith Sovik Kendrick & Sugnet PC, Syracuse * Janet M. Izzo, Esq., Izzo Law Office PLLC, Syracuse * Maureen E. Maney, Esq., Hancock Estabrook, LLP, Syracuse * George Skandalis, Esq., Pinsky & Skandalis, Syracuse * Clifford G. Tsan, Esq., Bond, Schoeneck & King, PLLC, Syracuse * Kevin R. Van Duser, Esq., Sugarman Law Firm, Syracuse.

Long Island: Elizabeth A. Fitzpatrick, Esq., (Chair), Hurwitz & Fine, PC, Melville * Michael T. Colavecchio, Esq., Lewis Johs Avallone Aviles, LLP, Islandia * Hon. Joseph Farneti, Supreme Court, Suffolk County * Glenn A. Kaminska, Esq., Ahmuty Demers & McManus, Albertson, NY * Evan H. Krinick, Esq., Rivkin Radler LLP, Uniondale * Dirk Marschhausen, Esq., Marschhausen & Fitzpatrick, PC, Westbury * Jill Huntley Taylor, Ph. D., Dispute Dynamics, Inc., Philadelphia, PA * Dennis M. Wade, Esq., Wade Clark Mulcahy, New York, NY.

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 ()
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City State Zip	
Please enroll me in "2013 Law School for Insurance Professionals"	
\square Albany, Thursday, September 12, 2013 \square Syracuse, Thursday,	October 10, 2013
☐ Buffalo , Monday, September 16, 2013 ☐ Long Island , Thursd	ay, October 10, 2013
□ New York City, Friday, October 4, 2013	
PROGRAM FEES Registration Fee - \$85 Discounted rate for CPCU and RIMS Members - \$75	4 EASY WAYS TO REGISTER
CPCU/RIMS Member ID Group Rate (for groups of 5 or more) - \$75 per person	Online at www.nysba.org/LSFIP13
☐ Check or money order enclosed in the amount of \$ (Please make checks payable to the New York State Bar Association.)	Call us at 1.800.582.2452 (U.S. and Canada) or 518.463.3724 in the Albany & surrounding area
☐ Charge \$ to ☐ American Express ☐ Discover ☐ MasterCard ☐ Visa Valid from to	Mail to: State Bar Service Center New York State Bar Association
Card number	One Elk Street, Albany, NY 12207
Authorized Signature	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 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

Monday September 16, 2013 Buffalo

Friday October 4, 2013 New York City **New York State Bar Association**

One Elk Street Albany, NY 12207

Holiday Inn Amherst

1881 Niagara Falls Boulevard Amherst, NY 14228

New York State Insurance Fund 199 Church Street, 15th Floor New York, NY 10007 Thursday October 10, 2013 Syracuse

Thursday October 10, 2013 Long Island **Sheraton Syracuse University Hotel**

& Conference Center 801 University Avenue Syracuse, NY 13210

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

Registrant note: Is your name and address listed correctly on the mailing label at the right? If not, fill in correction below and return this page to NYSBA. If you receive multiple copies of this brochure, please pass them along to colleagues who may be interested in this program.

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