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2016 Law School for Insurance Professionals

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Co-Sponsors:

New York State Bar Association
Torts, Insurance and
Compensation Law Section

New York Insurance Association,
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Program Description

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

New this year: Network with your colleagues during our on-site lunch! (Included with registration)

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

Register online now at www.nysba.org/LSIP2016 to guarantee your seat at the program.

Agenda

8:30-8:55am | **Registration**

8:55-9:00am | **Welcome and Introductions**

9:00-9:50am | **Claims Investigations:** Understanding the importance of pre-lawsuit investigation and how it will affect the lawsuit; Dealing with the insured and the claimant; Retaining an investigator to assist with investigation and avoiding spoliation; and Discovery of coverage reports.

9:50-11:00am | **Interactive Presentation with an Expert Engineer: Homeowners Insurance:** First Party Coverage vs. Third Party Coverage; Who is insured and how; Raising exclusions and determining how they affect a claim; and Understanding the necessary burden of proof in establishing damages.

11:00-11:10am | **Break**

11:10am-12:05pm | **Claims Handling Practices:** Deciding whether to defend or deny; How is that obligation affected when exclusions are triggered; Drafting the proper position letter and concluding who to copy; Consequences of a direct action; Maintaining claim notes when they will be subject to discovery.

12:05-1:05pm | **Networking Lunch** (included)

1:05-2:00pm | **The Construction Site Accident:** Shifting the risk through contractual indemnity; Dealing with unsigned contracts, riders, retroactive indemnity agreements, and grave injuries; Determining whether the claim is subject to additional insured coverage. How to develop your defenses; Using Social Media for discovery and trial purposes.

2:00-2:55pm | **Premises Liability:** Requesting and preserving evidence, use of criminal pleas and convictions, Dram Shop update, and Negligent security cases.

2:55-3:05pm | **Break**

3:05-4:15pm | **Interactive Presentation: Verdict, Value, and Settlement: How Much is This Case Worth?** This panel consists of a mediator and a skilled trial attorney who will address recent values of various personal injury and property damage claims and sustaining verdict values at the appellate level; Deciding whether to mediate or go to trial; and Putting the proper evidence before the jury.

4:15-4:20pm | **Closing Remarks and Adjournment**

Program Faculty

Overall Planning Chairs

Joanna M. Roberto, Esq. (New York City)
Goldberg Segalla LLP
Garden City, NY

Dan Kohane, Esq. (Buffalo)
Hurwitz & Fine, PC
Buffalo, NY

Paul J. Callahan, Esq. (Albany)
Brown & Kelly, LLP
Buffalo, NY

Elizabeth Fitzpatrick, Esq. (Long Island)
Island Companies
Calverton, NY

TICL Section Chair:

Kenneth A. Krajewski, Esq.
Brown & Kelly, LLP
Buffalo, NY

New York City

Joanna M. Roberto, Esq. (Chair), Goldberg Segalla LLP, Garden City, NY * **Paul S. Devine, Esq.**, Goldberg Segalla LLP, Garden City, NY * **Elizabeth Fitzpatrick, Esq.**, Island Companies, Calverton, NY * **Andrew L. Klauber, Esq.**, Malapero & Prisco LLP, New York, NY * **Mark Liegey, P.E.**, H2M Architects & Engineers, New York, NY * **Glenn A. Monk, Esq.**, Harrington, Ocko & Monk, White Plains, NY * **Mirna M. Santiago, Esq.**, White Fleischer & Fino, White Plains, NY * **Hon. Joseph P. Spinola** (Ret. Nassau County Supreme Court), Resolute Systems, LLC, East Meadow, NY * **Eric D. Suben, Esq.**, Traub Lieberman Straus & Shrewsbury LLP, Hawthorne, NY

Buffalo

Dan D. Kohane, Esq. (Chair), Hurwitz & Fine, PC, Buffalo, NY * **Hilary C. Banker, Esq.**, Burgio, Kita, Curvin & Banker, Buffalo, NY * **Brian R. Biggie, Esq.**, Goldberg Segalla LLP, Buffalo, NY * **Jennifer A. Ehman, Esq.**, Hurwitz & Fine, PC, Buffalo, NY * **Thomas N. Fraser, P.E.**, Fraser Investigative Services, PC, Lima, NY * **Lynn D. Gates, Esq.**, Smith Murphy & Schoepperle LLP, Buffalo, NY * **Dennis P. Mescall, Esq.**, Smith Murphy & Schoepperle LLP, Buffalo, NY * **Roy A. Mura, Esq.**, Mura & Storm PLLC, Buffalo, NY * **Jonathan Schapp, Esq.**, Goldberg Segalla LLP, Buffalo, NY

Albany

Paul J. Callahan, Esq. (Chair), Brown & Kelly LLP, Buffalo, NY * **Jeffrey K. Anderson, Esq.**, Anderson, Moschetti & Taffany, PLLC, Latham, NY * **Jeffrey T. Culkun, Esq.**, Epstein Gialleonardo Rayhill, Latham, NY * **Alan J. De Peters, Esq.**, Trevett Cristo, Rochester, NY * **Stuart Morrison, PE**, Morrison Engineering, Voorheesville, NY * **Steven E. Peiper, Esq.**, Hurwitz & Fine, P.C., Buffalo, NY * **Latha Raghavan, Esq.**, Goldberg Segalla LLP, Albany, NY * **Cheryl P. Vollweiler, Esq.**, Traub Lieberman Straus & Shrewsbury LLP, Hawthorne, NY

Long Island

Elizabeth Fitzpatrick, Esq. (Chair), Island Companies, Calverton, NY * **Michael T. Colavecchio, Esq.**, Lewis Johs Avallone Aviles, LLP, Islandia, NY * **Brian J. Donnelly, Esq.**, Ahmuty Demers & Mcmanus, New York, NY * **Craig R. Kaplan**, AIG Private Client Group, Berkeley Heights, NJ * **Hon. Peter H. Mayer**, Suffolk County Supreme Court, Riverhead, NY * **Joseph A. Oliva, Esq.**, Goldberg Segalla LLP, New York, NY * **Rona L. Platt, Esq.**, Enstar (US), Inc., New York, NY * **Michael Simon, P.E.**, Forensic Consultants of North America, Mount Laurel, NJ * **Dennis M. Wade, Esq.**, Wade Clark Mulcahy, New York, NY

Additional Program Details at www.nysba.org/LSIP2016

A certificate of attendance will be provided to attendees following the program. This course does not carry Continuing Education (CE) or Mandatory Continuing Legal Education (MCLE) credit.

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Information and Policies

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 tclsection@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 Kathy Plog at kplog@nysba.org or call 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.

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Please enroll me in "2016 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 NYLA or TICL Section members (\$94.50 individual, \$85.50 group rate)
Law Student: \$15

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- Online** at www.nysba.org/LSIP2016
- 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)

Program Locations

New York City | September 15, 2016 (Thurs)

NYS Insurance Fund
199 Church Street, New York, NY 10007

Buffalo | September 16, 2016 (Fri)

University at Buffalo Law School
O'Brian Hall (Room 104), Buffalo, NY 14260

Albany | September 16, 2016 (Fri)

New York State Bar Center
One Elk Street, Albany, NY 12207

Long Island | September 22, 2016 (Thurs)

Touro Law School
225 Eastview Drive, Central Islip, NY 11722



NEW YORK STATE BAR ASSOCIATION

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