

# Insurance Coverage Litigation Committee CLE Seminar

February 27 – March 1, 2008  
Westin La Paloma | Tucson, AZ

## Committee Co-Chairs

**Laura A. Foggan**  
Wiley Rein LLP  
Washington, DC

**John E. James**  
Potter Anderson & Carroon, LLP  
Wilmington, DE

## Seminar Co-Chairs

**Angela R. Elbert**  
Neal, Gerber & Eisenberg LLP  
Chicago, IL

**Ray L. Wong**  
Duane Morris LLP  
San Francisco, CA

## Program Descriptions (As of 11/01/07)

### Wednesday, February 27, 2008

6:30 pm – 7:30 pm      Early Bird Cocktail Reception

### Thursday, February 28, 2008

Noon – 6:00 pm      Registration

1:00 pm – 2:10 pm      Plenary Session  
Mediator Perspectives: Ten Way to Win (or Lose) Your Mediation  
Most insurance coverage practitioners have experience mediating coverage cases, but few do it every day. Mediators who practice in this field see the strategies that work, the mistakes that we or our clients make, and the best and worst of our performances. This program will gather a group of top quality mediators for a discussion of their perspectives on best practices in mediation of coverage cases.

Panelists: **John G. Buchanan**, Covington & Burling, Washington, DC; **Linda DeBene**, JAMS, Walnut Creek, CA; **Nancy F. Lesser**, Pax ADR, Washington, DC; **Hon. Enrique Romero**, ADR Services, Inc., Los Angeles, CA; **Gregory E. Schopf**, Nixon Peabody LLP, San Francisco, CA

2:15 pm – 3:20 pm      Plenary Session  
To Renew or Not to Renew? That is the \$64,000,000 Underwriting Question  
We all dissect and litigate the language of D&O policies, but many of us lack involvement in the underwriting process. This panel focuses on a tough D&O policy renewal, using mock interviews and exercises to illustrate problems confronting a company that enjoyed years of growth, but now faces new challenges involving corporate executive compensation issues and accounting discrepancies.

Panelists:  
**Mary Craig Calkins**, Howrey LLP, Los Angeles, CA; **Chris Duca**, Navigators Pro, New York, NY; **Kevin Ishizu**; **Carla Owens**, Chubb Insurance Company, Los Angeles, CA

- 3:20 pm – 3:35 pm Coffee Break
- 3:35 pm – 4:45 pm Plenary Session  
 Confronting Catastrophe: Pandemics, Hurricanes, Terrorists - Oh My!  
 The extreme ruin caused by Hurricane Katrina would pale in comparison to a nationwide calamity, such as a flu pandemic. This audience interactive session will leverage the advice of experts, including professionals who endured Hurricane Katrina and its aftermath, to explore the role of the legal profession in confronting catastrophes.
- Panelists: **Dominica C. Anderson**, Duane Morris LLP, Las Vegas, NV; **Nancy Brechtel**, Abbott, Simses, & Kuchler, APLC, Covington, LA; **James Davis**, Anderson Kill & Olick, P.C., Chicago, IL; **Sara Lunsford**, Continuum Recovery, Memphis, TN; **Scott W. Farrell**, Marsh Risk & Insurance Services, San Francisco, CA
- 4:55 pm – 5:55 pm Subcommittee Meetings
- 6:30 pm – 8:00 pm Welcome Reception  
 Sponsored by: Navigant Consulting, Inc.

### Friday, February 29, 2008

- 7:00 am – Noon Registration
- 7:00 am – 8:00 am Breakfast
- 8:00 am – 9:05 am Plenary Session  
 Handling Experts: How To Properly Disclose Experts Without Losing Your License and Being Sued for Malpractice  
 This program will address how to properly disclose experts under F.R.Civ.P.26. Experts will offer practical tips on preparing expert reports and trial testimony without leaving a paper trail which opposing counsel can use to cross-examine an expert at trial, and how to deal with seemingly damaging statements disclosed pursuant to Rule 26.
- Panelists: **Liselle Esposito**, Navigant Consulting, Inc., Tampa, FL; **Jay M. Levin**, Reed Smith, LLP, Philadelphia, PA; **Lori S. Nugent**, Cozen O'Connor, P.C., Chicago, IL; **Michael Mayer**, CRA International, Chicago, IL
- 9:10 am – 10:15 am Plenary Session  
 Time Traveler: 27 Years of Insurance Litigation After *Keene Corp. v. Insurance Co. of North America*  
 A decade-by-decade overview on developments in insurance coverage litigation. This session includes a review of the early trigger cases, coverage issues relating to asbestos and environmental claims, bankruptcy-related issues, various financial, fidelity, property, products liability, completed operations, and other emerging issues currently being litigated.
- Panelists: **Vijay V. Bondada**, Pfizer Inc, New York, NY; **Laura A. Foggan**, Wiley Rein LLP, Washington, DC; **Thomas L. Forsyth**, Partner Reinsurance, Greenwich, CT; **Jerrold Oshinsky**, Dickstein Shapiro LLP, Washington, DC
- 10:15 am – 10:30 am Coffee Break
- 10:30 am – 11:30 am Breakout Session A  
 Just When you Thought it Was Safe to Eat Spinach: Insurance Coverage for Food-Related Liabilities and Recalls  
 Recent food recalls have meant business losses and liability issues for dozens of companies. What types of insurance are implicated? How much coverage is available -

if any - under which provisions and endorsements? What are the damages, including liabilities, lost profits and brand injury? This panel will address these issues and more.

Panelists: **Suzan F. Charlton**, Heller Ehrman LLP, Washington, DC; **J. James Cooper**, Gardere Wynne Sewell LLP, Houston, TX; **Brad Murlick**, Navigant Consulting, Inc., Chicago, IL; **John C. Yang**, Wiley Rein LLP, Washington, DC

#### Breakout Session B

##### Peeling the Onion: Layers of New D&O Coverage Issues

The panel will explore the interplay and tension between the various layers of coverage in the face of changes in the world of D&O liability, including increases in derivative actions, the size of securities litigation settlements, SEC investigations, internal corporate investigations and defense costs. The panel will also address new developments in rescission, coverage for Section 11, and the return of ill-gotten gains.

Panelists: **Serge J. Adams**, Monitor Liability Managers, Inc., Rolling Meadows, IL; **Dan A. Bailey**, Bailey Cavalieri LLC, Columbus, OH; **Priya Cherian Huskins**, Woodruff-Sawyer & Co., San Francisco, CA; **Michael W. Early**, Chicago Underwriting Group, Inc., Chicago, IL; **Carolyn H. Rosenberg**, Reed Smith Sachnoff & Weaver, Chicago, IL

#### Breakout Session C

##### Insurance and Indemnity Provisions in Private Transactions: Belt and Suspenders or Gordian Knot?

Indemnification, hold harmless and defense agreements are everywhere in private transactions, from corporate acquisition agreements to vendor contracts to construction agreements. This program will address how these ubiquitous clauses (which usually are not drafted with coverage in mind) affect insurance coverage.

Panelists: **Greg S. Anthony**, SRO Napa, Rowlett, TX; **Maria G. Enriquez**, Bates & Carey, LLP, Chicago, IL; **Elizabeth J. Stewart**, Murtha Cullina LLP, New Haven, CT; **John S. Vishneski III**, Reed Smith Sachnoff & Weaver, Chicago, IL

#### Breakout Session D

##### Backing Away From the Brink: Proactive Preparation and Effective Mediation of Coverage Cases

This session will focus on the tough issues involving complex coverage mediations, including dealing with competing demands for coverage, mediating in the context of pending underlying liability, and dealing with behind-the-scenes concerns of the parties.

Panelists: **Ellen Van Meir**, Thompson, Coe, Cousins, & Irons LLP, Dallas, TX; **Paul Van Osselaer**, Van Osselaer, Cronin & Buchanan, L.L.P., Austin, TX; **Tracy Alan Saxe**, Saxe Doernberger & Vita, P.C., Hamden, CT; **Timothy Walker**, Turner Construction Company, New York, NY

11:35 am – 12:35 pm

#### Breakout Session A

##### Oops - Loss of Coverage for Failure of Policy Conditions: Post-Occurrence Conduct That Voids the Insurer's Obligations

After the insurer has acknowledged coverage, policies require ongoing compliance with conditions other than notice, such as no admission of liability, proof of loss, and cooperation. That can sometimes be difficult or even unwise -- witness the recent apology legislation. This program explores these conditions, how courts construe them, and the quandaries they present.

Panelists: **Scott F. Bertschi**, Arnall Golden Gregory LLP, Atlanta, GA; **Patricia A. Bronte**, Jenner & Block LLP, Chicago, IL; **Carmela Cannistraci**, McCarter & English, LLP, Newark, NJ; **Jeffrey Michael Cohen**, Carlton Fields, PA, Miami, FL; **Elsa Y. Trujillo**, Jenner & Block LLP, Chicago, IL

#### Breakout Session B

Privacy Please! Coverage for Claims Made Under Federal and State Statutes Involving Secrecy and Seclusion

This presentation will address the recent decisions regarding coverage for claims alleging violation of the Telephone Consumer Protection Act and what the insureds and insurers have learned from those decisions. In addition, it will address emerging privacy litigation and coverage issues which are arising (or which are bound to arise) from these new claims.

Panelists: **Doressia L. Hutton**, Mayer Brown LLP, Chicago, IL; **Aaron Latto**, The Travelers Companies, Inc., St. Paul, MN; **Joanne Sarasin**, Much Shelist Denenberg Ament & Rubenstein, P.C., Chicago, IL; **Amy Woodworth**, Meagher & Greer, P.L.L.P., Minneapolis, MN

Breakout Session C

Coverage For an Inconvenient Truth? D&O Coverage for Global Climate Change Lawsuits involving global climate change have attracted worldwide attention and more shareholders are filing climate change-related resolutions. Shareholders may file lawsuits seeking to hold D&Os accountable for not disclosing specific global climate change risks and/or for not complying with regulations. This session will examine liabilities companies may face and review D&O policy provisions to gauge the potential for coverage.

Panelists: **Sou Brune**, Beecher Carlson, Atlanta, GA; **Lisa M. Cirando**, Heller Ehrman LLP, New York, NY; **Daniel J. Standish**, Wiley Rein LLP, Washington, DC

Breakout Session D

How to Avoid Getting Whacked by the Doctrine of Reasonable Expectations

This program is designed to enlighten the audience about the power of the doctrine of reasonable expectations. Real-life examples of policy language from decisions resting upon the doctrine will be used to provide context and to demonstrate how the doctrine can transform “unambiguous” policy language into broader coverage.

Panelists: **Kathleen Dooley**, Helms, Mullis, Wicker, Charlotte, NC; **Terrance J. Evans**, Duane Morris LLP, San Francisco, CA; **Cindy Koehler**, Liberty Mutual Insurance Company, Boston, MA; **Martin C. Pentz**, Foley Hoag LLP, Boston, MA; **Gregory J. Schwartz**, Schwartz Kelly, LLC, Annandale, NJ

12:35 pm – 2:00 pm

Roundtable Luncheon

1. **Umbrellas & Shorts?!? A Discussion of London & Bermuda Arbitrations**  
This luncheon roundtable session will discuss the standard London & Bermuda Arbitration clauses in insurance policies, compare the procedures of these arbitrations to US arbitrations, and discuss developments in litigation in the US & UK over enforcing these clauses.

Panelists: **Tom Custance**, Fox Williams, London, UK; **Harry Lee**, Steptoe & Johnson LLP, Washington, DC

2. **Insuring Hollywood: Coverage Under Entertainment and Media Policies**  
The critics agree - insurance rules the entertainment industry. This roundtable will address the range of coverages typically found in entertainment and media policies, including liability, E&O, employment and property coverages, as well as exclusions. An unusually wide variety of risks can be, and have been, insured, and this roundtable will touch on the unique underwriting issues that can arise. This roundtable will discuss the coverage issues that frequently arise, such as occurrence versus claims made policies, policy period (how long can a movie or event be insured?), and who is an insured (the movie? the event? the venue? the cast of characters involved in the movie or event?).

Panelists: **Rina Carmel**, Carlson, Calladine & Peterson LLP, Los Angeles, CA; **Lorelie S. Masters**, Jenner & Block, LLP, Washington, DC

3. Number of Occurrences - East Coast/West Coast, All Around the Country  
This luncheon roundtable discussion will focus on the recent California and New York decisions and what they mean for policyholders and insurers who battle long-tail claims. The recent Kaiser Cement (California) and General Electric (New York) decisions diverge from the majority of jurisdictions on the meaning of "occurrence" as it relates to multiple claims arising from a product. We will discuss this "trend" and the impact on policyholders and insurers as it relates to SIRs, product aggregate limits, horizontal exhaustion of primary insurance and anti-stacking issues.

Panelists: **Louis A. Chiafullo**, McCarter & English, LLP, Newark, NJ; **LouAnn Kelleher**, Kardaras & Kelleher LLP, New York, NY

4. Do I Get Credit For That? Settlement Credits in Coverage Actions  
This session will explore trends in the law governing claims by non-settling insurers for credits in regard to settlements by other insurers. This is an increasingly important topic as some insurers settle and others do not.

Panelists: **Mary F. Licari**, Bates & Carey, LLP, Chicago, IL; **Paul A. Rose**, Brouse McDowell, Akron, OH

5. Insurer Litigation Management Guidelines: Are They Even Binding or Valid?  
Although they can go under various names, these types of guidelines have become increasingly common in connection with CGL policies. They are written by the insurers and purport to control what the insurer will and will not pay for in the defense of claims under the policies. The program will address several important issues that have arisen in connection with these Guidelines.

Panelists: **Peter N. Flocos**, Kirkpatrick & Lockhart Preston, Gates, Ellis LLP, New York, NY; **Erin Niedzielski-Eichner**, Hunton & Williams LLP, McLean, VA

6. Catch-22: Payment of Defense Costs When There is a Pending Coverage Litigation  
This luncheon roundtable discussion will focus on an issue that frequently comes up in coverage disputes - must an insurer reimburse defense costs contemporaneously where there is a pending declaratory judgment litigation either seeking rescission or a declaration of coverage (if commenced by the policyholder) or no coverage (if commenced by the insurer). This is an issue particular interest to those who practice in the D&O world, although it arises in all lines of coverage.

Panelists: **Joan M. Gilbride**, Kaufman Borgeest & Ryan LLP, New York, NY; **Christopher C. Loeber**, Morgan, Lewis & Bockius LLP, New York, NY

7. Nanotechnology and Insurance Coverage Issues: Is There Such a Thing as a Small Risk?  
Nanotechnology, a term generally referring to technology involving the manipulation of particles less than one-billionth of a meter, is being touted as the next big technological revolution. Some are also calling it "the next asbestos." This session will review the nature, uses, and risks of nanotechnology, and what coverage issues are implicated.

Panelists: **Robert Binion**, Carroll, Burdick & McDonough LLP, San Francisco, CA; **M. Kay Martin**, Folger Levin & Kahn LLP, San Francisco, CA

8. Application of State Antitrust Laws to the Insurance Industry

Do state antitrust laws permit certain sales tactics? How do they apply to "steering," contingent commissions, or standardized forms? This program will explore these issues and issues related to the Federalism of coverage disputes. We will also look at federal preemption of state regulatory schemes.

Panelists: **Reagan Brown**, Fulbright & Jaworski L.L.P., Houston, TX; **Werner A. Powers**, Haynes and Boone, LLP, Dallas, TX

9. Deepening Insolvency - What Insurance Professionals Should Know  
This program will include an overview of the novel legal theory of deepening insolvency (both as a cause of action and a measure of damages) and its application to officers, directors and professionals; an examination of its various treatments by the courts; and a discussion of the potential coverage issues raised by deepening insolvency claims.

Panelists: **Heather Smith Michael**, Arnall Golden Gregory LLP, Atlanta, GA; **Paul Walker-Bright**, Anderson Kill & Olick, P.C., Chicago, IL

10. When is the Enemy of My Enemy My Friend? Ethical and Practical Considerations in the Tripartite Relationship  
Liability insurers and policyholders rarely are completely adverse. Frequently, the insurer and the insured may share a common interest in defeating the plaintiffs' efforts to develop novel theories of liability. This luncheon roundtable explores the ethical and practical aspects of when and how opposing counsel can (or cannot) work together.

Panelists: **Perry S. Granof**, Chubb Specialty Claims, Chicago, IL; **Neil B. Posner**, Much Shelist Denenberg Ament & Rubenstein P.C., Chicago, IL

11. Policyholder/Excess Carrier Conflict and the Duty to Settle Within Limits  
Corporate and business policyholders often carry excess liability insurance coverage that is subject to a several million dollar self-insured retention. This session will examine and discuss the duty, if any, of a policyholder to settle a claim within its self insured retention, and the rights, if any, of the excess insurer if a policyholder's failure to settle a claim exposes the excess insurer to liability.

Panelists: **David Plaut**, Hanna & Plaut, L.L.P., Austin, TX; **John D. Sullivan**, Shell Oil Company, Houston, TX

12. Public Nuisance Claims and their Insurance Implications: What is Old is New Again?  
This session will discuss public nuisance claims and their insurance implications as an evolving theory of tort recovery, the coverage for such claims under commercial general liability policies, and the general state of the law addressing the availability of insurance coverage for public nuisance claims.

Panelists: **Rashondra M. Jackson**, Hiscock & Barclay, LLP, New York, NY; **Donna Wilson**, Kelley Drye & Warren LLP, Washington, DC

13. Keeping the Big Fish Out of the Little Pond: Managing Insurers' Involvement/Interference in the Underlying Action  
The luncheon roundtable will encourage dialogue among the roundtable participants regarding the options available when significant coverage issues threaten to overwhelm litigation of the underlying claims. The panel will discuss strategies for reconciling the tension between the policyholders' and insurers' collective interest in efficiently defending and terminating the underlying claims and resolving legitimate coverage disputes.

Panelists: **Ann V. Kramer**, Anderson Kill & Olick, P.C.; New York, NY; **Matthew R. Wildermuth**, Strategic Solutions ADR, Inc., Chicago, IL

14. The Equitas/Bershire Hathaway Transaction: How Will it Affect Your Claim?  
This luncheon roundtable will discuss the impact of the Equitas/Berkshire Hathaway transaction from the perspective of policyholders, Lloyd's Underwriters and other insurers. The discussion will focus on the pros and cons of the planned Phase II of the transaction, and the recourse available in English and American courts to policyholders or ceding insurers that object to the completion of the transaction.

Panelists: **Lisa Hatch**, Settlement Counsel Barristers, London, UK; **John M. Sylvester**, Kirkpatrick & Lockhart Preston, Gates, Ellis LLP, Pittsburgh, PA

2:15pm – 5:00 pm

Activities  
Golf on one of Westin La Paloma's courses  
\$100 per person

Pima Air & Space Museum with Bone Yard  
\$69 per person

Sabino Canyon  
\$49 per person

7:00 pm – 11:00 pm

Twentieth Anniversary Dinner: *The Time of Our Lives*  
Join fellow colleagues as the Committee highlights and celebrates the past twenty years of the Insurance Coverage CLE Seminar  
\$60 adults  
\$30 children (12 years and younger)

### Saturday, March 1, 2008

7:00 am – Noon

Registration

7:00 am – 8:00 am

Breakfast & Committee Business Meeting

8:00 am – 9:00 am

Plenary Session  
20 Ways to Lose Your Coverage Fight! The Top 20 Don'ts in Handling Claims and Litigating Coverage  
This panel will discuss the "don'ts" in responding to and handling coverage claims and in litigating coverage issues. Choice of law, privilege claims and timely notice are only a few examples of potential pitfalls. This panel will also discuss recent cases that have addressed the legal consequences of the "don'ts" and practical solutions for avoiding them.

Panelists: **Regina A. DePumpo**, The Travelers Companies, Inc., Richmond, VA; **Ruth Kochenderfer**, Hunton & Williams LLP, McLean, VA; **Lorelie S. Masters**, Jenner & Block LLP, Washington, DC; **John Mumford**, Hancock, Daniel, Johnson & Nagle, PC, Richmond, VA; **Koorosh Talieh**, Howrey LLP, Washington DC

9:05 am – 10:05 am

Breakout Session A  
Reinsurance 2008: Establishing the Rules of the Game  
This program will focus on dynamic issues in the world of reinsurance dispute resolution, including: (1) contract certainty, such as the World Trade Center matter; (2) multi-national arbitrations; and (3) number of occurrences issues. Decisions made with respect to each of these three problems will help to establish the rules of the game in 2008 and beyond.

Panelists: **David A. Attisani**, Choate, Hall & Stewart LLP, Boston, MA; **Somesha Ferdinand**, AXA Liabilities Managers, Paris, France; **David M. Greenwald**, Jenner & Block, LLP, Chicago, IL; **Lydia B. Kam Lyew**, RENamics LLC, Stanford, CT; **Mary Kay Vyskocil**, Simpson Thacher & Bartlett LLP, New York, NY

#### Breakout Session B

One Man's Shield, Another Man's Sword: Contesting Privilege in Coverage Litigation  
This session will involve a discussion of several common privilege arguments and scenarios experienced in liability coverage litigation, with policyholder and insurer counsel perspectives.

Panelists: **Lisa M. Campisi**, Morgan, Lewis & Bockius LLP, New York, NY; **Allan B. Moore**, Covington & Burling LLP, Washington, DC; **Errol R. Patterson**, Steptoe & Johnson LLP, Washington, DC

#### Breakout Session C

Defense Costs in Environmental Coverage Cases - Soil Vapors & Air Monitoring Costs: Covered or Just Hot Air?

Liability coverage for soil vapor intrusion problems and air monitoring costs raises many new issues not clearly addressed by the current case law. In cases of soil or groundwater contamination, many regulators are now requiring testing for vapors or air emissions, raising questions about whether these costs are covered.

Panelists:

**Steven D. Caley**, Weissman, Nowack, Curry & Wilco, P.C., Atlanta, GA; **Laura J. Hanson**, Meagher & Geer, P.L.L.P., Minneapolis, MN; **Brent W. Huber**, Ice Miller LLP, Indianapolis, IN; **Vasiliki Keramida**, Keramida Environmental, Inc., Indianapolis, IN

#### Breakout Session D

The Lessons of Congoleum Bankruptcy: Prepackaged Bankruptcies and the Use of Insurance Assets to Deal with Mass Tort Claims

The *Congoleum* court rejected a prepackaged bankruptcy plan which would have required insurers to fund a \$500 million settlement with asbestos claimants. While insureds view prepackaged bankruptcies as a solution to address these claims by using a significant asset of the bankruptcy estate, insurers see this "solution" as fraught with problems. The panel will address how these issues have played out and explore practical lessons.

Panelists:

**Linda Martin Barber**, Navigant Consulting, Inc., Lawrenceville, NJ; **Sarah H. Dearing**, Lord, Bissell Brook, LLP, Chicago, IL; **Kevin J. Kotch**, Obermayer Rebmann Maxwell & Hippel LLP, Philadelphia, PA

10:05 am – 10:20 am

Coffee Break

10:20 am – 11:20 am

#### Breakout Session A

Missing Policies: Insurers' and Policyholders' Perspectives on Best Practices  
Insurers and policyholders continue to struggle with costly and complex missing-policy issues. Even where actual copies of policies no longer exist, they can nevertheless be proven through a variety of secondary evidence. This program will propose reasonable strategies for resolving these disputes.

Panelists:

**Paul A. Banker**, Lindquist & Vennum PLLP, Minneapolis, MN; **Rahul Karnani**, Weissman, Nowack, Curry & Wilco, PC, Atlanta, GA; **Susan J. Welde**, Locke Lord Bissell & Liddell LLP, Los Angeles, CA

#### Breakout Session B

I Got "YouTube Covered?" Insurance Coverage for IP and Cyber-Loss

Insurance coverage for IP and cyber liability is fast disappearing under the traditional general liability policy. The insurance marketplace is now offering an array of new products designed to cover these risks. The panel will examine recent cyber-losses, such as the T.J. Maxx identity theft and the Viacom-YouTube litigation, to determine if they are covered under both the traditional and new policies.

Panelists:

**Stephanie Bellamy**, CIGNA, Philadelphia, PA; **Robert Chesler**, Lowenstein Sandler, Roseland, NJ; **Christopher Keegan**, Willis, Inc., New York, NY; Suzanne Midlige, Coughlin Duffy LLP, Morristown, NJ

Breakout Session C

Non-Products Coverage: It's Not Just for Asbestos Any More

This panel will provide an overview of coverage without aggregate limits for various latent injury claims, including sexual abuse, environmental property damage, and asbestos claims. Issues will include: basics of unaggregated standard form CGL coverage, relevant decisions, practice pointers, sample fact patterns, and tips for trying coverage cases regarding aggregate limits.

Panelists:

**Suzanne F. Day**, The Lubrizol Corporation, Wickliffe, OH; **Timothy Delahunt**, Kenney Shelton Liptak & Nowak LLP, Buffalo, NY; **Scott N. Godes**, Dickstein Shapiro LLP, Washington, DC; **Marla H. Kanemitsu**, Kelley Drye & Warren LLP, Washington, DC; **Andrea B. Tece**, Navigant Consulting, Inc., Washington, DC

Breakout Session D

Insurance 101: Discovery in a Coverage Case

This interactive program will address practical and substantive aspects of discovery in an insurance coverage case, including the categories of information to be discovered, contested areas, and specific issues that arise.

Panelists:

**Dana C. Lumsden**, Hunton & Williams LLP, Charlotte, NC; **Katherine E. Mast**, Sedgwick, Detert, Moran, & Arnold LLP, Los Angeles, CA; **Jodi D. Spencer**, Cooper & Walinski, L.P.A., Cleveland, OH; **Kimberly S. McNish**, Covington & Burling LLP, Washington, DC

11:25 am – 12:30 pm

Ethics Session

Ethics Jeopardy: “Alex, I’ll Take the Tripartite Relationship for \$1,000 Please.”

Insurance litigation presents numerous ethical traps for unwary lawyers. This interactive game will sharpen your understanding of ethical issues common in insurance cases and be the most entertaining ethics credit you’ve ever earned.

Panelists:

**Mary Borja**, Wiley Rein LLP, Washington, DC; **Jose A. Isasi, II (bold)**, Greenberg & Traurig, LLP, Chicago, IL; **Christopher W. Martin**, Martin, Disiere, Jefferson & Wisdom LLP, Houston, TX

1:00 pm – 5:00 pm

Activities

Spring Training Baseball Game \$16 per person

Arizona Sonora Desert Museum \$ 65 per person