

18<sup>TH</sup> ANNUAL

# INSURANCE LAW INSTITUTE



November 7–8, 2013  
Royal Sonesta Hotel Houston ▪ Houston, Texas

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**THURSDAY MORNING, NOV. 7, 2013**

**Presiding Officer:**

**Jamie Penton Cooper, Martin, Disiere,  
Jefferson & Wisdom, L.L.P., Houston, TX**

**8:00 a.m. Registration Opens**

Includes continental breakfast.

**8:30 a.m. Welcoming Remarks**

**HOW-TO SESSIONS:  
THE NUTS AND BOLTS OF AN  
INSURANCE LAW PRACTICE**

**8:35 a.m. .50 hr**

**How to Plead Your Claims and Defenses  
Based on the New Jury Charges**

A project years in the making, the Pattern Jury Charges will soon have insurance specific forms. This session discusses that effort, and what it means for practitioners from the pleading stage through trial.

Mark L. Kincaid, George, Brothers, Kincaid & Horton LLP,  
Austin, TX

**9:05 a.m. .75 hr | .50 hr ethics**

**How to Handle eDiscovery Issues**

eDiscovery is now part of insurance litigation as more and more carriers and policyholders utilize digital document storage solutions. Hear a practical examination of potential problems in this area, as well as their solutions.

Bryan Foster, Deloitte LLP, Houston, TX  
Jennifer Mott Williams, Morgan, Lewis & Bockius LLP,  
Houston, TX

**9:50 a.m. Break**

**10:00 a.m. .50 hr**

**How to Mediate Coverage Issues**

Cases with coverage issues are notoriously hard to settle. Learn what to look for in a mediator and how to maximize the opportunity for successful resolution of coverage disputes and coverage issues in underlying cases.

Vincent E. Morgan, Pillsbury Winthrop Shaw Pittman LLP,  
Houston, TX  
Warren Taylor, Taylor, Taylor & Russell, Houston, TX

**10:30 a.m. .50 hr | .25 hr ethics**

**How to Select and Manage an Expert Witness:  
The Care and Feeding of Experts**

Experts cost money. Hear how the relationship between the attorney and the expert needs to develop, strategy decisions the lawyer has to make, document handling and privileges.

**Moderator:**

Stephen E. Walraven, Langley & Banack, Inc.,  
San Antonio, TX

**Panelists:**

Thomas H. Veitch, Langley & Banack, Inc., San Antonio, TX  
Walter C. Zimmer, Zimmer Associates, The Colony, TX

**11:00 a.m. .75 hr | .50 hr ethics**

**How to Sleep Better: Ten Traps for the  
Weary Insurance Lawyer**

Would you recognize a coverage issue if you saw one? How about disqualification and being "witnessed out"? Hear a practical discussion of 10 problems, and their solutions.

Dale Jefferson, Martin, Disiere, Jefferson &  
Wisdom, L.L.P., Houston, TX

**11:45 a.m. Pick Up Lunch**

Included in registration.

**THURSDAY AFTERNOON**

**Presiding Officer:**

**Stephen A. Melendi, Tollefson Bradley  
Mitchell & Melendi, LLP, Dallas, TX**

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**LUNCHEON PRESENTATION**

**12:00 p.m. .75 hr**

**Lessons Learned from Lennar Homes**

Hear from a panel of coverage lawyers and in-house counsel about the lessons and impacts from the Texas Supreme Court's recent decision in *Lennar Homes v. Markel*.

Jamie R. Carsey, Thompson, Coe, Cousins & Irons, LLP,  
Houston, TX  
J. James Cooper, Gardere Wynne Sewell LLP,  
Houston, TX  
John D. Sullivan, Shell Oil Company, Houston, TX

**12:45 p.m. Break**

**Concurrent Sessions**

**POLICYHOLDER TRACK**

**Presiding Officer:**

**Douglas P. Skelley, Shidlofsky Law  
Firm PLLC, Austin, TX**

**1:15 p.m. .50 hr | .25 hr ethics**

**How to Draft Claim Communications that  
Help Win Your Client's Case**

**1:45 p.m. .50 hr**

**How to Depose the Carrier's  
Corporate Representative**

**2:15 p.m. .50 hr**

**How to Get Your Claim Paid**

**2:45 p.m. .50 hr | .25 hr ethics**

**How Claims Can Go Wrong**

**3:15 p.m. Break**

**CLAIMS PROFESSIONALS TRACK**

**Presiding Officer:**

**Stephen A. Melendi, Tollefson Bradley  
Mitchell & Melendi, LLP, Dallas, TX**

**1:15 p.m. .50 hr | .25 hr ethics**

**How to Document Your Good Faith**

**1:45 p.m. .50 hr**

**How to Investigate a Claim without  
Looking under Every Rock**

**2:15 p.m. .50 hr**

**How to Rescue a Claim with  
Outside-the-Box Solutions**

**2:45 p.m. .50 hr | .25 hr ethics**

**How to Tackle Fraud**

**3:15 p.m. Break**

3:30 p.m. .50 hr

**How to Manage Appraisal and Its Aftermath**

Why is appraisal not the solution everyone hoped it would be? How can it be fixed? How do you properly invoke it and resist it? Dealing with the aftermath of a bad appraisal.

Rhonda J. Thompson, Thompson, Coe, Cousins & Irons, LLP, Dallas, TX

4:00 p.m. 1.00 hr ethics

**How to Practice in My Court: Judges' Panel**

Hear from a panel of current and former judges about how you can improve your chances of success in the courtroom.

**Moderator:**

Christopher W. Martin, Martin, Disiere, Jefferson & Wisdom, L.L.P., Houston, TX

**Panelists:**

Hon. Reece Rondon, Hall Maines Lugin, P.C., Houston, TX

Hon. R. K. Sandill, 127<sup>th</sup> District Court, Houston, TX

Hon. Kenneth P. Wise, 334<sup>th</sup> District Court, Houston, TX

5:00 p.m. Adjourn to Reception

**JUDICIAL RECEPTION**

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**FRIDAY MORNING, NOV. 8, 2013**

**Presiding Officer:**

**Vincent E. Morgan, Pillsbury Winthrop Shaw Pittman LLP, Houston, TX**

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:35 a.m. .50 hr

**Who Owes What When: Prompt Payment and Reimbursement**

When a carrier is obligated to pay, there are time limits to do so. This session explores the latest developments on when an insured may be obligated to reimburse those payments.

Karen K. Milhollin, Hall Maines Lugin, P.C., Houston, TX

9:05 a.m. .75 hr

**In-House Panel: What Clients Think**

Hear from a panel of in-house insurance professionals including a risk manager at a Fortune 500 energy company, a senior claims officer at an insurer and a broker. This group shares their views on a range of topics on how they address coverage issues from the placement process through the claim stage.

Andy Hamilton, Spectra Energy Corp, Houston, TX  
Kathryn Pavlovsky, Deloitte LLP, Houston, TX  
Kevin Sparks, Marsh Inc., Houston, TX

9:50 a.m. Break

**BREAKOUT SESSIONS GROUP I**

10:10 a.m. .50 hr

**Construction Defect Coverage**

Lee H. Shidlofsky, Shidlofsky Law Firm PLLC, Austin, TX

10:10 a.m. .50 hr

**Marketing and Advertising: Social Media for Law Firms**

Stacey E. Burke, Stacey E. Burke, P.C., Houston, TX

10:10 a.m. .50 hr

**Workers' Compensation Claims**

Robert F. Josey, Hanna & Plaut, LLP, Austin, TX

**BREAKOUT SESSIONS GROUP II**

10:40 a.m. .50 hr

**Owner Controlled Insurance Programs (OCIPs)**

Beth D. Bradley, Tollefson Bradley Mitchell & Melendi, LLP, Dallas, TX

10:40 a.m. .50 hr

**What's In a Name: Making Sure You Have Insurance for the Right Entities and Individuals and What to Do If You Don't**

Michael W. Huddleston, Munsch Hardt Kopf & Harr, P.C., Dallas, TX

10:40 a.m. .50 hr

**The Tech-Driven Practice**

Paul Malouf, Malouf Media, Dallas, TX

**BREAKOUT SESSIONS GROUP III**

11:10 a.m. .50 hr

**Professional Liability Coverage**

J. Mark Lawless, McGuireWoods LLP, Austin, TX

11:10 a.m. .50 hr

**Generation Gap: Coverage Litigation with Generation X and Y vs. Older Generation Juries**

R. Brent Cooper, Cooper & Scully, P.C., Dallas, TX

11:10 a.m. .50 hr

**The Five-Hour Trial and Motions to Dismiss**

Adam F. Massey, Adams and Reese LLP, Houston, TX  
Hon. Jeffrey A. Shadwick, 55<sup>th</sup> District Court, Houston, TX

11:10 a.m. .50 hr

**Appellate Issues in Insurance Cases**

Karen A. Conticello, Legge, Farrow, Kimmitt, McGrath & Brown, L.L.P., Houston, TX

11:40 a.m. Pick Up Lunch

Included in registration.

**FRIDAY AFTERNOON**

**Presiding Officer:**

**Vincent E. Morgan, Pillsbury Winthrop Shaw Pittman LLP, Houston, TX**

**THANK YOU TO OUR LUNCHEON SPONSOR**

**Martin, Disiere, Jefferson & Wisdom, L.L.P.**

**KEYNOTE LUNCHEON PRESENTATION**

12:00 p.m. .75 hr

**Tackling Disaster Claims**

Recent years have seen an uptick in the frequency and severity of catastrophe losses. Hear from one of the leading national experts on handling disaster claims who has worked on 9/11 claims, the Boston Marathon bombing, Super Storm Sandy, Hurricane Katrina and other disasters. He brings a unique perspective to the investigation and resolution of these claims.

John C. Held, J.S. Held, Incorporated, Roslyn Heights, NY

12:45 p.m. Break

12:55 p.m. .50 hr

**Coming Attractions: Trends in Insurance Coverage Disputes**

Want to know where things might be headed in coverage disputes? This presentation examines new changes to common policy forms, emerging issues and likely areas of dispute over the coming years.

Ernest Martin Jr., Haynes and Boone, LLP, Dallas, TX

1:25 p.m. .67 hr

**Additional Insured Issues: Lessons Learned from the BP Transocean Litigation**

Transferring risk through additional insured and indemnity provisions has been around for a long time but getting it right requires a careful approach. This presentation walks through these issues and offers practical tips along the way.

Robert J. Cunningham, Roach & Newton, LLP, Houston, TX

2:05 p.m. .50 hr

**Case Law and Legislative Updates**

An update on recent cases and statutory changes that touch on key issues.

Catherine L. Hanna, Hanna & Plaut, LLP, Austin, TX

2:35 p.m. Break

2:45 p.m. .75 hr

**Downhole, Offshore and Blowouts:  
Primer on Oil and Gas Coverage**

Oil and gas is back, and this session gives an overview of what you need to know about coverage issues in the oil patch.

Claude L. Stuart III, Phelps Dunbar LLP, Houston, TX

3:30 p.m. .50 hr

**Cyber Liability and Data Loss Claims**

Insurance claims and litigation have followed high-profile data breaches and other cybersecurity issues. An examination of policy forms, coverage issues and relevant documents to help you get up to speed in this developing area of insurance.

Michael Sean Quinn, Attorney at Law, Austin, TX

4:00 p.m. Adjourn

“

Great topics that have national application for practitioners.

I liked the broad and diverse topics, most of which were particularly representative of issues I am seeing in my practice.

The topics were useful and timely. The speakers were excellent.

I love the absolute insurance geekiness of it— unapologetically geared to insurance practitioners.

Good variety of topics, high quality of speakers and very timely topics.

I liked everything! It was nice, diverse, and never boring.

”

**CONFERENCE FACULTY**

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713.627.7600**Special Room Rate: \$195**good through October 23  
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(limited availability)**KEY DATES****October 30, 2013***last day for early registration*  
add \$100 for registrations  
received after this time**November 1, 2013***last day for full refund***November 4, 2013***last day for partial refund*  
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