



Celebrating 88 Years of Promoting Professionalism & Personal Growth

# 2019 ANNUAL MEETING & EDUCATIONAL CONFERENCE JANUARY 30–FEBRUARY 1, 2019



Fort Lauderdale Marriott Harbor Beach Resort  
Fort Lauderdale, FL

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is Inside...**

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## WEDNESDAY, JANUARY 30, 2019

- 8:00–5:00 pm • **Registration Desk Open**
- 8:00–5:00 pm • **Speaker Ready Room Available**  
—Tallahassee Room, 2nd Floor
- 8:30 am • **Rod Birmingham Memorial Golf Outing**  
Jacaranda Golf Club  
9200 W Broward Blvd. Plantation, FL 33324  
*Transportation on Own*
- 5:30 – 7:30 pm • **Opening Night Reception**—Ocean View Terrace  
*Open to all registered attendees. Name badges are required to be worn for admittance into the reception.*

## THURSDAY, JANUARY 31, 2019

- 7:30 – 9:00 am • **Continental Breakfast**—Grand Salon Foyer, 3rd Floor
- 8:00 – 5:00 pm • **Registration Desk Open**—Grand Salon Foyer, 3rd Floor
- 8:00 –12:00 pm • **Speaker Ready Room Available**  
—Tallahassee Room, 2nd Floor
- 8:15 – 9:00 am • **General Session/Members Meeting**  
—Grand Salon E-K, 3rd Floor
- 8:15 – 8:20 am • **Welcome/Anti-Trust**  
 **Costantino Suriano, Esq.**  
LEA Counsel  
*Mound Cotton Wollan & Greengrass*
- 8:20 – 8:30 am • **Opening Remarks & Introduction of New President**  
 **Jean L. Broderick, ARE**  
LEA President  
Regional Practice Leader  
Energy, Property & Construction Claims – NA  
*XL Catlin*  
*AXA XL, a Division of AXA*
-  **Paul Aviles**  
LEA Incoming President  
Senior Vice President Claims  
*Allied World Assurance Company (USA) Inc.*
- 8:30 – 8:35 am • **Remarks from St. John’s Dean of the School of Risk Management**  
Brandon W. Sweitzer
- 8:35 – 8:40 am • **Treasurer’s Report/Golf Report**  
 **Raymond Mattia**  
LEA Treasurer  
Vice President – Commerical Property Claims  
*AIG*
- 8:40 – 8:50 am • **Membership Report**  
 **Margaret A. (Peggy) Reilly**  
Membership Chair & Web Coordinator  
*Edward R. Reilly & Co., Inc.*

**8:50 – 8:55 am • Continuing Education Report**



**Louis D. Magnan, CPA**  
Continuing Education Chair  
Magnan, Griazzaro & Associates LLC

**8:55 – 9:00 am • Introduction of Keynote Speaker**



**Paul Aviles**  
LEA Incoming President  
Senior Vice President Claims  
North American Property Claims Group  
Allied World Assurance Company (USA) Inc.

**9:00 – 10:00 am • Keynote Speaker**

Speaker



**Dr. Ed Coats**  
Obstetrician & Adventurer

**Topic**

**Embrace the Challenge**

*Dr. Ed Coats was chosen to join Cracknell and Fogle in a race to the South Pole. They skied for 16 hours each day and came in second – without any polar experience. In his workshop, the hospital doctor gives participants the tools to embrace challenge and live for the moment. Ed shows how opening up to change, managing criticism, and agreeing on short-term goals helps us withstand extreme pressure.*

**10:00 – 10:15 am • Networking Break**—Grand Salon Foyer, 3rd Floor

**10:15 – 11:45 am • Leading Through Change**

*In recent years, M&A has had a significant impact on the insurance industry with many carriers consolidating, as well as their service providers. This panel will address how these mergers are impacting our industry, as well as how organizations are managing these monumental changes successfully. (“Change Management.”)*

Moderator



**Costantino Suriano, Esq.**  
LEA Counsel  
Mound Cotton Wollan & Greengrass

Participants



**Mark Evans, CPCU, AIC, RPA**  
Head of Property/Energy/Construction Claims – Americas  
AXA XL



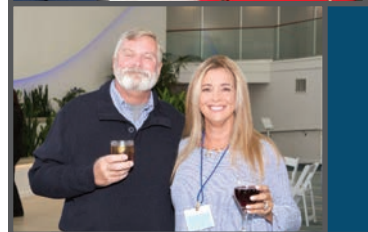
**Jonathon Held**  
President & CEO  
J.S. Held



**Thomas Simoncic**  
President, Property Americas  
Sedgwick



**Bob Wedoff**  
President  
Envista Forensics LLC





**11:45 -12:30 pm • The Property Case Update**

*Bill Erickson, Bill Webster and Liz Burnett of Robins Kaplan LLP will update you on the most interesting property insurance case decisions of the past year. Cases illustrating important trends in several areas will be featured, including the latest decisions on physical loss, business interruption, deductibles and sub-limits, policy exclusions, cyber, subrogation, expenses to avoid loss and other topics from the past year. The Property Case Update is not a lecture program. Join Bill, Liz and Bill for a fast-paced combination of audience participating and case discussion covering the recent cases and trends you need to know.*

Moderator



**Bill Erickson, Esq.**  
Partner  
Robins Kaplan LLP

Participants



**A. Liz Burnett, Esq.**  
Associate Attorney  
Robins Kaplan LLP



**Bill Webster, Esq.**  
Partner  
Robins Kaplan LLP

**12:30 – 1:30 pm • Luncheon**

*—Ocean View Ballroom, 1st Floor  
Open to all registered attendees. Name badges are required to be worn for admittance into the luncheon.*

**1:30 – 3:30 pm •**

**LEA CONCURRENT WORKSHOPS  
2 HOUR SESSIONS**

*Workshop meeting room locations are listed on the location board in front of the Grand Salon as well as in front of each workshop room.*

**WORKSHOP 1 (2 Hours)  
Subrogating MEGA Claims**

*We will address the legal and practical issues that often arise in subrogation of major, high dollar, high profile property claims. We will focus on the interaction between the carrier, insured, public adjuster, experts, local authorities, and subrogation attorneys in pursuing subrogation while balancing out-of-pocket costs and mitigation of damages.*

Moderator



**Sam Pace, Esq.**  
Partner  
Dugan Brinkmann Maginnis & Pace

Participants



**Anthony DeCesare**  
Executive General Adjuster  
Engle Martin & Associates



**Michael J. Driscoll, IAAI – CFI**  
Director, Fire & Explosion  
Envista Forensics





**Randy Greene, Esq.**  
Partner  
Dugan Brinkmann Maginnis & Pace



**Amanda Guire, CFE**  
Manager  
Matson Driscoll & Damico LLP

**WORKSHOP 2 (2 Hour)**  
**Business Interruption Implications of Wide Area Damage**

*On May 27, 2010 Justice Hamblen ruled in favor of Generali against Orient-Express Hotels (OEH) in what has become a landmark ruling in UK Insurance Law. Operating as a luxury hotel in New Orleans, the claim followed the devastating effect of Hurricane Katrina in 2005. The ruling ultimately held that there could be no indemnity under the business interruption policy since the 'but for' test was not satisfied as a result of concurrent independent causes of loss. Since the ruling, countless reams of commentary have been produced regarding this claim and its implications. Given the prevalence of current hurricane and other Wide Area Damage (WAD) losses in the market today, it has never been more relevant.*

*This session will address what actually happened in the OEH v Generali claim. How was the claim presented and handled and how did Insurers present their arguments? How was Generali's actual forensic accounting expert able to measure the WAD impact to the satisfaction of the court? What relevance does this ruling have in US law? If this case had been run in the US would the ruling have been the same? Does the OEH ruling have implications outside the world of property damage claims? Will the OEH ruling inevitably results in price gouging and windfall profits as highlighted in 'Island Theory'?*

Moderator



**Mark Lewis**  
Managing Director  
C. Lewis (UK) Ltd.

Participants



**Phil Durrant, ACII, ACILA**  
Chartered Loss Adjuster  
Integra Technical Services (UK)



**Tracey A. Jordan**  
Partner  
Foran Glennon





- WORKSHOP 3 (2 Hours)**  
**I Feel the Earth Move Under My Feet: Handling Claims Involving Geotechnical Issues and Earth Movement**

Commercial claims involving complex geotechnical issues present unique challenges. An insurer faced with this type of loss will need an experienced geotechnical consultant, a structural engineer and counsel to guide them through the investigation as to the cause and scope of loss, as well as coverage issues which arise. Dr. Richard Finno, a professor at Northwestern, will teach us, in some depth, about geotechnical investigations, soil properties, the relationship between construction activities and ground movements, and the tools used to determine soil conditions and the cause of loss. Mark Krueger, a structural engineer, will provide an overview of methods commonly used to evaluate foundations and other structures that are impacted by earth movement issues. Clark Schirle, a commercial first-party attorney, will discuss earth movement coverage issues that arise. All three of them have worked together on these types of losses. Throughout the presentation, they will illustrate these issues by using examples from complex commercial claims they have worked on over the years.

Moderator



**Clark Schirle**  
 Partner  
 Butler Weihmuller Katz Craig LLP

Participants



**Richard Finno, PE, Ph.D., DGE**  
 Professor, Department of Civil and Environmental Engineering  
 Northwestern University



**Mark Krueger**  
 Principal  
 Wiss, Janney, Elstner Associates, Inc.

**3:30 – 3:45 pm**

- Networking Break**—Grand Salon Foyer, 3rd Floor

**3:45 – 4:45 pm**

- CONCURRENT WORKSHOPS (Cont.)**  
**1 Hour Sessions**

Workshop meeting room locations are listed on the location board in front of the Grand Salon as well as in front of each workshop room.

- WORKSHOP 4 (1 Hour)**  
**Transparency & Control: A Better Operating Model**

Globally, change is happening more rapidly than we have ever seen before. This is largely driven by innovation and adoption of technology by businesses and consumers alike. Companies like Amazon, Uber, and Google have changed consumer smartphone behavior in a way that can help insurers.

This session will highlight the opportunities available to insurers and demonstrate how technology can be practically implemented. Policyholders, employees, and service providers can all benefit by embracing this open ecosystem approach.

During this session, you'll learn how to leverage change to gain remote transparency and control over the claim process to improve customer satisfaction and reduce costs.

Facilitator



**Paul Donald**  
Founder & Chief Executive Officer  
Encircle Inc.

• **WORKSHOP 5 (1 Hour)**  
**The Use of Technology in Large Loss Investigations: Expert, Claims & Legal Perspectives on the Value of Tech**

*The speed and complexity of technology in 2019 means understanding how to evaluate and use technology in large loss claims and subrogation is more important than ever. Heightened efficiency, better results, and more persuasive interpretations of disputed facts are some of the things technology can bring to claims and subrogation. You will be able to appreciate examples of technology (such as 3D scanning and virtual reality) that can be both relevant and pragmatic for property losses.*

Moderator



**Paul Hines, Esq.**  
Partner  
Denenberg Tuffley

Participants



**Marcus A. Reath**  
Vice President, Executive General Adjuster  
McLarens



**Paul R. McCullough, PE**  
Senior Project Engineer/Manager  
S-E-A Limited

• **WORKSHOP 6 (1 Hour)**  
**Ethical Considerations Involving the Right & Duty to Investigate**

*Insurers often use the internet to find information critical to the coverage determination, but which can be harmful if investigators overstep boundaries or invade privacy. This presentation will address the ethics, rights, and duties related to insurer investigations, and address the use of social media, private, or proprietary electronic information.*

Moderator



**Pamela W. Carter, Esq.**  
Partner  
Carter Law Group, LLC

Participants



**Francine M. Giugno, Esq.**  
Mickey S. deLaup, APLC



**Jerry Provencher**  
CEO/Executive General Adjuster  
Provencher & Company

**5:30 – 7:30 pm**

• **Casual Outdoor Reception (BBQ Weather Permitting)**

—Ocean View Terrace

*Open to all registered attendees. Name badges are required to be worn for admittance to the Reception.*



# FRIDAY, FEBRUARY 1, 2019

**7:30 – 11:45 am** • **Registration Desk Open**—Grand Salon Foyer, 3rd Floor

**7:30 – 8:30 am** • **Continental Breakfast**—Grand Salon Foyer, 3rd Floor

**8:30 – 10:30 am** • **REPEAT OF TWO-HOUR CONCURRENT WORKSHOPS**

*Workshop meeting room locations are listed on the location board in front of the Grand Salon as well as in front of each workshop room.*

• **WORKSHOP 1 (2 Hours)**  
**Subrogating MEGA Claims**

• **WORKSHOP 2 (2 Hours)**  
**Business Interruption Implications of Wide Area Damage**

• **WORKSHOP 3 (2 Hours)**  
**I Feel the Earth Move Under My Feet: Handling Claims Involving Geotechnical Issues and Earth Movement**

**10:30 – 11:00 am** • **Networking Break**—Grand Salon Foyer, 3rd Floor

**11:00 – 12:00 pm** • **REPEAT OF ONE-HOUR CONCURRENT WORKSHOPS**

*Workshop meeting room locations are listed on the location board in front of the Grand Salon as well as in front of each workshop room.*

**WORKSHOP 4 (1 Hour)**  
**Transparency & Control: A Better Operating Model**

**WORKSHOP 5 (1 Hour)**  
**The Use of Technology in Large Loss Investigations: Expert, Claims & Legal Perspectives on the Value of Tech**

**WORKSHOP 6 (1 Hours)**  
**Ethical Considerations Involving the Right & Duty to Investigate**

**12:00 pm** • **Conference Adjournment**

*An LEA Board member will provide concluding remarks at the end of the workshop session.*





**CE Credit Requirements:** Please remember that CE forms are to be signed by only an authorized LEA CE delegate and/or by the instructor of each session.

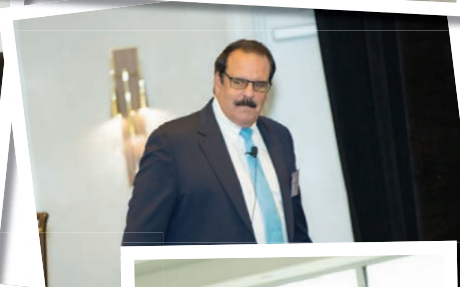
No partial credit will be given. Attendees must attend the full sessions to receive CE credit for that session.

**All forms**, including your license number, are to be submitted at the close of the conference. There will be no exceptions for credit if your forms are not submitted or missing license numbers.

**Photography Waiver:** By attending the LEA session you consent that your picture may be in one of the photographs that are taken during the LEA conference. The photos may be published or otherwise used by the LEA, which retains exclusive ownership thereof and this consent is voluntary with no expectation of compensation now or in the future.



# 2018 PHOTO GALLERY *from* RHODE ISLAND











### LEA President

**Jean L. Broderick, ARe**

Regional Practice Leader  
Energy, Property, Construction Claims - North America  
XL Catlin - AXA XL, a Division of AXA

Jean L. Broderick is currently a Regional Practice Leader for Energy, Property & Construction Claims – North America for AXA XL.

Jean began her career as a Loss Prevention Engineer with FM Global. She then moved into Claims as a field adjuster holding Senior and General Adjuster positions in both the New York and Boston Operations offices and then became the Branch Claims Manager of the Norwalk, CT office. In 2007, Jean joined XL Reinsurance America as the lead for all large property reinsurance claims. In addition to her responsibilities as the property lead, Jean also handled liability and workers compensation claims. In October 2013, Jean transitioned into the role of Claims Manager for North America Property at AXA XL and in September 2015 became a Regional Practice Leader for Energy, Property & Construction Claims–North America.

Jean is a native of Yonkers, New York and holds a BE in Chemical Engineering from Manhattan College, Riverdale, NY. She holds the Associate in Reinsurance (ARE) designation and is currently working toward her CPCU designation. Jean is a member of the Loss Executives Association (LEA) and is the outgoing President of the LEA.



### LEA Incoming President

**Paul Aviles**

Senior Vice President Claims  
Allied World Assurance Company (USA) Inc.

Since 2003, Paul Aviles has served as the Vice President, and now Senior Vice President, of Allied World’s General Property, Energy and Inland Marine Claims Department for offices in the US, Bermuda, Canada, and London. Now located in New York, he concentrates in the management of staff adjusting commercial policyholder claims arising from first-party losses. Paul has more than 30 years of property claim adjusting experience in various technical and senior managerial roles.

Prior to joining Allied World in March 2003, Paul was the Vice President of Property Claims for AIG Technical Services in New York. He also previously served as Assistant Vice President of Property Claims for AIG Claim Services from 1997–1999 and AIG New York Divisional Property Claim Manager from 1994–1997. Prior to his employment at AIG, Paul spent six years as a National General Adjuster for the Commercial Division of Allstate insurance Co. and Northbrook Indemnity Co.

Paul is an acting Board member and incoming President of the Loss Executive Association. Paul received his Bachelor of Science degree in Business Administration from the Concordia College in Bronxville, N.Y in 1988.

### PROGRAM COMMITTEE

*A special thanks goes out to our program committee for all their time and efforts in putting together this high-caliber program.*



**LEA Program Chair  
Thomas Casson**

Vice President  
AIG



**Jim Jezewski**

Vice President & Claims Manager  
Starr Technical Risks Agency, Inc.



**Liz Peterson Wilcoxon, LEED AP BD+C, GGP**

Practice Leader - Energy  
Envista Forensics

# GENERAL SESSION SPEAKERS

## KEYNOTE SPEAKER

### Dr. Ed Coats

Obstetrician & Adventurer

Ed Coats was chosen to join James Cracknell and Ben Fogle on their race to the South Pole, the first attempt of its kind since Captain Scott was beaten by Amundsen in 1912. Both the selection process and the race itself were captured in the BBC documentary "On Thin Ice".

Six teams took part from around the world, skiing over 470 miles across Antarctica. The trio, who had little cross-country and no polar experience between them, skied for 16 hours a day in temperatures as low as minus 50 degrees Celsius. They eventually finished in second place, an achievement due in no small part to Ed's clear-headed support and mediation between his two more experienced team mates.

Away from his day job as a consultant obstetrician and gynaecologist in Bath, Ed has represented Britain as a decathlete and swum the English Channel with two different teams. The '30 at 30' project saw him tackle thirty challenges, including the small matter of a Thames swim, a coast to coast race across Scotland and an endurance marathon on Dartmoor.

In presentations, Ed weighs up individual and collective responsibility, and how to form efficient and effective bonds in both new and established groups. He also compares the pressure, determination and teamwork found in the medical world with that required to tackle the toughest environments on Earth.

## LEADING THROUGH CHANGE

### Costantino P. Suriano, Esq.

Partner

*Mound Cotton Wollan & Greengrass LLP*

Costantino Suriano has more than thirty-five years of experience in domestic and international insurance coverage and litigation representing leading U.S., London, and Bermuda Market insurers. His experience includes first- and third-party coverage and claims defense, including complex property and time element losses under all-risk, builder's risk, and boiler and machinery policies, policy analysis and defense, product recall, product liability defense, reinsurance arbitrations, federal multidistrict disaster litigations, travel insurance, contingency insurer coverage disputes with artists, media, insurer defense in anti-trust brokerage commission class actions, defamation defense, advertising liability coverage and defense, construction accident liability defense and coverage, commercial disputes, real estate, bankruptcy, secured transactions, lending, and corporate securities litigation, and extensive mediation experience in complex multi-party cases and appellate matters in New York and Chicago.

Mr. Suriano has litigated cases in New York, New Jersey, California, Arizona, Arkansas, Colorado, Georgia, Illinois, Iowa, Louisiana, Maine, Massachusetts, Missouri, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, and West Virginia, and tried jury cases, including 9/11 second phase jury trial in the World Trade Center/Silverstein case, and argued appeals in various state and federal courts. He has litigated international commercial and insurance questions, particularly under U.K., Italian, French and Spanish law, represented U.S. clients in foreign insurance and commercial disputes, and assisted foreign clients seeking discovery in the U.S. regarding foreign litigations. Mr. Suriano has represented foreign clients in commercial disputes, administrative and appellate issues involving anti-dumping and countervailing duty matters before the U.S. Department of Commerce, the International Trade Commission, and the U.S. Court of International Trade and Federal Courts of Appeals. He has





represented European commercial entities in negotiating various business agreements and in the formation of branches and subsidiaries in the United States, and applying to U.K. courts for intervention staying U.S. lawsuits.

Mr. Suriano has authored articles and lectured on multi-layer approaches to weather related catastrophes, ensuing loss, punitive damages, occurrence issues, letters of credit, and insurance trends. He is a graduate of Columbia University and Villanova University School of Law. He is a member of the Board of Advisors to the Center for the Insurance Regulation of the School of Risk Management, Insurance & Actuarial Studies of the Tobin College of Business of St. John's University and is a Consultant to the Loss Executives Association's Board of Directors.



**Mark Robert Evans, CPCU, AIC, RPA**

Head of Property/Energy/Construction Claims – Americas  
AXA XL

Mark Evans is currently the Head of Property/Energy/Construction claims for AXA XL. His teams handle Property, Energy, Construction (Builders Risk) & Equipment Breakdown losses.

Mark began his career at Industrial Risk Insurers as a field adjuster in 1990. IRI was acquired by General Electric's ERC Company where he experienced being a Claims Supervisor, Manager of Claims Systems and Director of Claims. While part of GE, Mark obtained Green Belt certification as part of the GE Six Sigma program. ERC was then acquired by Swiss Re. Mark has dealt with losses from most major catastrophes around the world since 1990 from LA EQ, Katrina, 9/11 CAT 48, Chile EQ, and Thailand Floods. His experiences have involved significant Property Damage, Time Element, Boiler Machinery, and Reinsurance (as a purchaser and provider) claims.

He has an undergraduate degree in Economics from the University of Connecticut. He holds both the CPCU and AIC designations from the Insurance Institute. His other insurance education includes LEA Claims College, IIA - Introduction to Claims, GAB Basic Fire School, GAB Business Interruption, National Forum for Property Professionals and Confined Space training.

Mark is a member of the Loss Executive Association and Past President of the Pittsburgh Fire Loss Conference. He currently holds adjuster Licenses in multiple states. He received his RPA designation in 2000 and has participated in New England Claims Executives and Connecticut Blue Goose.







**Jonathon Held**

President & CEO  
*J.S. Held, LLC*

Jonathon Held, President and CEO, has been associated with the company for 34 years. During that period he has overseen the growth of the firm from a small regional two man consulting company into an internationally respected organization with global reach.

Mr. Held has consulted on many of the largest and most complex catastrophic insurance claims in history, including the 1993 and 2001 terrorist attacks on the World Trade Center in NY, the litigation between Firestone/Bridgestone and its insurers for damages sustained to the Harbel Rubber plantation during the Liberian Civil War, the AOL Time Warner Center fire in NY, and many of the worlds’ most visible claims. He is widely considered the expert of choice in large complex “bet the farm” cases.

Mr. Held has testified in numerous courts throughout the United States. He also has an unparalleled reputation in the dispute resolution arena, having been an appraiser, arbitrator and umpire. He was the party appointed appraiser in the four largest claims ever to be resolved in the appraisal process.

Mr. Held is also widely sought as both an industry educator and author, having spoken at numerous conferences, and written a number of published papers in his areas of expertise.



**Thomas Simoncic**

President, Property Americas  
*Sedgwick*

Tom Simoncic has nearly 30 years of experience in third-party claims administration and insurance adjusting, with particular emphasis on the large and complex property adjustment sector. In his current role, Tom is responsible for property operations in Canada, Latin America and the United States. His duties include financial performance, budgeting, forecasting, strategy, product development and delivery, service, client relationships, sales, performance management, and mergers and acquisitions for a \$500M+ business.

Prior to assuming responsibility for the Sedgwick Property Americas business, he provided executive oversight for all Vericclaim North American operations and Unified Investigations and Sciences. His management experience includes financial and strategic planning, client relations, product development, and quality control and performance management. Tom is a member of the Loss Executive Association and holds the Associate in Claims designation.



**Bob Wedoff**

President  
*Envista Forensics, LLC*

Robert (Bob) Wedoff is President of Envista Forensics, an international firm that provides post-loss technical solutions to insurance companies, independent adjusters, third-party administrators, attorneys, self-insured entities and property owners. The company’s five divisions specialize in forensic engineering, fire and explosion investigation, building consulting, digital forensics and equipment restoration. The firms’ 30+ office locations and field staff provide services worldwide, and are located in the United States, Canada, Mexico, United Kingdom, Australia, Singapore, Denmark, Sweden and The Netherlands.

In his 30 years within the industry, Bob has acted as a court-qualified expert witness on a variety of technology-related topics, and he has served as senior technical consultant to nearly every major commercial property insurance carrier in the United States and Canada. He has a Bachelor’s Degree in General Engineering (Biomedical), a Master’s Degree in Electrical Engineering & Computer Science, as well as a Master’s Degree in Business Administration. 17





He has lectured internationally at events sponsored by the PLRB (Property Loss Research Bureau), the LEA (Loss Executives Association), the IILA (International Institute of Loss Adjusters), the International Federation of Adjusting Associations, Lloyd's and others.

## GENERAL SESSION: THE PROPERTY CASE UPDATE



### Bill Erickson, Esq.

Partner  
Robins Kaplan LLP

Bill Erickson is a long-time presenter of the Property Case Update at Loss Executive Association conferences.

Bill has handled insurance and reinsurance coverage and measurement matters throughout the United States for more than twenty-five years. His high-profile assignments include the 9/11 World Trade Center appraisal; September 11 coverage litigation; the GTE Y2K claims; and the 2011 Massachusetts tornado claims. In addition to his experience as a coverage attorney, Bill Erickson is an accomplished trial attorney and trial advocacy instructor.

Bill is the Chairman of the Insurance and Catastrophic Loss Group at Robins Kaplan LLP. In addition, Bill is the founder and past president of the Massachusetts Insurance and Reinsurance Bar Association and a member of the association's Board of Directors. Bill is a frequent author on insurance topics and a long-time presenter at insurance industry and bar association conferences. In recognition of his more than twenty-five years as an accomplished practitioner, American Lawyer Media has named Bill a "Top Rated Lawyer" in Insurance Law.



### A. Liz Burnett, Esq.

Associate Attorney  
Robins Kaplan LLP

Liz Burnett has litigated a variety of commercial insurance coverage disputes for industry leaders, including Factory Mutual Insurance Company, Affiliated FM Insurance Company, and Hartford Casualty Insurance Company. As a former claims' adjuster for Zurich North America and Berkshire-Hathaway-owned insurance boutique Applied Underwriters, Liz brings a depth of understanding and uniquely practical perspective to coverage matters.

In 2014, Liz second-chaired a federal jury trial for an insurer in *Cammeby's Management Company, LLC v. Affiliated FM Insurance Company*. The plaintiff sought \$30 million, plus interest, for losses caused by Superstorm Sandy and the insurer asserted a coverage limit of \$10 million. After an eight-day trial, the jury issued an advisory verdict affirming the \$10 million policy limit; this verdict was later confirmed by the court.

Liz also represents stakeholders in complex property damage and disaster litigation. Many of these high-stakes matters stem from fires and explosions caused by combustible dust and natural gas. In 2015, Liz and her team obtained summary judgment in an explosion case where the personal injury plaintiffs sought \$65 million in damages. In 2016, she represented a manufacturer following an explosion and fire that killed more than 30 people and injured dozens more at a natural gas refinery. Liz and her team secured a motion to dismiss the plaintiffs' claims with prejudice.



**Bill Webster, Esq.**

Partner  
*Robins Kaplan LLP*

Bill Webster joined Robins Kaplan LLP right out of law school in 1988 and is a Partner and a leader in the Insurance and Catastrophic Loss Litigation Group. Bill’s practice focuses on commercial property and energy and engineered risks, including coverage analysis and subrogation, dispute resolution, strategic advice, and trial and arbitration work arising from all types of perils and involving a multitude of risks under all risks, named perils, and builders’ risk policies. He has litigated in state and federal court throughout the United States as lead counsel on multimillion-dollar, complex disputes.

Over the past 20 years, Bill has handled coverage disputes in commercial property and energy and infrastructure industry claims involving power generation facilities, wind and solar facilities, oil and gas refining, processing, and transport, including pipelines, supply chain interruption and time element issues, underground mines, and construction defects. He also has extensive experience with catastrophic events in production facilities, chemical plants, warehouses, office buildings, and restaurants.

**WORKSHOP 1 SPEAKERS**

**SUBROGATING MEGA CLAIMS**



**Samuel J. Pace, Jr., Esq.**

Partner  
*Dugan Brinkmann Maginnis & Pace*

Samuel Pace concentrates his practice in major property subrogation matters, complex recovery litigation, and litigation arising from catastrophic losses and injuries.

He graduated from the University of Pennsylvania and from Villanova University School of Law. He has handled cases in at least 32 states and the District of Columbia.

Mr. Pace is a past Board Member of the National Association of Subrogation Professionals (NASP), and a member of the Property Loss Research Bureau (PLRB); Loss Executives Association (LEA), WSIA and FDCC (former Vice Chair of Property Section). He is a Fellow, International Society of Barristers, Master, Temple American Inn of Court, member of ADTA, and has presented on subrogation, trial practice, handling major claims, mediation and various other topics for NASP, CLM, PLRB, Pennsylvania Bar Institute, Philadelphia Bar Association, National Institute of Trial Advocacy, Widener University Law School and the L.L.M. program Trial Advocacy at Temple University Beasley School of Law. He serves as a Judge Pro Tem of the Philadelphia Court of Common Pleas. Sam has also testified as an expert in several different forums.

Mr. Pace is a member of the Philadelphia and Pennsylvania Bar Associations and of the Property Committee of the Tort and Insurance Practice Section of the American Bar Association, and a member of the American Board of Trial Advocates (ABOTA). He is also involved in raising funds for several charities including Living Beyond Breast Cancer and Coaches Against Cancer.



**Anthony DeCesare**

Executive General Adjuster  
*Engle Martin & Associates*

For over 40 years, Anthony has been a licensed insurance adjuster starting his career in the independent adjusting insurance business, and building a solid background as both an independent and company staff adjuster. His career led





to the handling of a variety of high profile multi-million dollar insurance claims nationwide. Anthony has worked on notable assignments such as, the Exxon Valdez Oil Spill and the Trans-Alaska Pipeline Liability Fund Alaska.

Previous to joining Engle Martin & Associates, Anthony held positions with: Liberty Mutual Insurance Company, Senior National General Adjuster (2016-2014); DeCesare Adjusting Service, Independent Insurance Adjuster (Florida, 1991-1996); Maryland Casualty Insurance Company, General Adjuster Field Specialist (Florida, 1990-1991); Independent Insurance Adjuster (California 1978-1990) and Fresno Community College, (CA AS Criminology).

Mr. DeCesare has participated as a presenter at PLRB, Business Income Minneapolis 2014 & Business Income Learning Module CE Online Training 2015 & Inland Marine, TX, OH and GA 2015 & Arson and Fraud Washington, DC 2015. In addition, Mr. DeCesare holds the following licenses and Federal Flood Certifications: Texas Resident License Holder 401982; California License Holder 2K42827; Hawaii License Holder 473201; National Flood Insurance Program Certificate Holder FCN 70004753 (Residential, Manufactured, Small Commercial, Large Commercial & Residential Condominium Building Association Policy (RCBAP).



**Michael J. Driscoll, IAAI – CFI**

Director, Fire & Explosion  
*Envista Forensics*

Michael J. Driscoll, IAAI-CFI, is the Director of the Fire & Explosion Division of Envista Forensics. Mr. Driscoll has over 29 years of experience in conducting over 1700 fire and explosion investigations globally. He has a Bachelor's of Science in Fire Science from the University of New Haven and he has testified as an expert in fire and explosion investigation in both state and federal courts.

Mr. Driscoll's experience includes large/complex loss management and investigations that have involved long duration deployments and team responses. Examples of his large loss fire/explosion investigations include losses involving Pool Chemical Distribution, Particle Board Manufacturing, Gun and Ammunition Manufacturing, Warehousing, Pharmaceutical Manufacturing, Chemical Manufacturing Facilities, Energy Plants including natural gas and other alternative fuels, Multi-Residential Complexes, Large Retail Centers and multiple fatality incidents.



**Randy Greene, Esq.**

Partner  
*Dugan Brinkmann Maginnis & Pace*

Mr. Greene is the resident New Jersey Partner of Dugan, Brinkmann, Maginnis and Pace. He handles a wide variety of property subrogation matters with an emphasis on the renewable energy industry. He also handles matters involving information technology including internet privacy.

Mr. Greene was admitted to practice in Pennsylvania and New Jersey in 1991. He graduated from Franklin and Marshall College in 1985 and from Temple University School of Law in 1991 where he received cum laude honors and numerous academic awards. He was a National Semi-Finalist as a member of Temple University's National Trial Team.

Mr. Greene is a member of The National Association of Subrogation Professionals (NASP). He has participated on the faculty of various National Institute of Trial Advocacy programs. He has assisted in the coaching of the Temple Law School Trial Teams.

Mr. Greene is involved in numerous charitable endeavors. He serves as an elder at Fellowship Bible Church in Sewell, New Jersey.



**Amanda Guire, CFE**  
 Manager  
 Matson Driscoll & Damico LLP

Amanda joined MDD's Philadelphia office as a Staff Accountant in 2008. She is now a Manager at this location. Amanda's professional practice focuses on matters related to business interruption, builders' risks & soft costs, extra expenses/increased cost of working, fraud & investigations, physical damages, personal injury and stock & contents.

Amanda also has considerable catastrophe services experience gained from working on losses resulting from the 2008 floods in Iowa, Tropical Storm Lee, Superstorm Sandy and Hurricanes Ike, Irene and Matthew.

Her industry experience includes commercial rental properties, food manufacturing, hospital & healthcare facilities, hotels & resorts, manufacturing, power generation and distribution, retail and wholesale. Amanda has conducted seminars on accounting for commercial property losses for business interruption and personal injury analysis.

Amanda graduated with a Bachelor of Business Administration degree with a concentration in fraud examination at the Bloomsburg University in Pennsylvania.

## WORKSHOP 2 SPEAKERS

### BUSINESS INTERRUPTION IMPLICATIONS OF WIDE AREA DAMAGE



**Mark Lewis**  
 Managing Director  
 C. Lewis (UK) Ltd.

Mark Lewis is the Managing Director of C. Lewis (UK) Ltd. Mark opened the C. Lewis London office in 2005. In the last 10 years he has led accounting teams that have settled BI claims in excess of £5 billion. All members of his team of dedicated accountants have been together for the last 9 years providing consistent, reliable and dependable service. The office has chartered accounting qualifications include ACA, ACCA and CIMA as well as Certified Fraud Examiners and members of the Chartered Institute of Arbitrators. His team's academic and professional backgrounds are varied with degrees in economics, math, engineering, art and design, and finance with fluent French, German and Bulgarian speakers. The office focuses on Property and Energy BI, ICOW, DSU/ALOP and Stock claims although they have assisted on offshore losses and special projects when requested.

Mark graduated from Edinburgh University with a Masters in Economics. He began a career in the Financial Services Audit and Assurance division of Deloitte & Touche in London. Mr Lewis was a member of the audit and special projects teams for insurance brokers Willis and Marsh, retail bank RBS, investment bank Goldman Sachs, private bank Cater Allen, securities & brokerage firm Sempra Metals, investment managing firms TT International, MLIM and ORN Capital and the pension fund of Anglo American.

In 2003, Mark joined forensic accounting firm Quintana & Lewis in Guam as a member of the catastrophe team following typhoon Pongsona. In 2004, Mark accepted a permanent role in South East Asia with C. Lewis & Company and spent 14 months analyzing claims in the hotel & hospitality industry, petrochemical industry and refining industry.





**Phil Durrant, ACII, ACILA**

Chartered Loss Adjuster  
*Integra Technical Services (UK)*

Phil Durrant is a Chartered Loss Adjuster with over 30 years of experience in property and business interruption insurance claims. Since 2000, he has specialized in Construction & Engineering, Power Generation, Downstream Energy, Mining and Specialist Liability claims.

Phil began his professional career in the UK with Cornhill Insurance. In 1988, he began his loss adjusting career in the UK. In 2002, he was appointed Construction & Engineering Division Director at Cunningham Lindsey International, moving up to the position of Board Director in 2005. Thereafter, he moved to their Hong Kong office for 2 years in 2007 before attaining the role of Deputy Regional Director, Middle East Cunningham Lindsey International from 2008 – 2011.

Prior joining Integra Technical Services (UK) in September 2018, Phil worked for Zurich Insurance Company (APAC) where he held several regional roles based out of the Singapore office. In March 2016, he was appointed Chief Claims Officer, Zurich Global Corporate (Asia Pacific) and Chief Technical Officer (Asia Pacific) holding the regional financial claims authority for all lines of business.



**Tracey A. Jordan**

Partner  
*Foran Glennon*

A partner in the firm, Tracey A. Jordan concentrates her practice on matters involving first-party property insurance coverage and litigation. Ms. Jordan is experienced in complex litigation matters in both state and federal courts throughout the United States. Ms. Jordan has represented both primary and excess layers of coverage under all risk, builder's risk and manuscript policy forms. She has successfully defended insurers on matters relating to not only major property damage and business interruption losses, but also bad faith and extra contractual claims. She also has experience with reinsurance markets and the relationship of those markets to the underlying claim presentation.

Ms. Jordan has advised insurers on the following issues: Recent developments in statutory and common law; Bad faith laws related to commercial policies in various factual contexts; Domestic and UK insurers on Application of Delay in Opening Endorsement to Builder's Risk Policy in connection with explosion during construction of power plant; Domestic and UK insurers on the meaning of "Direct Physical Loss or Damage," including an external cause requirement as it related to decreased performance of a combustion turbine after a generator failure at a major power facility and to the failure of a nitrogen rejection unit at a land II gas conversion facility; Retrocessionaires in the US and UK on total loss reinsurance and "Follow the Fortunes/Settlements" in the upstream offshore energy industry in connection with the collision of a vessel with an offshore water injection rig in the Norwegian North Sea; Insurers on the meaning of "Sudden and Accidental" as it related to the failure of a nitrogen rejection unit at a land II gas conversion facility; Insurers on various exclusions, including design defect, wear and tear and deterioration, as well as ensuing loss clauses, in various factual contexts.

Ms. Jordan has experience in all facets of litigation including discovery, motion practice, trial and alternative dispute resolution. She has worked vigorously to obtain both favorable settlement and trial results on behalf of her clients. In addition, Ms. Jordan leverages her first-party property insurance knowledge to advise clients on coverage issues involving cyber claims under different types of insurance policies, including emerging cyber policies. These issues involve inadvertent data losses, data breaches, business interruption, and general cyber risks.

Ms. Jordan has worked at law firms in both West Virginia and Pennsylvania defending insurance companies with regard to casualty claims including automobile accidents, medical malpractice, construction negligence and premises liability.

## WORKSHOP 3 SPEAKERS

### I FEEL THE EARTH MOVE UNDER MY FEET: HANDLING CLAIMS INVOLVING GEOTECHNICAL ISSUES AND EARTH MOVEMENT



#### Clark Schirle

Partner  
*Butler Weihmuller Katz Craig LLP*

Clark Schirle is a Partner at Butler Weihmuller Katz Craig LLP in Chicago. He has over 29 years of litigation experience. His practice areas include first party property, business interruption, products liability and international counseling and litigation.

Clark has developed a reputation and expertise in litigating large, complex, multi-million dollar first party commercial property disputes across the country. He has litigated many cases involving geotechnical issues and earth movement claims over his career.

Clark is a past Chair of the Property Insurance Law Committee of the American Bar Association's Tort Trial & Insurance Practice Section. He is also a frequent lecturer and author in the area of first-party property insurance.

Clark graduated Phi Beta Kappa from the University of Illinois in 1985 with a degree in political science. He is a 1988 graduate of the U.C.L.A. School of Law.



#### Richard Finno, PE, Ph.D., DGE

Professor, Department of Civil and Environmental Engineering  
*Northwestern University*

Professor Richard Finno is a geotechnical engineer specializing in the analysis and performance of supported excavations, foundations and tunnels. After receiving his BSCE from the University of Illinois at Urbana-Champaign and MS from Stanford University, he worked for Sargent & Lundy and Woodward-Clyde Consultants for 5 years. He returned to Stanford and received his Ph.D. in 1983 and has been a professor at Northwestern University since 1986.

Dr. Finno has been the principal investigator on \$9.4M of competitively-secured grants in the areas of full-scale performance of deep excavations and tunnels, adaptive management methods in geotechnical engineering, numerical analysis, inverse analysis techniques, failure processes in soil, small strain behavior of clays, non-destructive testing of deep foundations, dynamic properties of soils and blast densification of loose sands. He is the author or co-author of 175 reviewed technical papers and 20 technical reports. His work has resulted in a number of awards from ASCE, among them the Ralph B. Peck Medal, Karl Terzaghi Award, the Harry Schnabel Jr. Award for Lifetime Achievement in Retaining Structures, the Walter L. Huber Civil Engineering Research Prize and the Thomas A. Middlebrooks award (twice). He has given numerous invited lectures and paper presentations at venues around the world. He teaches graduate courses related to soil mechanics, foundation engineering, earth structures, underground construction, case studies in geotechnical engineering and constitutive response of soils.

Professor Finno has served as a consultant on more than 300 projects related to retention systems, tunnels, shafts and foundations. As part of his extensive work with deep supported excavations in urban areas, he has developed procedures to predict the extent of damage to structures and utilities that are impacted by the ground movements associated with excavation. He has served as an expert witness twelve times over the last decade in cases involving effects of ground movements on structures and failures of retention systems.





**Mark Krueger**  
Principal  
*Wiss, Janney, Elstner Associates, Inc.*

Mark Krueger has 32 years of experience at Wiss, Janney, Elstner Associates, an international firm of investigative engineers, architects, and materials scientists. In addition to his repair and renovation design practice he has provided his professional assessment of a wide range of construction, material defect, and insurance-related incidents, including expert testimony on several dozen cases that have been litigated.

## WORKSHOP 4 SPEAKERS

### TRANSPARENCY & CONTROL: A BETTER OPERATING MODEL



**Paul Donald**  
Founder & Chief Executive Officer  
*Encircle Inc.*

Encircle is the leading provider of mobile and cloud computing solutions for the property and casualty insurance industry. Paul is an accomplished entrepreneur and technology executive with over 25 years of experience solving productivity issues with innovative technology. Prior to co-founding Encircle, he was the COO at PushLife which was acquired by Google in May 2011. Paul spent the prior decade on the senior executive team at BlackBerry and was also the Founder and CEO at PeerDirect, which he sold to Progress Software in 1999. Paul is an active mentor, coach, and angel investor in Canada's Technology Triangle.

## WORKSHOP 5 SPEAKERS

### THE USE OF TECHNOLOGY IN LARGE LOSS INVESTIGATIONS: EXPERT, CLAIMS & LEGAL PERSPECTIVES ON THE VALUE OF TECH



**Paul Hines, Esq.**  
Partner  
*Denenberg Tuffley*

Paul Hines has been a partner at Denenberg Tuffley, PLLC since the firm opened. Paul's national practice focuses on large loss, commercial property and energy insurance subrogation. He has been admitted pro hac vice in numerous states on behalf of insurers, corporations, and individuals in product liability, insurance coverage disputes, contract, and tort claims. He has also been AV-rated by Martindale Hubbell since 2002.



**Paul R. McCullough, PE**  
Senior Project Engineer/Manager  
*S-E-A Limited*

Mr. McCullough received his Bachelor of Civil Engineering and Master of Science degrees in Civil Engineering, specializing in structures, from the University of Florida. Mr. McCullough's professional experience encompasses structural design, construction defect investigation, construction management, conflict resolution, and construction/development feasibility studies. The emphasis of Mr. McCullough's structural design experience consists of segmental bridge design, municipal building design, custom residential design, and seismic retrofit analysis for historical buildings.

Mr. McCullough functioned as Operations Manager for a construction and development company prior to serving as Founder and Principal of a development services company. As Principal, Mr. McCullough provided clients with a full suite of construction management and development services,



including on-site construction management, design solutions, financial feasibility studies, dispute resolution, contract compliance, critical path analysis, and project charter evaluation. Mr. McCullough performs investigations relating to construction defects, structural failures and collapses, and wind and flood damage.

Mr. McCullough is a licensed Professional Engineer in Alabama, California, Florida, Georgia, Louisiana, Mississippi, New Jersey, North Carolina, South Carolina, Texas, and Virginia; a licensed Certified Building Contractor in Florida; a licensed General Contractor in California; and a Certified Project Management Professional (PMP).



**Marcus A. Reath**

Vice President, Executive General Adjuster  
*McLarens*

Marcus Reath is a member of the U.S. Management Team at McLarens and leads the Detroit Michigan office, which opened in the fall of 2013. He joined McLarens in the spring of 2011 and was previously based in the Chicago office.

Prior to that, Marcus was with a Fortune 500 insurer and a regional independent adjuster based in Michigan. At McLarens, Marcus focuses on the handling of commercial property & casualty losses and servicing regional, national & global accounts.

## WORKSHOP 6 SPEAKERS

### ETHICAL CONSIDERATIONS INVOLVING THE RIGHT & DUTY TO INVESTIGATE



**Pamela W. Carter, Esq.**

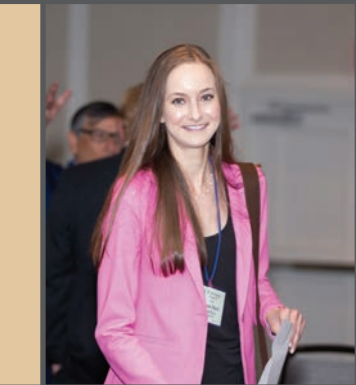
Partner  
*Carter Law Group, LLC*

Pamela W. Carter is the Founding Partner of the New Orleans Law Firm, Carter Law Group, LLC. Ms. Carter concentrates her practice on general litigation. She has represented clients in federal and states courts of Louisiana, as well as in Texas. She has litigated and mediated complex disputes, insurance claims for corporate clients, employment disputes and other matters including the following practice areas: mold, asbestos, premises liability, race/gender discrimination cases. Her role includes representing clients as Lead Coordinating Counsel for asbestos cases, products liability matters and hurricane claims. She has more than 20 years of coordinating, managing and trying cases.

Ms. Carter takes on cases irrespective of their size or exposure from filing through verdict, or just on the eve of trial, and represents her clients in one-time or pattern litigation, with cost-effective, result-oriented strategies. Her energy and enthusiasm for getting the job done drives the results clients seek. She is a regular speaker and author of many industry and diversity/inclusion related articles.

Ms. Carter presently serves as a National Director with DRI (Defense Research Institute), member of CLM, IADC Member and as a distinguished member of NAMWOLF. She was appointed by the Louisiana Supreme Court to the states' Lawyer Disciplinary Board where she currently serves on the board.





After a few years as a Louisiana television journalist, she attended Southern University Law School and graduated cum laude, Law Review (Executive Editor), Moot Court Board and served as the Law School Newspaper Editor in Chief. Ms. Carter was a judicial extern to the Louisiana First Circuit Court of Appeal and law clerk to The Honorable Niles Hammers, New Orleans Civil District Court.



**Francine M. Giugno, Esq.**  
*Mickey S. deLaup, APLC*

Francine M. Giugno is an attorney with Mickey S. deLaup, APLC. She is rated AV Preeminent by Martindale-Hubbell and she has been a trial and insurance defense attorney for over twenty-two years. Ms. Giugno's practice areas are Insurance Defense, Insurance Coverage, Property Insurance Defense, Litigation, Extra-Contractual Liability Defense, Construction Litigation Defense, General Tort Defense, Hurricane Litigation Defense, Premises Liability Defense, Environmental Litigation Defense, Transportation Defense and Appellate Practice. Ms. Giugno was accepted at Tulane University Law School with a scholarship and graduated in 1996. She was a judicial extern for the Honorable Steven R. Plotkin. She also served as a law clerk to The Honorable Clarence E. McManus and The Honorable H. Charles Gaudin. After her clerkships, she practiced with well-respected law firms in the Greater New Orleans area. Ms. Giugno is currently admitted to practice in the U.S Eastern, Middle and Western District of Louisiana. Ms. Giugno is admitted to practice in all of the Louisiana state courts and the state courts of New York.



**Jerry Provencher**  
CEO/Executive General Adjuster  
*Provencher & Company*

As CEO/Executive General Adjuster with Provencher & Company, LLC, Jerry has 40 years of experience in property claims, including 16 years with insurance company claims management and Home-Office technical staff. He has handled multi-million dollar losses across the country and served as an expert witness in numerous cases.

Jerry is a frequent speaker on technical claim issues. His articles on adjusting large property losses have been published by such organizations as American Bar Association, Claims Magazine, PLRB and the International Association of Arson Investigators. He is a member of the International Institute of Loss Adjusters, has been an officer of numerous industry organizations and on the faculty of the CLM Claims College. Jerry holds a degree in Accounting from Duke University.





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# SAVE THE DATES



2019 Spring  
Educational Conference

**June 12 - 14, 2019**

Fairmont Southampton  
Hamilton, Bermuda  
PO Box HM 1379  
Hamilton, HM FX, Bermuda



2020 Annual Meeting &  
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**January 15 - 17, 2020**

Marriott Fort Lauderdale  
Harbor Beach Hotel  
3030 Holiday Drive  
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