

ACCEC

American College of Coverage and
Extracontractual Counsel

2017 Law School Symposium
University of Michigan Law School, Ann Arbor, MI
October 20, 2017

Why Insurance Matters: Insurance As A Driving Force For Our Economy

8:30-9:00 am **Registration and Coffee**

9:00-9:15 am **Welcoming Remarks and Introductions**

- Bruce Celebrezze, Sedgwick LLP; President, American College of Coverage and Extracontractual Counsel
- Kyle Logue, Douglas A. Kahn Collegiate Professor of Law, University of Michigan Law School
- Michael Barnes, Dentons, and Christopher Mosley, Sherman & Howard LLC, Program Co-Chairs

9:15-10:05 am **From Rain Checks to Real Disasters: Insurance as the Necessary Grease in the Wheels of Commerce**

- Leo P. Martinez, University of California, Hastings College of Law
- Christine Haskett, Covington & Burling LLP

Panelists will deconstruct and simplify the core concept of insurance, relate it to other real world examples of risk transfer and absorption, and explain the critical role that insurance plays in permitting a functional market economy.

10:05-10:55 am **How Transactional Liability Insurance Has Changed The Way Private Equity Firms and Corporations Approach Public and Private M&A Transactions**

- Michael Huddleston, Munsch Hardt Kopf & Harr, PC
- Peter Rosen, Latham & Watkins LLP
- Gary Blitz, Aon Transactional Solutions
- Joseph Finnerty III, DLA Piper LLP (US)

Panelists will briefly trace the development of transactional liability policies and how the M&A markets have increasingly adopted these policies in private and public M&A transactions. The panel will discuss the various types of transactional liability policies, their mechanics and their key provisions. The panel also will discuss how the policies and their provisions have affected the way private equity firms and companies have approached the purchase or sale of a private company. The panel will further discuss the claims history of these policies and give specific examples from known arbitrations and litigations.

10:55-11:10 am **Break**

11:10 -12:00 pm **Good Faith/Bad Faith Claims Investigations: Information vs. Evidence - A Distinction with a Difference**

- Rick Hammond, HeplerBroom
- Marialuisa Gallozzi, Covington & Burling LLP

According to the Coalition Against Insurance Fraud, insurance fraud impacts approximately ten percent of all property-casualty insurance losses. How does an insurer know which claim is the one out of ten that's purportedly fraudulent? Labeling the wrong claim as fraudulent can have devastating consequences to the policyholder and the insurer. Under that backdrop, this panel will analyze the issue of good faith versus bad faith insurance investigations, and examine the type of insurer conduct that leads to allegations of bad faith claims handling.

12:00 -1:15 pm **Lunch**

Keynote: Kyle Logue, University of Michigan Law School

1:15-2:05 pm **Beyond Champerty: The Rise of Third Party Litigation Funding**

- Michael F. Aylward, Morrison Mahoney LLP
- Mary Craig Calkins, Kilpatrick Townsend & Stockton LLP

Panelists will discuss the explosion in third-party litigation financing in the United States in recent years, including the ethical conundrums that such funding present for the lawyers in a case and its practical and legal implications for insurers and insureds.

2:05-2:55 pm **Autonomous Vehicles and Aircraft: The Impact on Insurance**

- Ramji Kaul, University of Michigan Law School, Moderator
- Walter Andrews, Hunton & Williams LLP
- Kelly Freeman, WABCO North America
- Melody Alvarado Latino, Student, University of Michigan Law School
- Christian Robertson, Student, University of Michigan Law School

University of Michigan Law School students will join ACCEC fellows in a roundtable discussion of one of the most current issues in insurance law.

2:55-3:10 pm **Break**

3:10-4:00 pm **Crisis Management and Incident Response: Using Insurance As A Loss Mitigation And Business Resiliency Tool**

- John Bonnie, Weinberg Wheeler Hudgins Gunn & Dial
- Meghan Magruder, King & Spalding

This panel will discuss the importance of planning and preparation for major events that companies may face, such as natural disasters, explosions, fires, floods, regulatory investigations, and cyber-attacks, by incorporating insurance as a tool for risk management so that companies survive and thrive following these events.

4:00-4:45 pm **Tour of the Law Quad, including the Reading Room (optional)**

4:45-6:15 pm **Networking Reception**