

# Mealey's™ Reinsurance Litigation & Arbitration Conference

The principles, processes and practical applications vital to providing successful reinsurance legal counsel

**Co-Chairs:**

**Joy Langford, Esq.**

Chadbourne & Parke LLP  
Washington, D.C.

**William O'Neill, Esq.**

Crowell & Moring LLP  
Washington, D.C.

February 11 – 12, 2008

The Westin Grand  
Washington, D.C.

## Registration Form

**Mealey's™ Reinsurance Litigation & Arbitration Conference, February 11 – 12, 2008, The Westin Grand, Washington, D.C.**

- Register for the conference.** Multiple attendees: please submit form for each attendee.
- Written materials on CD for \$299** (U.S. & Canada: Please add appropriate sales tax to your order.)
- Multimedia CD of this conference for \$499.** The CD includes audio recordings, written speaker materials and presentations. (U.S. & Canada: Please add appropriate sales tax to your order.)

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# Registration Information

## Registration Fee

The registration fee includes attendance at all conference sessions, a copy of the conference handbook on CD, continental breakfast each day, one luncheon, networking reception, coffee breaks and continuing education credit processing. The registration fee is \$1195 for the first attendee.

## Special Discounts\*\*

- Early-bird registration, by December 17, 2007—\$1095 (save \$100)  
Payment required at time of registration
- Additional registrants from the same firm or company—\$1045 (save \$150)
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**Group Pricing and Passport Program Packages Available**—contact Mealey's regarding additional savings for your firm's practice group or legal department. Package pricing available for a single conference or a series of conferences.

## CLE, CPD & CPCU Credits Included†

Mealey's conferences are worth an average of 9 to 12 CLE credit hours. CLE credit will be available for all mandatory CLE states. International accreditation will also be available at this conference, as will CPCU credit through the American Institute for CPCU. For more information or to confirm the exact CLE credit approval for your state(s) license, please visit [www.lexisnexis.com/conferences](http://www.lexisnexis.com/conferences).

## How to Register

Please register online at [www.lexisnexis.com/conferences](http://www.lexisnexis.com/conferences), call 1-800-MEALEYS, fax your registration form to 610-205-1167, e-mail [mealeyseminars@lexisnexis.com](mailto:mealeyseminars@lexisnexis.com) or mail your registration form with payment to LexisNexis Mealey's, P.O. Box 7247-6167, Philadelphia, PA 19170-6167. Receipt of payment guarantees your registration. Walk-in registrations are welcome, however, please call in advance to confirm availability. A \$75 service fee may be charged for any on-site registrations.

## Cancellation Policy

Substitutions are welcome at any time. Registrants who are paid in full but do not attend the conference forfeit a refund or credit. Registrants who cancel up to 6 weeks prior to the conference date will receive a full refund. Registrants canceling from 3 weeks to 6 weeks prior to the conference date will receive a full credit toward another Mealey's Conference product. Cancellations made within 3 weeks prior to the conference date will be subject to a 50% administrative fee; the remaining amount will be credited toward another Mealey's Conference product. Credits must be used within six months of the date of issuance. Mealey's reserves the right to cancel any of its programs. Speakers, sessions and times are subject to change.

## Conference Venue & Hotel Accommodations

The Westin Grand is located at 2350 M Street NW, just 20 minutes from Ronald Reagan National Airport. Attendees should make reservations directly with the hotel by calling 202-429-0100. When making reservations, indicate that you are attending Mealey's Reinsurance Litigation & Arbitration Conference, February 11 – 12, 2008. A block of rooms has been reserved for attendees at a rate of \$189 a night for a single or double room. The cut-off date for this rate is January 11. After that date, this rate will be offered based on space availability. Please note: there is a limited number of rooms in our room block so make your reservations early.

For alternative hotels, please call us at 1-800-MEALEYS.

## Special Needs

Should you have any special needs, please contact Mealey's at least three weeks prior to the conference to allow us time to make reasonable accommodations.

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## Sponsorship & Exhibit Opportunities

Increase your exposure, maintain contacts and obtain new leads by sponsoring an event or exhibiting at this conference. Contact Lynnsey Perrin Hee at 610-804-6165 for details.

\*\*Cannot be combined with any other offer. Discounts do not apply to single or half-day registrations. For questions regarding discounts, please call Mealey's Customer Relations at 610-205-1000.

†Corporate discount not applicable to law firms, outside counsel, accounting firms, consulting groups or investment banks.

\*Approval pending at time of printing.

# Mealey's Reinsurance Litigation & Arbitration Conference

## Why you should attend

Leading cedant and reinsurer attorneys, in-house counsel and industry executives will take you on an in-depth journey into the current state of reinsurance litigation and arbitration—making this the perfect program for intermediate-to-experienced professionals dealing with reinsurance law.

Currently the landscape in the reinsurance market is undergoing tremendous change. Recent consolidations have put 80% of the life reinsurance market in the hands of the top five reinsurers, while the 2005 hurricanes caused a wave of high profile insurer insolvencies that are having a ripple effect on reinsurers in the courts.

When you attend **Mealey's Reinsurance Litigation & Arbitration Conference** you'll pick up the underlying principles, plus receive a clear picture of the current issues in the industry that affect how business is conducted today.

## How you will benefit

- Master reinsurance legal **principles, terms and contract provisions**
- Learn from counsel at major companies like Swiss Re, CIGNA and Zurich
- Become proficient at dealing with recurring issues like **honorable engagements** and **utmost good faith**
- Get up-to-date on hot topics like **extra-contractual obligations** "ECO" and **excess policy limits** "XPL" punitive damage claims
- Understand the **arbitration process** plus hear an **arbitrator's roundtable**
- Receive a comparison of the **U.S., U.K. and Bermuda** reinsurance markets
- Acquire the skills to deal with **discovery** issues unique to reinsurance
- Find out how to access cedants' **records** and how **privilege issues** are impacted by reinsurance contracts

## You don't want to miss ...

The "*In-House Roundtable*" discussion. You'll hear from a panel of experienced General Counsel at major reinsurers, including **Eric Kobrick**, the Chief Legal Officer at American International Group and **Elaine Caprio Brady**, VP and Manager of Ceded Reinsurance Operations at Liberty Mutual.

## You'll network with

This conference is the ultimate place to meet insurance and reinsurance executives, corporate counsel and attorneys from around the country.

Last year, over 70 attendees participated in the program including representatives from **ACE Reinsurance, Allstate, Aon Ltd., AXIS Reinsurance, CIGNA, Clarendon, Reinsurance Assoc. of America, Reliance Standard Life, Republic Insurance, RGA Reinsurance, Scottsdale Insurance, St. Paul Travelers, Swiss Re and Towers Perrin Reinsurance.**

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# Mealey's™ Reinsurance Litigation & Arbitration Conference

February 11 – 12, 2008

The Westin Grand, Washington, D.C.

Attend and network with key players in the reinsurance arena.

Last year's program was attended by industry representatives from:

ACE Reinsurance ■ Allstate ■ Aon Ltd. ■ AXIS Reinsurance  
CIGNA ■ Reliance Standard Life ■ RGA Reinsurance  
St. Paul Travelers ■ Swiss Re ■ Towers Perrin Reinsurance

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# Mealey's Reinsurance Litigation

February 11 – 12, 2008, The Westin Grand, Washington, D.C.

## Monday, February 11, 2008

### 8:00 Registration and Continental Breakfast

### 8:45 Welcome & Introductory Remarks

**Joy Langford, Esq.**, Chadbourne & Parke LLP, Washington, D.C.

**William O'Neill, Esq.**, Crowell & Moring LLP, Washington, D.C.

### 9:00 A Comprehensive Overview of Reinsurance

- What is reinsurance?
  - The purpose of reinsurance and an introduction to basic concepts
- Overview of the types of reinsurance
- What is a retrocessionaire?
- The roles of Brokers/Intermediaries/MGAs and MGUs
- Markets
- Regulation and solvency

**Anthony Mormino, Esq.**, Senior Vice President & Senior Legal Counsel, Swiss Re, Schaumburg, IL

### 10:00 Morning Break

### 10:15 Key Principles and Concepts

- Reinsurance as an honorable engagement
- Duty of utmost good faith
- Follow the fortunes
- Notice requirements
- Rescission

**James Scrimgeour, Esq.**, Senior Counsel, St. Paul Travelers Companies, Inc., Hartford, CT

**Jennifer Devery, Esq.**, Crowell & Moring LLP, Washington, D.C.

### 11:15 Procedural Issues in Reinsurance Disputes

- Litigation, arbitration or mediation
- Summary adjudication
- Consolidation
- Compelling arbitration

**Ann Field**, Vice President Reinsurance Claims & Legal, Zurich North America, Schaumburg, IL

**Michael Steinlage, Esq.**, Larson King, LLP, Saint Paul, MN

**Robert Tomilson, Esq.**, Senior Counsel, CIGNA Corporation, Philadelphia

### 12:15 Luncheon & Keynote Address

**Speaker Invited: Jerome Dill**, General Counsel, Validus Re, Hamilton, Bermuda\*\*

# gation & Arbitration Confere

on, DC

## 1:15 Dealing with the Major Recurring Issues

- Allocating multiple year losses
- Application of aggregation principles as applied to recent industry losses
  - World Trade Center
  - Hurricane Katrina
  - Enron/WorldCom/IPO Laddering
  - Subprime mortgage crisis

**Samantha Miller, Esq.**, Chadbourne & Parke LLP, Washington, D.C.

**Beth Levene**, Senior Vice President—Claims Manager, Transatlantic Reinsurance Company, New York City

## 2:15 Discovery Concerns

- E-Discovery
- Discovery from brokers and intermediaries

**Nicole Blanche Guerin**, Vice President, Reinsurance Contracts and Claims, Towers Perrin Reinsurance, Philadelphia

## 3:15 Afternoon Break

## 3:30 Key Phases of the Arbitration Process

- Selecting the panel
- Panel disclosures
- Ex parte communications
- Confidentiality
- Breadth of discovery
- Hearing
- Award

**Charles Ehrlich, Esq.**, Senior Vice President of Claims and General Counsel, RiverStone Group LLC, Manchester, NH

**Jessica Pardi, Esq.**, Morris, Manning & Martin, L.L.P., Atlanta

## 4:30 In-House Roundtable

- In-house expectations of outside counsel—Is the arbitration process achieving the industry expectation?
- Emerging claims issues
- Developments in modern reinsurance contract wordings

**Moderator: Joy Langford, Esq.**, Chadbourne & Parke LLP

**Eric Kobrick, Esq.**, Associate General Counsel and Chief Reinsurance Legal Officer, American International Group, Inc., New York City

**Elaine Caprio Brady**, Vice President and Manager, Ceded Reinsurance Operations, Liberty Mutual, Boston

**Gregg Klingenberg**, Vice President, Assistant General Counsel, Scottish Re, Charlotte, NC

## 5:30 Networking Reception

## Tuesday, February 12, 2008

### 8:00 Continental Breakfast

#### 8:15 Life Reinsurance Arbitration Issues

- Key areas of disputes
- Differences from property/casualty reinsurance
- Arbitrator selection in life and health disputes

**Elizabeth Mullins, Esq.**, Senior Vice President & Reinsurance Counsel, Swiss Re Life & Health America, Armonk, NY

**Kevin Tierney, Esq.**, Arbitrator/Mediator, Law Office of Kevin Tierney, Falmouth, ME

**Christopher Bello, Esq.**, Vice President, General Counsel & Secretary, General Re Life Corporation, Stamford, CT

#### 9:15 U.S., U.K. and Bermuda Markets: A Comparison Study

- Differences in arbitration process
- Differences in court process
- Bermuda form arbitrations

**Grace Hanson**, Senior Vice President, Chief Claims Officer, Allied World Assurance Co. Ltd., Hamilton, Bermuda

**Mark Chudleigh, Esq.**, Sedgwick, Detert, Moran & Arnold, LLP, London

### 10:30 Morning Break

#### 10:45 Claims for ECO/XPL and (Re)Insurability of Punitive Damages

- What is ECO? What is XPL?
- U.S. law on insurability of punitive damages
- Reinsurance contract provisions regarding ECO/XPL
- How do courts and arbitration panels resolve disputes over reinsurance coverage for ECO/XPL?

**Michelle Jones, Esq.**, Crowell & Moring LLP, Washington, D.C.

**Michael Frantz, Esq.**, Vice President—Claims, Munich Re America, Princeton, NJ

#### 11:30 Access to Records, Privilege, Waiver and the Voluntary Disclosure of Privileged Documents to Reinsurers

- Common interest
- Tension between protecting privileged material and transparency with the cedent's reinsurers
- Reinsurers ability to compel privileged material in a dispute setting

**Christa Thorpe, Esq.**, Chadbourne & Parke LLP, Washington, D.C.

**Reka Koerner, Esq.**, Senior Vice President, Group Legal, Swiss Reinsurance America Corporation, Armonk, NY



## 12:15 Arbitrators' Roundtable

- Dos and don'ts for counsel & parties
- Arbitration panels' consideration of consolidation issues
- Use of technology
- Role of experts

**Moderator: William O'Neill, Esq.**, Crowell & Moring, Washington, D.C.

**Elizabeth Thompson**, Certified Arbitrator, ARIAS U.S., Gypsum, CO

**John Cole, Esq.**, Wiley Rein LLP, Washington, D.C.

**Katherine Billingham, JD, CPCU**, Katherine L. Billingham Co., L.P.A., Indianapolis

**John Dore**, Certified Arbitrator, Sheridan Ridge Advisers LLC, Chicago

## 1:15 Adjourn

## The Co-Chairs

**Joy Langford, Esq.**, concentrates her practice on insurance and reinsurance litigations and arbitrations on behalf of both ceding and assuming reinsurance companies. Ms. Langford has been involved in dozens of arbitrations and litigations involving current issues in property/casualty and life/health and financial reinsurance. She has handled matters relating to environmental liabilities; asbestos liabilities, 9/11 issues, finite reinsurance, and allocation issues. Ms. Langford's practice also includes providing strategic counseling to clients in the insurance and reinsurance industry on a wide range of subjects. In this role, Ms. Langford routinely provides advice regarding allocation of losses arising out of continuous injury torts, captive company issues, reinsurance accounting and auditing, and losses arising out of disasters such as 9/11 and Hurricane Katrina. She also counsels companies on contract drafting, notice issues, settlements and commutations.

**William O'Neill, Esq.**, is a partner in Crowell & Moring's Insurance and Reinsurance Group in Washington, D.C., where he heads the firm's reinsurance practice. His practice focuses on arbitrating and litigating disputes on behalf of cedents, reinsurers, and brokers. Mr. O'Neill has been involved in dozens of disputes involving issues in life, health, and property/casualty reinsurance matters. Recently, he has represented clients in disputes involving the reasonableness of reinsurance premiums, Katrina losses, cedent insolvencies, follow the fortunes, late notice, and allegations of misconduct by brokers and managing general agents. Mr. O'Neill also counsels clients regarding business, strategic and regulatory matters including reinsurance claims and notice issues.

# Conference Faculty

## CO-CHAIRS

**Joy Langford, Esq.**

Chadbourne & Parke LLP, Washington, D.C.

**William O'Neill, Esq.**

Crowell & Moring LLP, Washington, D.C.

## FACULTY

**Christopher Bello, Esq.**

Vice President, General Counsel & Secretary  
General Re Life Corporation, Stamford, CT

**Katherine Billingham, JD, CPCU**

Katherine L. Billingham Co., L.P.A., Indianapolis

**Elaine Caprio Brady**

Vice President and Manager Ceded  
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**John Cole, Esq.**

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**Jennifer Devery, Esq.**

Crowell & Moring, LLP, Washington, D.C.

**Jerome Dill††**

General Counsel, Validus Re  
Hamilton, Bermuda

**John Dore**

Certified Arbitrator, Sheridan Ridge  
Advisers LLC, Chicago

**Charles Ehrlich, Esq.**

Senior Vice President of Claims and General  
Counsel, RiverStone Group LLC, Manchester, NH

**Ann Field**

Vice President Reinsurance Claims & Legal  
Zurich North America, Schaumburg, IL

**Michael Frantz, Esq.**

Vice President—Claims, Munich Re America  
Princeton, NJ

**Nicole Blanche Guerin**

Vice President, Reinsurance Contracts and  
Claims, Towers Perrin Reinsurance, Philadelphia

**Grace Hanson**

Senior Vice President, Chief Claims Officer  
Allied World Assurance Co. Ltd., Hamilton  
Bermuda

**Michelle Jones, Esq.**

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**Gregg Klingenberg**

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**Eric Kobrick, Esq.**

Associate General Counsel and Chief  
Reinsurance Legal Officer, American  
International Group, Inc., New York City

**Reka Koerner, Esq.**

Senior Vice President, Group Legal  
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Chadbourne & Parke, LLP, Washington, D.C.

**Kevin Tierney, Esq.**

Arbitrator/Mediator, Law Office of Kevin  
Tierney, Falmouth, ME

**Robert Tomilson, Esq.**

Senior Counsel, CIGNA Corporation  
Philadelphia

††invited