

Asbestos Insurance Litigation Conference

April 21, 2010 | The Hub Cira Centre at 30th Street Train Station, Philadelphia



CONFERENCE CHAIRS:

Philip Hecht, Esq., K&L Gates, Washington, DC

Harry Lee, Esq., Steptoe & Johnson, Washington, DC

<p>9:00 Registration and Continental Breakfast</p> <p>9:30 Welcome and Overview of the Program Philip Hecht, Esq., K&L Gates, Washington, DC Harry Lee, Esq., Steptoe & Johnson, Washington, DC</p> <p>9:45 Claim Trends and Projections • The current mix of claims • Projections for 2010 and beyond • The view from the perspective of defense counsel, insurer and claims George Fitzpatrick, Esq., Swanson Martin & Bell, Chicago Michael Dinenberg, Assistant Vice President, Resolute Management Inc., Philadelphia Patrick McGrath, Managing Director, Navigant Consulting, Inc., Chicago</p> <p>11:15 Morning Break</p> <p>11:30 Revisiting Policy Limits • The impact of products vs. operations, number of occurrences, additional insureds and annualized limits • Types of actions – from Wellington arbitrations to misrepresentation claims Jack Gerstein, Esq., Troutman Sanders, LLP, Washington, DC Scott Godes, Esq., Dickstein Shapiro LLP, Washington, DC</p> <p>12:15 Networking Luncheon</p> <p>1:15 The Great Debate: The Future of Solvent Schemes of Arrangement • Asbestos—the largest liability at issue in long-tail solvent schemes • How do solvent schemes affect asbestos liabilities? • The impacts of UK solvent schemes on US policyholders • Update on legal challenges by US policyholders to solvent schemes Benedict Lenhart, Esq., Covington & Burling LLP, Washington, DC Timothy Carter, Director of Risk Management & Real Estate Sales, Goodrich Corporation, Charlotte, NC Jay Borowsky, Esq., Law Offices of Jay M. Borowsky, Philadelphia</p> <p>2:00 Recent Case Law Update • Trigger: exposure vs. injury-in-fact • Allocation, including for years with asbestos exclusions in some policies • Fraud allegations and findings in underlying asbestos cases Joann Lytle, Esq., McCarter & English, LLP, Philadelphia Lynn Neuner, Esq., Simpson Thacher & Bartlett, New York</p>	<p>2:45 Negotiating Coverage-in-Place Agreements • Coverage-in-place vs. alternatives • Crucial term and scope questions • Addressing future uncertainty • Claims handling and dispute avoidance Gregory Wright, Esq., K&L Gates, Washington, DC John O'Connor, Esq., Steptoe & Johnson, Washington, DC</p> <p>3:45 Afternoon Break</p> <p>4:00 Status of the Asbestos Bankruptcy Landscape • New asbestos bankruptcies • Recent decisions • Bankruptcies to watch Phil Anker, Esq., Wilmer Hale, New York Lisa Esayian, Esq., Kirkland & Ellis LLP, Chicago</p> <p>5:00 The Impact of the Supreme Court Decision <i>Travelers v. Bailey</i> • Case Background and Initial Rulings of Bankruptcy and Dist. Court • Initial Second Cir. Ruling • Supreme Court Ruling • March 2010 Second Cir. Ruling Preserving Chubb Potential Cross-Claims • Implications of Decision for “Direct Actions,” Travelers Settlement and Other Asbestos Bankruptcies William Shelley, Esq., Cozen O'Connor, Philadelphia</p> <p>5:30 Networking Reception</p>
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