

ADVANCE REGISTRATION DEADLINE: **NOVEMBER 16, 2012**



# PROFESSIONAL LIABILITY SEMINAR

DECEMBER 6-7, 2012

SHERATON NEW YORK HOTEL  
NEW YORK, NEW YORK

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part in an activity, such  
level of competence or

## REASONS TO ATTEND

- Learn about the emerging issues confronting the defense of all types of professionals, as well as the pressing issues confronting specific professional liability lines
- Network and build relationships with claims personnel and defense counsel from around the country
- Earn up to 12 CLE credits, including 1 hour of ethics credit

DRI DELIVERS RESOURCES TO BUILD YOUR PRACTICE



Learn what you need to know to protect your clients in 2013. DRI's Professional Liability Seminar is dedicated to addressing the educational needs of attorneys and insurers who protect the interests of all types of professionals, from lawyers and accountants to insurance producers and those involved in the construction and design industry. This seminar will include leading experts in the field who will provide important updates to ensure that you have the information you need.



**David L. Brandon**  
Program Chair



**Seth L. Laver**  
Program Vice Chair



**Daniel B. Meyer**  
Committee Chair



**Frances M. O'Meara**  
Committee Vice Chair



**Mark A. Solheim**  
Law Institute

Presented by **DRI's**  
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**Committee**

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## WHAT YOU WILL LEARN

- How to defend against new and emerging theories of liability against professionals
- The impact of the *in pari delicto* defense on professional malpractice claims
- How to determine whether someone practicing in a particular area is actually a "professional" under the law
- Defense and coverage issues that arise when employees act beyond the scope of their authority
- How to minimize exposure from the loss of electronic data
- The risks and benefits that arise from the outsourcing of legal services
- The effect of new consumer protection laws on the practice of professionals
- Tactics and strategies for defending many types of professionals

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## PROGRAM SCHEDULE

## WEDNESDAY, DECEMBER 5, 2012

6:00 p.m. **Registration**6:00 p.m. **Networking Reception**

*Sponsored by* **Kaufman Dolowich Voluck & Gonzo LLP**  
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## THURSDAY, DECEMBER 6, 2012

7:00 a.m. **Registration**7:00 a.m. **Continental Breakfast**7:00 a.m. **First-Time Attendees Breakfast**

**Daniel B. Meyer**, Professional Liability Committee Chair

8:00 a.m. **Welcome and Introduction**

**Mark A. Solheim**, *Larson King LLP*, St. Paul, Minnesota

**Daniel B. Meyer**, *O'Hagan Spencer LLC*, Chicago, Illinois

**David L. Brandon**, *Morris Polich & Purdy LLP*, Los Angeles, California

8:15 a.m. **What Is a “Profession”? Who Is a “Professional”? What Are “Professional Services”?**

Given the many challenges facing the professional liability defense team, we sometimes neglect to ask these preliminary questions. Yet the answers may not always be clear. They can differ dramatically, depending on where and how the services are rendered, the scope of the contract of employment/retention and the nature of the relationship between the professional and the plaintiff. The panel will discuss how to determine whether the “miscellaneous professional” is legally a professional and the impact that determination can have on substantive legal issues, such as statute of limitations, privity, duty and privilege.

**Moderator**

**Shari Claire Lewis**, *Rivkin Radler LLP*, Uniondale, New York

**Panel**

**Carrie Campi**, *Allied World Assurance Company*, Hartford, Connecticut

9:10 a.m. **Focus on Securities Brokers: Fun with FINRA**

Claims against broker-dealers and their registered representatives arising from TIC (tenants-in-common) investment property and other commonly owned real estate investment vehicles are on the rise and have the potential to wreak havoc on the investment community. Our panel of seasoned claims counsel and defense counsel will discuss the nature of these investment vehicles; the profiles of those who are permitted to—and most typically—invest in them; the scenarios in which the claims most often arise; and how the broker dealers and their counsel can best defend against claims of lack of due diligence and failure to disclose risk of failure of the product. The methods by which investors formulate their damages, and the strategies by which those damages can be reduced, will also be covered.

**Atea Martin**, *CNA Global Specialty*, New York, New York

**Chad E. Weaver**, *Edgerton & Weaver LLP*, Hermosa Beach, California

10:00 a.m. **Refreshment Break**

*Sponsored by* **Rivkin Radler LLP**  
 Uniondale, New York

10:15 a.m. **Focus on Design and Construction Professionals: Professional Liability and Construction Managers—A New Class of Professionals and the Insurance Issues That Confront Them**

Over the last decade, more construction projects—particularly large public projects—have enlisted the services of construction managers. This raises issues, including what is construction management; who qualifies (both legally and factually) as a construction manager; common problems of split duties of loyalty; the extent of the construction manager’s responsibility for design and construction; the pitfalls of contract language; and insurance problems that can arise. An overview of the liability and insurance environment affecting construction managers will be provided.

**Christian A. Carrillo**, *Morris Polich & Purdy LLP*, Los Angeles, California

**Robert Hughes**, *Ames & Gough*, Philadelphia, Pennsylvania



11:10 a.m. **Focus on Insurance Producers: The Devil Is in the Details**

Successful insurance producers must be excellent sales people, but their job also demands technical prowess. This session analyzes claims arising out of an agent's failure to investigate an insurer's financial strength; the ramifications of coverage checklists for an agent's liability exposure; and an agent's liability exposure arising out of insurance certificates.

**Robin LaFollette**, *Swiss Re America Holding Corporation*, Overland Park, Kansas

**Rolf E. Sonnensyn**, *Tomsche Sonnensyn & Tomsche PA*, Minneapolis, Minnesota

12:00 p.m. **Lunch** (*on your own*)

1:15 p.m. **When Subordinates Attack!**

Mr. Reisz will provide a detailed examination of fact patterns in which employees act outside the course and scope of their employment and thereby place the business entity in peril of collapse and its owners at risk of personal responsibility for the financial damage caused by the errant employee. Included will be legal defenses and coverage issues involving the potential conversion of LLP protection to one of a de jure general partnership obligation based on the potential lack of proper insurance, the use of the "innocent insured" defense and other strategies designed to pull them back from the brink of ruin.

**Frederick S. Reisz**, *Meyers McConnell Reisz Siderman PC*, Los Angeles, California

2:10 p.m. **Remedy Without a Cause: Including Risk Control Measures in Professional Contracts**

This panel will explore the increasing trend among professionals to include in contracts such provisions as binding arbitration or mediation, exculpatory clauses, limitations of liability and liquidated damages. The ethical implications of such provisions and the effect they can have on insurance coverage and the claims process will be discussed. The pending provisions of the Arbitration Fairness Act of 2011, and its impact on professional service agreements, will also be covered.

**Daniel B. Meyer**, *O'Hagan Spencer LLC*, Chicago, Illinois

**John C. Minett**, *Endurance Services Limited*, New York, New York

3:05 p.m. **Refreshment Break**

*Sponsored by Rivkin Radler LLP*  
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3:20 p.m. **Do IT Practices Help or Hinder Litigation?**

Litigation expenses against professionals are rising exponentially, due to the demands of electronic discovery and burdens placed on professionals regarding their own data and client data. Automated, consistently enforced and auditable written policies may offer a "safe harbor" to a professional who has inadvertently lost data. However, many professionals resist creating written policies, as they worry that the policy will be "Exhibit A" to establish a breach of the standard of care that the professional defined. Mr. Ludden will discuss backups, archives, document retention, email policies and practices, and their impact on the cost and success of defending professionals.

**C. Thomas Ludden**, *Lipson Neilson Cole Seltzer & Garin PC*, Bloomfield Hills, Michigan

4:10 p.m. **Damages: What Are the Limits?**

This session will cover new and creative ways to claim and defend excessive exposures to damages, such as exposure to noneconomic damages under tort theories of liability, including emotional distress, attorneys' fees, the economic loss rule as applied to professionals, the likelihood of punitive damage claims against professionals, defending speculative damages claims and enforcing defenses such as failure to mitigate.

**Shawn Kirkwood**, *Fireman's Fund Insurance Company*, Phoenix, Arizona

**Brett A. Scher**, *Kaufman Dolowich Voluck & Gonzo LLP*, Woodbury, New York

5:00 p.m. **Professional Liability Committee Meeting**  
(*open to all*)

6:00 p.m. **Networking Reception**

7:00 p.m. **Dine-Arounds**

Join colleagues and friends at selected restaurants for dinner (*on your own*).  
*More details on-site.*



**FRIDAY, DECEMBER 7, 2012**7:00 a.m. **Registration**7:00 a.m. **Continental Breakfast**

*Sponsored by* Owen Gleaton Egan Jones & Sweeney LLP  
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7:00 a.m. **In-House to In-House Breakfast**

*Sponsored by* DRI Corporate Counsel Committee

8:00 a.m. **Announcements**

**Seth L. Laver**, *Goldberg Segalla LLP*, Philadelphia, Pennsylvania

8:05 a.m. **Focus on Real Estate Professionals: Brokers' Exposure to Environmental Claims**

Claims arising from environmental matters, such as mold, asbestos, wells and gas containers will be covered. Mr. Monahan and Ms. Klier-Erich will analyze the duties of sellers and brokers to disclose, the duties to investigate and consult with third parties, the shift of burden to buyers and third parties, and the investigation sources and public records available. They will also examine coverage issues and the frequency of such claims, as well as the complications in defending them.

**Rinat B. Klier-Erich**, *Manning & Kass Ellrod Ramirez Trester*, Los Angeles, California

**Richard J. Monahan**, *CPCU, XL Insurance*, Hartford, Connecticut

9:00 a.m. **Focus on Accountants: Bernie Madoff and Auditor Liability—From “A” to Ponzi**

The Madoff scandal has impacted many professionals, notably accountants. This panel will reflect upon the four year anniversary of Madoff's arrest by evaluating recent developments, court opinions and legal theories arising from Madoff-related lawsuits against accounting professionals. What claims are the victims of Ponzi schemes filing against accountants? Which of those theories are successful and why? What have accountants and claim professionals learned to help avoid similar claims associated with the next con man? Our experienced panel will address litigation trends and will explore ways to protect accountants moving forward.

**Leon A. LaRosa, Jr.**, *CPA, CFE, CFF*, *EisnerAmper LLP*, Jenkintown, Pennsylvania

**Jonathan S. Ziss**, *Goldberg Segalla LLP*, Philadelphia, Pennsylvania

10:00 a.m. **Refreshment Break**

*Sponsored by* Larson King LLP

10:15 a.m. **Focus on Attorneys: Outsourced and Out on a Limb—The Risks and Benefits of Legal Outsourcing**

With the recession, corporate America and law firms have had to rethink their workforce and to provide alternative work arrangements for in-house and outside lawyers to maximize profits and minimize costs to clients for traditional legal services. There has been a recent trend in the legal market for not only outsourcing paralegal work, but also outsourcing lawyers for traditional legal work and task-based assignments, such as contract review, at rates approximately half of what firms would traditionally charge clients. However, this trend of maximizing profits and reducing costs presents potential new avenues of liability for lawyers and professional liability carriers, as well as ethical issues, such as the unauthorized practice of law and effective conflicts checks.

**Moderator**

**William A. Muñoz**, *Murphy Pearson Bradley & Feeney PC*, Sacramento, California

**Panel**

**Cynthia S. Fitzgerald**, *Hanover Professionals*, Grand Rapids, Michigan

**Dorothy F. “Dottie” Perillo**, *E.I. du Pont de Nemours & Company*, Wilmington, Delaware

11:00 a.m. **New Sheriff in Town: The Consumer Financial Protection Bureau (CFPB)—Why the Federal Government's Expanded Role in Consumer Protection Laws Should Concern Professionals**

The CFPB's formation is a turning point for increased federal management of consumer regulation and protection in a field formerly left primarily to the states. In addition to enforcing existing federal consumer protection laws, the CFPB has unprecedented authority to promulgate new regulations and rules and to supervise and investigate covered parties. Professionals from a variety of fields, including appraisers, financial advisors, insurance brokers, realtors and mortgage brokers, are now subject to the CFPB's broad authority. Mr. Sayles will provide an overview of the CFPB's coverage and will highlight consumer protection laws enacted by the agency relating to professionals.

**Andrew C. Sayles**, *Connell Foley LLP*, Roseland, New Jersey



11:45 a.m. **In Pah-Ree Dee-Lick-Toe: A Lesson in Latin for Counsel Defending Professional Liability Claims**

Latin for “in equal fault,” the *in pari delicto* defense provides that a plaintiff who has participated in wrongdoing should not be able to recover damages arising from the same wrongful acts. In the professional liability arena, the defense is taking center stage for accountants, lawyers, underwriters and other professional service advisers. It arises most frequently in cases involving auditor liability, financial fraud and individual and corporate bankruptcies, which present scenarios where the plaintiffs were often involved in the conduct at issue. Mr. Driscoll will identify the circumstances in which the defense might apply, explain policy rationales underlying its usage and highlight some of the distinguishing characteristics that set it apart from some of the more commonly asserted defenses of unclean hands, comparative fault and contributory negligence.

**Richard W. Driscoll**, *Driscoll & Seltzer PLLC*, Alexandria, Virginia

12:30 p.m. **When Outsiders Invest in Lawsuits: An Ethical Debate on This Growing Trend in Litigation**

Litigation financing provides a relatively new means for parties, usually plaintiffs, to fund litigation. In its most simple variation, outside investors fund large corporate, high-exposure personal injury or class action lawsuits in exchange for a cut of the eventual return, if any. This raises a fascinating ethical debate. Initially known as “champerty,” the practice of an otherwise disinterested source funding a lawsuit has become accepted in some jurisdictions. As the costs of litigation and the potential recovery of multi-million dollar verdicts continue to rise, so too do the apparent efforts of parties to fund their lawsuits efficiently to have their days in court. Our panel of experts will discuss the trends and ethical issues associated with alternate litigation financing.

**Michele DeStefano**, *University of Miami School of Law*, Miami, Florida

**Anthony J. Sebok**, *Benjamin N. Cardozo School of Law*, New York, New York

1:30 p.m. **Adjourn**

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## GENERAL INFORMATION

### CLE/CLAIMS ADJUSTERS ACCREDITATION

This seminar has been approved for MCLE credit by the State Bar of California in the amount of **12** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states.

**Application has been made for continuing education for claims adjusters.** Credit availability and requirements vary from state to state; please check the DRI website at [www.dri.org](http://www.dri.org) for the latest information for your state.

### REGISTRATION

The registration fee is **\$745** for members and those who join DRI when registering and **\$975** for nonmembers. The registration fee includes course materials, continental breakfasts, refreshment breaks and networking receptions. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by **November 16, 2012** (*please allow 10 days for processing*). Registrations received after **November 16, 2012**, will be processed on-site.

### REFUND POLICY

The registration fee is fully refundable for cancellations received on or before **November 16, 2012**. Cancellations received after **November 16** and on or before **November 23, 2012**, will receive a refund, less a \$50 processing fee. Cancellations made after **November 23** will not receive a refund, but the course materials on CD-ROM and a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax to DRI's Accounting Department at 312.795.0747. All refunds will be mailed within four weeks after the date of the conference. Substitutions may be made at any time without charge and must be submitted in writing.

### HOTEL ACCOMMODATIONS

A limited number of discounted hotel rooms have been made available at the **Sheraton New York Hotel, 811 7th Avenue on 53rd Street, New York, New York 10019**. For reservations, visit [www.dri.org](http://www.dri.org) and go to the Professional Liability Seminar page or **contact the hotel directly at 212.581.1000**. Please mention the **DRI Seminar** to take advantage of the group rate of **\$399 Single/Double**. The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **November 13, 2012**, to be eligible for the group rate. Requests for reservations made after **November 13** are subject to room and rate availability.

## SPECIAL DISCOUNTS

### GROUP DISCOUNT

The first and second registrations from the same firm or company are subject to the fees outlined previously. The registration fee for additional registrants from the same firm or company is **\$695**, regardless of membership status. All registrations must be received at the same time to receive the discount.

### IN-HOUSE COUNSEL

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates and subsidiaries. In order to qualify for free registration, the individual must also be a DRI member and a member of DRI's Corporate Counsel Committee. Offer excludes the DRI Annual Meeting.

### CLAIMS EXECUTIVES

Any DRI member employed as a claims professional by a corporation or insurance company, who spends a substantial portion of his or her professional time hiring or supervising outside counsel in the representation of business, insurance companies or their insureds, associations or governmental entities in civil litigation, will be entitled to free attendance at any DRI seminar. Offer excludes DRI Annual Meeting.

### TRAVEL DISCOUNTS

DRI offers discounted meeting fares on various major air carriers for **DRI's Professional Liability Seminar** attendees. To receive these discounts, please contact Hobson Travel Ltd., DRI's official travel provider, at 800.538.7464. As always, to obtain the lowest available fares, early booking is recommended.

The taping or recording of DRI seminars is prohibited without the written permission of DRI.

Speakers and times may be subject to last-minute changes.

DRI policy provides there will be no group functions sponsored by others in connection with its seminars.



## FACULTY

**David L. Brandon** is a partner with Morris Polich & Purdy LLP, which has offices in Los Angeles, San Francisco, San Diego, Irvine and Las Vegas. Mr. Brandon represents clients in the areas of professional liability defense, commercial litigation and appeals. He serves on the Los Angeles County Bar Association's ethics committee and is an adjunct professor of law at Loyola Law School. Mr. Brandon is the program chair of this seminar.

**Carrie Campi** is the assistant vice president of E&O Claims for Allied World Assurance Company in Hartford, Connecticut. She manages a team of claims analysts who handle claims for lawyers errors and omissions (E&O), insurance agents and brokers E&O, and miscellaneous professional lines. Ms. Campi has over 12 years of claims experience, handling claims for financial institutions E&O, miscellaneous E&O, employment practices liability, directors and officers and fiduciary liability lines. She is a member of the Connecticut and Maryland bars.

**Christian A. Carrillo** is an experienced construction and professional liability litigator with Morris Polich & Purdy LLP in Los Angeles. For over 10 years, he has represented all types of parties to construction projects. Mr. Carrillo also has an extensive background defending professionals in negligence actions. Drawing on his experience in both construction law and professional liability law, Mr. Carrillo also represents construction managers, providing advice and defending them in professional liability actions.

**Michele DeStefano** is an associate professor of law at the University of Miami School of Law in Miami, Florida. Her primary area of scholarly interest is the growing intersection between law and business and the consequences of these developments for clients, the profession and the public.

**Richard W. Driscoll** is a partner at Driscoll & Seltzer PLLC in Alexandria, Virginia. He represents professionals in malpractice claims and before administrative agencies, with an emphasis on representing lawyers, insurance producers and accountants. Mr. Driscoll is a member of DRI's Professional Liability Committee and co-chair of its Insurance Professionals SLG. He is also a member of PLUS, CLMA, APRL, Virginia Association of Defense Attorneys, and DC Defense Lawyers Association.

**Cynthia S. Fitzgerald** has been with Hanover Insurance Group in Grand Rapids, Michigan, since 2000, first serving as senior lead trial counsel—complex litigation. In 2010, Ms. Fitzgerald assumed the role of claims director for the lawyers professional liability arm of the Hanover Professional Liability E&O Division. She has held a variety of roles during her 30 years as a defense lawyer, representing the interests of lawyers, doctors and other professionals, as well as handling complex employment and product liability litigation.

**Marta E. Garrett** holds a Bachelor of Science degree in nursing and a law degree. After several years in the private practice of law, Ms. Garrett is currently employed as a senior claims specialist at ProAssurance Companies in Birmingham, Alabama.

**Robert Hughes** is a senior vice president with Ames & Gough in Philadelphia. Mr. Hughes has represented construction professionals in legal, insurance and related matters for over 20 years. He has served in various executive positions with a leading professional liability insurance carrier, including being responsible for the handling and oversight of all professional liability claims. Mr. Hughes currently serves design and other construction professionals in the areas of risk management and insurance.

**Shawn Kirkwood** is a claims specialist with Fireman's Fund Insurance Company in Phoenix. Ms. Kirkwood is in charge of oversight of high-risk primary and excess quota share lawyers and accountants professional liability claims with exposure exceeding \$1 million. Her experience includes responsibility for professional liability claims of all types, including architects and engineers, accountants, home health nurses, title insurance professionals, computer consultants and educators.

**Rinat B. Klier-Erlich** is a partner at Manning & Kass Ellrod Ramirez Trester in Los Angeles. For 15 years, her practice has focused on the litigation of professional liability cases. She is also a licensed real estate broker and an active member of the California Association of Realtors, Legal Affairs Forum. Ms. Klier-Erlich serves on the steering committee for DRI's Professional Liability Committee and is a member DRI's Construction Law Committee and PLUS. She is an executive member of the real estate section of the California State Bar.

**Stuart Kohn** is the assistant vice president and E&O and cyber liability product manager for Hartford Financial Products in New York City, where he is responsible for the development and strategic direction of the company's book of E&O and cyber liability insurance products. Mr. Kohn has over 18 years of insurance experience as an underwriter and broker with AIG, Marsh, Aon and NYMAGIC. He is a member of the New York and New Jersey bar associations.

**Robin LaFollette** is the head of professional advisors claims for Swiss Re/Westport Insurance in Overland Park, Kansas. She joined Westport in 2002. Previously, Ms. LaFollette practiced law as a commercial litigation attorney for 17 years. She handled professional liability cases involving attorneys, accountants and investment professionals.

**Leon A. LaRosa, Jr., CPA, CFE, CFF**, is a partner in the litigation services group of EisnerAmper LLP in Jenkintown, Pennsylvania. He has over 45 years of diversified experience in the public and private accounting sectors, and academia. Mr. LaRosa has served both public and privately held companies in the professional service, health care, wholesale, real estate and other industries. He has also served as an expert witness or consultant in matters involving financial statement fraud, employee fraud, professional malpractice, related party liability and bankruptcy.





**Seth L. Laver** is a partner in the Philadelphia office of Goldberg Segalla LLP, practicing in the area of commercial litigation. Mr. Laver focuses his practice on employment and labor law and professional liability defense, including the representation of lawyers, doctors, architects and accountants. For the last two years, Mr. Laver has been selected as a "Pennsylvania Super Lawyer Rising Star" by *Philadelphia Magazine*. He is the program vice chair for this seminar.

**Shari Claire Lewis** is a partner in the New York law firm of Rivkin Radler LLP, in its professional liability, product liability and intellectual property practice groups. Her practice, at the intersection of law and technology, includes matters involving attorney and other professional liability, medical device and product liability, and computer and Internet litigation. Ms. Lewis represents a variety of professionals in diverse litigation, including lawyers, appraisers, software designers, funeral directors, contractors and other professionals.

**C. Thomas Ludden** is a litigation partner with the Bloomfield Hills, Michigan, office of Lipson Neilson Cole Seltzer & Garin PC. His practice is focused on professional liability defense, commercial litigation and insurance defense, and coverage matters. Mr. Ludden is a member of DRI's Professional Liability Committee and currently serves as the vice chair of its Cyber Liability SLG.

**Atea Martin** is a director in the CNA Pro Specialty Claim Unit in New York City, where she is responsible for managing the life agents broker dealer professional liability claims group, involving claims against insurance agents, registered representatives and broker-dealers. Prior to joining CNA, she worked in the claims unit of another major professional liability carrier, as well as in-house for a broker-dealer, and practiced commercial litigation for two New York law firms.

**Daniel B. Meyer**, a partner at O'Hagan Spencer LLC in Chicago, represents professionals in malpractice claims and before administrative agencies, with an emphasis on representing lawyers, insurance producers and condominium and homeowner associations. Mr. Meyer is the chair of DRI's Professional Liability Committee. He is also a member of PLUS, the Association of Professional Responsibility Lawyers, the Chicago Bar Association, the Illinois State Bar Association and the ABA. He speaks and writes frequently on defense and risk management principles affecting professionals.

**John C. Minett** is senior vice president and counsel, professional liability claims manager for Endurance Services Limited in New York City. He has over 20 years of law firm and corporate in-house experience in the insurance/reinsurance industry. Mr. Minett is a frequent speaker, a published author and a recognized authority on D&O, financial institutions, fiduciary-ERISA and miscellaneous professional liability topics. He is an active member of PLUS and DRI, serving on the steering committee and Financial Institutions and Creditors Rights SLG for the DRI Commercial Litigation Committee.

**Richard J. Monahan, CPCU**, serves as the head of XL design professional and XL select professional claims for XL Insurance in Hartford, Connecticut. Mr. Monahan has 28 years of insurance claims experience. He is also a chartered property casualty underwriter through the American Institute for CPCU. Currently, Mr. Monahan oversees the management of all lines of professional liability, including real estate, lawyers, accountants, judges, technology/cyber, insurance agents, dentists and public entities.

**William A. Muñoz** is the managing shareholder in the Sacramento office of Murphy Pearson Bradley & Feeney PC, whose practice focuses primarily on the defense of attorneys and real estate professionals throughout Northern California and Nevada. Mr. Muñoz is a certified specialist in legal malpractice law by the State Bar of California Board of Legal Specialization and often speaks to attorneys on ways to avoid malpractice claims and other ethical pitfalls.

**Frances M. O'Meara** is the managing partner of Kaufman Dolowich Voluck & Gonzo LLP's Los Angeles office and is a nationally recognized professional malpractice attorney. Ms. O'Meara concentrates her practice in errors and omissions defense for attorneys, accountants, architects, insurance agents, real estate brokers and appraisers. She advises professionals and law firms on legal professional and ethical issues, and issues relating to risk management and loss control. Ms. O'Meara is the vice chair of DRI's Professional Liability Committee.

**Dorothy F. "Dottie" Perillo** is the discovery strategist and tactical coordinator for E.I. du Pont de Nemours & Company in Wilmington, Delaware. She is responsible for creating discovery plans, coordinating training and deployment of current paralegal staff, working with vendors regarding processing, litigation support tools, ESI stipulation requirements, production and review, and coordinating discovery technology. Previously, Ms. Perillo worked in the IP litigation group, managing discovery in conjunction with in-house and outside counsel. She has been with DuPont for 21 years.

**Frederick S. Reisz**, a shareholder with Meyers McConnell Reisz Siderman PC in Los Angeles, litigates primarily in the area of professional liability defense of lawyers, accountants, insurance brokers, financial planners, business advisors, architects, engineers and miscellaneous professional liability categories. Mr. Reisz has tried jury and bench trials, argued before state and federal appeals courts and is both a pro bono and paid mediator.

**Andrew C. Sayles** is a senior associate with Connell Foley LLP in Roseland, New Jersey. He devotes a substantial portion of his practice to financial services and consumer related litigation involving professionals. In addition, Mr. Sayles is known for his experience in defending claims under the Fair Debt Collection Practices Act and related federal legislation and has appeared before representatives of the CFPB and FTC. He is an active member of DRI's Professional Liability Committee.

**Brett A. Scher** is a partner at Kaufman Dolowich Voluck & Gonzo LLP in Woodbury, New York. He litigates in the fields of professional liability, insurance coverage disputes, commercial matters and securities litigation at the trial and appellate levels throughout the United States. His practice includes complex attorney malpractice claims arising from underlying commercial litigation, securities law, real estate, personal injury, corporate governance, entertainment law and patent/trademark issues. Mr. Scher also represents accountants, actuaries and insurance brokers/agents and third-party administrators.

**Anthony J. Sebok** is a professor of law at the Benjamin N. Cardozo School of Law in New York City. He is an expert on mass torts, litigation finance, comparative tort law and legal philosophy, who has authored numerous articles about litigation finance and mass restitution litigation.

**Mark A. Solheim** is a partner in Larson King LLP's St. Paul, Minnesota, office. Mr. Solheim represents clients in complex litigation matters, including product liability, transportation, class actions, medical negligence, professional liability, insurance and commercial disputes. He has been chosen by his peers as a "Super Lawyer" in *Minnesota Law & Politics* and is included in the *Best Lawyers in America*. Mr. Solheim is a member of DRI's Law Institute, the IADC, the Douglas K. Amdahl Inn of Court and the board of directors for the Minnesota Defense Lawyers Association.

**Rolf E. Sonnesyn** is a partner at Tomsche Sonnesyn & Tomsche PA in Minneapolis. Mr. Sonnesyn defends professional liability cases in Minnesota and Wisconsin. He has represented insurance agents for 25 years. Mr. Sonnesyn is a member of DRI, the Professional Liability Underwriting Society, the Professional Liability Defense Federation and the Academy of Certified Trial Lawyers of Minnesota.

**Chad E. Weaver** is a partner and cofounder of Edgerton & Weaver LLP in Hermosa Beach, California. His trial practice is primarily focused on defending professional liability claims, with a particular specialty of representing financial institutions and individuals in customer-related disputes and regulatory matters before the Financial Industry Regulatory Authority, the California Department of Corporations, and the Securities and Exchange Commission. He is a member of the California and Florida state bar associations.

**Jonathan S. Ziss** is a partner in the Philadelphia office of Goldberg Segalla LLP. His practice focuses on the representation of accountants in lawsuits brought by former clients, parties to business combination disputes, banks and other lenders, creditors and trustees, and other affiliated professionals. Mr. Ziss is frequently asked to represent accountants in investigations by federal, state and local authorities, including the IRS, FBI and Department of Labor, and by bankruptcy trustees and creditors' committees.

## 2012 SEMINAR SCHEDULE

- September 20–21 **Construction Law**  
*Arizona Biltmore*, Phoenix, AZ
- September 20–21 **Nursing Home/ALF Litigation**  
*The Cosmopolitan of Las Vegas*, Las Vegas, NV
- October 24–28 **Annual Meeting**  
*New Orleans Marriott*, New Orleans, LA
- November 8–9 **Asbestos Medicine**  
*Fontainebleau Miami Beach*, Miami Beach, FL
- December 6–7 **Insurance Coverage and Practice**  
*Sheraton New York Hotel*, New York, NY
- December 6–7 **Professional Liability**  
*Sheraton New York Hotel*, New York, NY

## 2013 SEMINAR SCHEDULE

- January 24–25 **Fire Science and Litigation**  
*FireSky Resort*, Scottsdale, AZ
- January 31–February 1 **Civil Rights and Governmental Tort Liability**  
*Arizona Biltmore*, Phoenix, AZ
- February 28–March 1 **Toxic Torts and Environmental Law**  
*The Ritz-Carlton*, New Orleans, LA
- March 14–15 **Women in the Law**  
*Eden Roc Renaissance Miami Beach*, Miami Beach, FL
- March 20–22 **Trial Tactics**  
*Paris Las Vegas*, Las Vegas, NV
- March 21–22 **Medical Liability and Health Care Law**  
*Eden Roc Renaissance Miami Beach*, Miami Beach, FL
- April 3–5 **Product Liability Conference**  
*Gaylord National*, National Harbor, MD
- April 10–12 **Insurance Coverage and Claims Institute**  
*Swissôtel Chicago*, Chicago, IL
- April 24–26 **Life, Health, Disability and ERISA Claims**  
*Westin Copley Place*, Boston, MA
- May 1–3 **Employment and Labor Law**  
*Arizona Biltmore*, Phoenix, AZ
- May 9–10 **Business Litigation and Intellectual Property**  
*InterContinental Chicago*, Chicago, IL
- May 16–17 **Drug and Medical Device**  
*Sheraton New York Hotel*, New York, NY

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