

C L I E N T

COACH AIRFARE AND (1) NIGHT LODGING
PAID BY USLAW NETWORK

USLAW NETWORK
**PROFESSIONAL
LIABILITY EXCHANGE**

IN COOPERATION WITH
THE INSURANCE AND RISK MANAGEMENT
SERVICES PRACTICE GROUP



MAY 17-18, 2018
HYATT REGENCY JERSEY CITY
ON THE HUDSON
JERSEY CITY, NJ



Register online at
<http://web.uslaw.org/2018-proliability-exchange/>

USLAW



ABOUT THE 2018 USLAW NETWORK PROFESSIONAL LIABILITY EXCHANGE

PROGRAM TOPICS

- Dissecting and Understanding the Tripartite Relationship
- The "Interrelated Wrongful Acts" Provision: 6 Degrees of Separation
- When is a Claim Not a Claim? If it Quacks Like a Duck...
- Pointing Fingers: Is it a Professional Liability Risk or a CGL Risk?
- What Do You Mean It's Not Covered?
- To Disclose or Not to Disclose: The Lethal "Knowledge of Circumstances" Issue
- Law Firms: The Soft Underbelly of Cybersecurity
- The Rise of Cyberattacks and Cyber Liability Claims and the Resulting Impact on Carriers and Clients

The 2018 USLAW NETWORK Professional Liability Exchange is being hosted in concert with the Insurance & Risk Management Services Practice Group. The Exchange is a two-day, interactive event that focuses on areas of concern for insurance professionals, claims and liability directors and in-house counsel, and promotes discussion and sharing of best practices in lieu of traditional talking heads and PowerPoints. From the rise of cyberattacks and cyber liability claims and the resulting impact on carriers and clients to the tripartite relationship among an insurer, insured and defense counsel, attendees will be active participants in the program. This program has been designed for professionals who handle claims, coverage and risk management, especially LPL, E&O and D&O, and will be driven by seasoned USLAW attorneys and industry leaders and experts who will guide you through a tailored program covering eight separate and timely topics.

Conveniently located just across the river from Manhattan with easy access to New York and Newark airports, please join us in May at the **Hyatt Regency Jersey City on the Hudson for the 2018 USLAW NETWORK Professional Liability Exchange** in Conjunction with Insurance & Risk Management Services Practice Group.

CLE AND CE ACCREDITATION

USLAW NETWORK will be offering national CLE credit for attorneys and CE credit for TX and FL adjusters (reciprocal with other states). All states are currently pending. We have partnered with CEU Institute as our CE/CLE provider to manage all credits: www.ceuinstitute.net. Should you have questions, please contact accreditation@ceuinstitute.net.

USLAW CORPORATE PARTNERS





SCHEDULE OF EVENTS

THURSDAY • May 17, 2018

11:00 A.M. - 6:00 P.M.
Registration

11:30 A.M. - 12:30 P.M.
Lunch for All USLAW Member
Attorneys and Corporate Partners

12:00 P.M. - 3:00 P.M.
**USLAW PROFESSIONAL
LIABILITY/INSURANCE & RISK
MANAGEMENT SERVICES ANNUAL
BUSINESS MEETING**
(USLAW Member Attorneys and
Corporate Partners Only)

3:00 P.M. - 6:00 P.M.
DAY ONE - EXCHANGE SESSIONS
(All Attendees Including
Client Guests)

6:00 P.M. - 9:00 P.M.
Dinner Cruise aboard the
World Yacht Duchess

FRIDAY • May 18, 2018

7:00 A.M. - 8:00 A.M.
Breakfast

8:00 A.M. - 12:00 P.M.
DAY TWO - EXCHANGE SESSIONS
(All Attendees Including
Client Guests)

12:00 P.M. - 1:00 P.M.
Lunch for All Attendees

1:00 P.M.
Close of Program and Departures

SESSION TOPICS



Planning Committee

Clay H. Coward
Wicker Smith O'Hara,
McCoy & Ford, P.A.
Orlando, FL

Keely E. Duke
Duke Scanlan & Hall PLLC
Boise, ID

Nancy M. Reimer
LeClairRyan
Boston, MA

Susan J. Welde
Murchison & Cumming LLP
Los Angeles, CA

DISSECTING AND UNDERSTANDING THE TRIPARTITE RELATIONSHIP

The tripartite relationship among an Insurer, Insured and Defense Counsel is unique and like no other in the context of attorney-client relationships. This exchange topic will explore the intersection among the contractual, professional and ethical duties, obligations and responsibilities of all parties involved. We will discuss the carrier's duties and obligations in the tripartite relationship, what the defense counsel's ethical/ professional responsibilities are and what an insured's rights/obligations are in the tripartite relationship.

THE "INTERRELATED WRONGFUL ACTS" PROVISION: 6 DEGREES OF SEPARATION

Most claims-made policies contain a provision in which all future claims that "relate back" to the original claim are deemed to have been made in the same year, the year of the first claim. Therefore, in resolving a variety of coverage issues, the key question becomes whether a subsequently made claim is related to an earlier claim. The panel and the audience will work through fact situations towards the goal of identifying the important issues regarding relatedness and how those issues might be resolved.

WHEN IS A CLAIM NOT A CLAIM IF IT QUACKS LIKE A DUCK...

Despite the best of intentions, not every professional performs his or her services to the satisfaction of the client, customer or patient. The professional is subject to a barrage of communications expressing displeasure with the services they rendered. But when do those communications rise to the level of an actual "claim," thus triggering the duty to report to the carrier? The panel and the audience will work through fact situations on both sides of the fence on this tricky but crucial issue.

POINTING FINGERS: IS IT A PROFESSIONAL LIABILITY RISK OR A CGL RISK?

When is a service provided by a professional not a "professional service" at all, such that its professional liability policy does not come into play? We will explore different fact patterns and hypotheticals, asking the audience to "vote" as to whether it would be covered under a professional liability policy or a CGL policy.

SESSION TOPICS



WHAT DO YOU MEAN IT'S NOT COVERED?

This panel will explore a variety of exclusions commonly found in E&O/D&O policies, including "conduct-related" exclusions (illegal/fraudulent acts); insured v. insured exclusions, regulatory exclusions, and exclusions for "ill-gotten gains."

TO DISCLOSE OR NOT TO DISCLOSE: THE LETHAL "KNOWLEDGE OF CIRCUMSTANCES" ISSUE

Most applications for professional liability policies ask the professional to disclose whether they are aware of any circumstances, which might later result in a claim being made against them. This is a landmine – disclose everything under the sun and risk being denied the policy or being charged a higher premium, or not disclose due to an honest belief that a claim won't be made. The panel and audience will together explore the different standards applied to this situation.

LAW FIRMS: THE SOFT UNDERBELLY OF CYBERSECURITY

One can hardly turn on the news these days without hearing about the latest victim of a cyberattack. Industries across the board from large retailers to healthcare providers to even the U.S. government have been the targets of advanced cyberattacks wherein millions of personal identifiable information (PII) was stolen. The legal profession is not immune from the threat of a costly cyber incident. From a business standpoint, many clients are now demanding that their law firms do more to protect their sensitive information to ensure that they do not become "back doors" for hackers. We will discuss the key threat vectors involving law firms and clients, help you understand how you can be prepared and reduce risk in the face of potential cyberattacks, and provide you with actionable items on how to respond to a data breach and mitigate loss.

THE RISE OF CYBERATTACKS AND CYBER LIABILITY CLAIMS AND THE RESULTING IMPACT ON CARRIERS AND CLIENTS

The frequency of cyber liability claims is exploding. Law firms have become targets of internet scams and as a result, clients are now routinely bringing suits against their lawyers based on their failure to safely preserve client documents, secrets, finances, etc. (real estate transactional lawyers are often a target). This seminar will focus on the new and innovative causes of action being brought against firms, defenses to those claims and how carriers can access and evaluate if coverage exists for these new legal theories.



JOIN USLAW NETWORK FOR A BREATHTAKING DINNER CRUISE ON THE BEAUTIFUL YACHT, DUCHESS

Tonight, USLAW member attorneys and invited client guests will join together to enjoy an unforgettable three-hour excursion along the Hudson and East Rivers. Enjoy a sampling of the finest on-water dining and cocktails while you take in awe-inspiring panoramic vistas of one of the world's most fabled skylines – New York City. Get up close and personal to our country's beloved icon, the Statute of Liberty, and see the historic Brooklyn Bridge from a whole new perspective. See the sights of the city like never before, aboard the 160-foot luxurious vessel, Duchess. There are few dining venues in the city – land or sea - that can rival this cruise experience. Boarding takes place at 6 p.m. from the Hyatt Regency Jersey City on the Hudson Boat Dock.

**Boarding takes place at 6 p.m. from the Hyatt
Regency Jersey City on the Hudson Boat Dock**
Casual attire suggested.





HOTEL



2018 USLAW NETWORK **Professional Liability Exchange**

LOCATION

The Hyatt Regency Jersey City on the Hudson is ideally located near the New York Waterway ferry and PATH train for easy access to everything there is to do and see.

ABOUT THE HOTEL

Take advantage of the Hyatt Regency Jersey City on the Hudson's travel-friendly amenities, including a 24/7 fitness center, indoor pool, business center, and promenade for walking or jogging.

Relax in modern designed rooms with plush Hyatt Grand Beds™, oversized work areas, and stunning river views, while attending the USLAW NETWORK Professional Liability Exchange.



WHY USLAW

In today's global marketplace, legal needs often transcend geographic boundaries. To operate globally, you need to have an edge locally. This requires an in-depth understanding of local cultures, economies, laws, governments, trends and business climates. This kind of edge not only enhances your competitive position, but also allows you to anticipate – and even influence – changes in the market, and to react quickly and effectively.

Clients with these types of complex needs turn to USLAW NETWORK (USLAW) member firms to represent them in the courtroom and the boardroom, next door and across the United States and around the world. USLAW member firms are some of the most highly respected law firms in their respective jurisdictions. Each member firm is admitted only after substantial due diligence and is rigorously reviewed to ensure they meet USLAW quality service standards.

The collective expertise of USLAW member firms is impressive. National and international law firms, while they may have scores of offices, do not have access to the depth of the legal resources available through USLAW. As well, our lawyers know and respect each other. Through friendship, networking and resource-sharing, USLAW attorneys develop the type of cooperation and client-focused service that corporations demand of their legal counsel.

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NETWORK
MEMBERSHIP
ROSTER

**UNITED STATES
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Richmond & Quinn
ANCHORAGE, AK

ARIZONA
Jones, Skelton & Hochuli,
P.L.C.
PHOENIX, AZ

ARKANSAS
Quattlebaum, Grooms &
Tull PLLC
LITTLE ROCK, AR

CALIFORNIA
Murchison & Cumming LLP
LOS ANGELES, CA
Klinedinst PC
SAN DIEGO, CA
Hanson Bridgett LLP
SAN FRANCISCO, CA
Snyder Law, LLP
SANTA BARBARA, CA

COLORADO
Lewis Roca Rothgerber
Christie LLP
DENVER, CO

CONNECTICUT
Hinckley, Allen & Snyder LLP
HARTFORD, CT

DELAWARE
Cooch and Taylor P.A.
WILMINGTON, DE

FLORIDA
Wicker Smith O'Hara
McCoy & Ford P.A.
MIAMI, FL
Carr Allison
TALLAHASSEE, FL

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Duke Scanlan & Hall, PLLC
BOISE, ID

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Doll LLP
INDIANAPOLIS, IN

IOWA
Simmons Perrine Moyer
Bergman PLC
CEDAR RAPIDS, IA

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McMonigle &
Montemore, PC
KANSAS CITY, KS

KENTUCKY
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Doll LLP
LOUISVILLE, KY

LOUISIANA
McCranie, Sistrunk,
Anzelmo, Hardy, McDaniel
& Welch LLC
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BALTIMORE, MD

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BOSTON, MA

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ST. PAUL, MN

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Copeland, Cook, Taylor
& Bush, P.A.
RIDGELAND, MS

MISSOURI
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ST. LOUIS, MO

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Davis, Hatley, Haffeman
& Tighe, P.C.
GREAT FALLS, MT

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OMAHA, NE

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ALBUQUERQUE, NM

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CLEVELAND, OH

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Barrow, P.A.
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Northrup, LLP
PIERRE, SD

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Marston, P.C.
MEMPHIS, TN

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Fee, Smith, Sharp &
Vitulo, L.L.P.
DALLAS, TX

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SEATTLE, WA

WEST VIRGINIA
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Bonasso PLLC
CHARLESTON, WV

WYOMING
Williams, Porter, Day
and Neville PC
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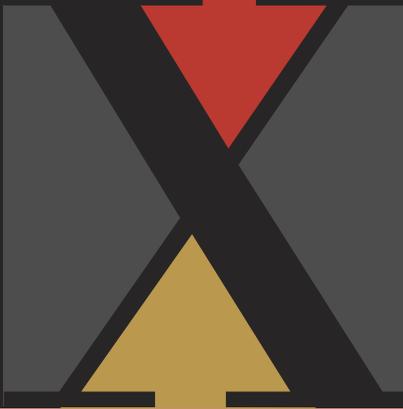
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ABOUT THE PROFESSIONAL LIABILITY PRACTICE GROUP

Across the country, USLAW NETWORK member firms represent licensed professionals in liability matters. Our affiliated professionals in more than 60 law firms bring extensive experience representing lawyers, doctors, accountants and tax professionals, directors and officers, real estate professionals, and insurance brokers.

Collectively, we offer clients who work with our NETWORK an international footprint of veteran attorneys with deep knowledge, skills and experience in professional liability issues handled on behalf of clients and insurance companies.

Why Choose USLAW Professional Liability Law Firms?

As a USLAW practice group, we work together to stay ahead of issues emerging in professional liability, to educate each other on innovative strategies to mitigate risk and exposure for our clients and assist each other in the vigorous defense of liability claims.

We also offer our clients – both those of our individual firms and those who use numerous USLAW firms – ongoing education through seminars, handbooks, and roundtables designed to keep our clients out in front of emerging issues.

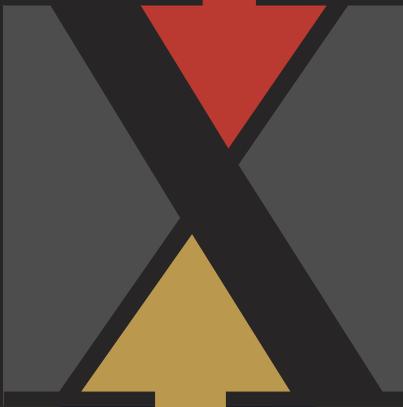
We work collaboratively with our other partners in USLAW, in partnership with other NETWORK practice groups and our member firms, to seamlessly serve clients with national and multi-jurisdictional needs. We provide our individual firm clients with a vetted short-list of quality law firms not only capable and competent to handle their issues, but also committed to serving them in a responsive manner.

Areas of Practice

Our group of seasoned professionals works nationwide on behalf of clients and insurance companies in the defense of professional liability claims against:

- Accountants and tax professionals
- Lawyers
- Directors and officers (D&O)
- Real estate professionals
- Financial advisors and professionals
- Healthcare professionals, including medical doctors, nurses, psychologists, psychiatrists, physical therapists, hospitals, nursing homes, residential treatment facilities, and veterinarians.

USLAW



ABOUT THE INSURANCE AND RISK MANAGEMENT SERVICES PRACTICE GROUP

USLAW brings together more than 60 law firms with deep experience evaluating, assessing, and litigating insurance coverage and bad faith claims. We offer clients seamless access to competent, quality counsel throughout the United States and around the world. Our member firms provide clients with the complete spectrum of services in this area, from initial coverage opinions on new claims through trial and appeals.

Why Choose USLAW Insurance and Risk Management Services Law Firms?

As a practice group, we are able to aggregate our decades of experience handling insurance and bad faith claims. Our focus is to provide our clients with access to a team of top coverage and bad faith counsel that are dedicated to help provide solutions to our clients' most pressing coverage and bad faith needs, with high-quality "boots on the ground" in whatever jurisdiction necessary. In addition, we seek to provide our clients with the tools to stay abreast of important coverage opinions and significant court decisions across the country and the world, tapping into the seamless USLAW network of lawyers.

Because of our group members' experience and depth in this area, individual attorneys in the USLAW insurance group are well-equipped to help insurers and insureds navigate through the process of responding to and successfully resolving any difficult claim. We are experienced in providing strategic guidance and timely counsel on all steps from the initial investigation through to final conclusion of a claim, providing particularly sensitive and experienced advice on how to successfully resolve exposures to bad faith claims. Through our decades of experience in this industry and our wide geographic footprint, we have long-standing and beneficial relationships with the many parties

USLAW

Why Choose USLAW Insurance and Risk Management Services Law Firms? continued

involved in insurance claims, including qualified experts in the fields of engineering, cause and origin experts, accident and incident reconstruction specialists, and police and fire departments.

Moreover, our reach and experience is further supplemented by our other colleagues in USLAW. We regularly communicate and collaborate with our peers in the USLAW Professional Liability, Transportation and Employment practice groups to create a broad forum of experienced lawyers with diverse perspectives. Together, we develop CLE opportunities for our clients and USLAW contacts, educate our group members to ensure comprehensive and consistent counsel across our member firms, and actively engage in a dialogue that focuses on the exchange of best practices in case evaluation and case management, all of which ensures we continue to deliver the highest quality representation to our individual firm clients.

Areas of Practice

Our members' work with insurance companies and insureds includes:

- Medical, Legal and other Professional Malpractice claims
- Defense of Real Estate Brokers and Sales Agents
- Motor vehicle accidents
- Wrongful death claims
- Products liability claims
- Premise liability claims
- Bad faith and fraud
- Civil rights matters, including employment discrimination, harassment, and wrongful discharge claims
- Fire and other casualty loss cases environmental damage claims
- Workers' Compensation claims
- Defense of municipalities and school districts in a broad range of matters.

USLAW

REGISTRATION

Complete the information below
and email, fax or mail to USLAW.

PROFESSIONAL LIABILITY EXCHANGE

MAY 17 - MAY 18, 2018

HYATT REGENCY JERSEY CITY ON THE HUDSON (NJ)

Mail registration form to:

Jennifer Randall
USLAW NETWORK
Professional Liability
Exchange
3111 N University Drive
Suite 400
Coral Springs, FL 33065

Fax registration form to:

(800) 231-9110

Email registration information to:

jennifer@uslaw.org

Register online at:

<http://web.uslaw.org/2018-proliability-exchange/>

FULL NAME (E.G., JOSEPH A. SMITH)

NICKNAME ON BADGE

TITLE

COMPANY NAME

ADDRESS

CITY, STATE, COUNTRY, ZIP

PHONE

FAX

EMAIL

CONTINUING LEGAL EDUCATION (CLE) LIST YOUR STATE AND BAR NUMBER

CONTINUING EDUCATION (CE) FOR INSURANCE ADJUSTORS LIST YOUR STATE AND LICENSE NUMBER

YES I WILL ATTEND THE EVENING DINNER CRUISE ON THURSDAY, MAY 17, 2018

**FOR QUESTIONS,
PLEASE CALL
(800) 231-9110
EXT. 3**

**REGISTRATION
DEADLINE:
THURSDAY
MAY 10, 2018**



**MANAGE
YOUR RISK**



Register online at <http://web.uslaw.org/2018-proliability-exchange/>