



Professional Liability

Minding Your Business: Balance Client and Personal Expectations to Achieve a More Rewarding Practice

- Panel discussion about the devastating effects of substance abuse on attorneys
- Roundtable discussion with elite claims professionals from all lines
- The ethics of online conduct and the impact of A.I. on professionals



PROFESSIONAL GROWTH WORKSHOP

Defining Your Career: A Workshop for Rising Leaders

LITIGATION SKILLS WORKSHOP

The Art of the 30(b)(6) Deposition

See page 2 for details



December 5-6, 2019

Sheraton New York Times Square Hotel

New York, NY

The life of a professional can be hard. Client demands, complex and ever-evolving technology, and the stress of maintaining current relationships while developing new ones can strain most professionals. Add a lawsuit against the professional, and the strain can rise to a potential danger. The 2019 DRI Professional Liability Seminar addresses these stressors, offering solutions for handling current claims and practical tips to avoid the next one. Join our preeminent faculty for two days of stress relief, claims mitigation, and networking with clients and colleagues.



R. Bruce **Wallace** Program Chair



Seth L. **Laver** Committee Chair



Kimberly K. (Kim) **Noble** Program Vice Chair



Melody J. **Jolly** Committee Vice Chair



Daniel W. **Gerber**Law Institute

PRESENTED BY DRI'S Professional Liability Committee

THIS SEMINAR BROCHURE IS SPONSORED BY





What You Will Learn



- How a cyberattack happens in real time
- How a well-drafted engagement letter can aid a professional in the event of a claim
- Creative methods for avoiding litigation through early resolution
- How to train your expert
- How to prevent and avoid the unauthorized practice of law
- Tips for personalizing the professional for jury presentation

DRI Members Get More

- Access to dri circles, where lawyer-to-lawyer connections happen. Search dri circles in your app store:

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- 29 Substantive Law Committees (no additional charge)
- Aetna Healthcare
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Points to **reduce your registration fee**:

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- Attend a seminar
- Participate on a committee
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PROGRAM SCHEDULE

Click on any speaker name to view bio.

WEDNESDAY, DECEMBER 4

12:30 p.m. **Registration for Workshops**

NEW PROFESSIONAL GROWTH WORKSHOP

Wednesday, December 4 1:00 p.m.-4:30 p.m.

Defining Your Career: A Professional Growth Workshop for Rising Leaders

PRESENTER | Wendy Merrill, StrategyHorse Consulting Group, Baltimore, MD

Confidence, branding, and value: building the foundation for sustainable growth. Those who aspire to partnership must balance a variety of skill sets in addition to doing good work for clients; they must become adept at delegation, management, business development, marketing, and executive skills as well. This workshop is designed to provide participants with proven strategies to develop the confidence and competency needed to steward their firms into the future.

Unlike traditional, more prescriptive programs, this workshop will be interactive and tailored to the specific challenges and needs of the attendees. Partici-

pants will engage in creative exercises and group dialogues as a means of encouraging each attorney to take more ownership in his or her own professional growth and the future success of his or her firm.

Participants will leave the session having learned how to:

- Develop executive presence and personal branding
- Position yourself as an invaluable trusted advisor
- Think strategically about growing your practice in an efficient and profitable manner

Act now to reserve a spot because space is limited. See registration form for pricing.

LITIGATION SKILLS WORKSHOP

Wednesday, December 4, 1:00 p.m.-5:00 p.m.

From Blank Canvas to Masterpiece: The Art of the 30(b)(6) Deposition

With plaintiffs' attorneys attempting to circumvent written discovery limitations through 30(b)(6) depositions, successful trial attorneys need to be attuned to analyzing and deconstructing the 30(b)(6) deposition notice properly and determining the appropriate corporate designee(s) at the outset. Defense counsel can stop plaintiffs' counsel in their tracks with thorough preparation of these witnesses and effective defense of these depositions. The DRI Litigation Skills Committee (formerly "Trial Tactics") is excited to present the Litigation Skills Workshop in conjunction with this seminar, providing attendees of this interactive

program with the tools necessary to push back on the deposition notice and ultimately prepare and defend the witness at deposition. One-on-one and small group exercises will ensure that you are prepared to mount an impactful defense.

Space is limited and spots will go fast! See registration form for pricing.

Daniel J. (Dan) Arnett, Arnett Law Group LLC, Chicago, IL Penelope M. (Penny) Deihl, Clark Hill PLC, Los Angeles, CA Thomas P. (Tom) Murray, Jr., Hanover Insurance, Grand Rapids, MI

J

5:30 p.m. Women's Networking Reception

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

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

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Cranfill Sumner & Hartzog LLP

Community Service Project: Loving Our Neighbors



Join DRI members and seminar attendees in writing encouraging letters to New York's More Love Letters. This project will proceed **#DRICares** throughout the seminar. Materials and

instructions will be available on-site.

THURSDAY, DECEMBER 5

7:00 a.m. **Registration**

7:00 a.m. Continental Breakfast

Welcome and Introductions 8:00 a.m.

> Daniel W. Gerber, Gerber Ciano Kelly Brady LLP, New York, NY

R. Bruce Wallace. Nexsen Pruet. Charleston. SC.

8:15 a.m. Personalizing the Professional Client

Learn tips and tricks for "personalizing" the professional client. This presentation will include a discussion of strategies for voir dire, preparation of the client, opening, questions on cross and direct, and closing arguments

Jill Huntley Taylor, PhD. Dispute Dynamics Inc.. Philadelphia PA

9:10 a.m. This Case Is Killing Me

Lawsuits against professionals can be stressful—on clients, attorneys, carriers, and others. The panel will address mental health concerns for all participants in the litigation process, as

well as tips on how to assist clients and colleagues who may be suffering.



Penelope M. (Penny) Deihl, Clark Hill PLC, Los Angeles, CA

Courtney B. Schulnick, *Marshall Dennehey* Warner Coleman & Goggin PC, Philadelphia, PA

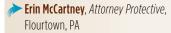
10:00 a.m. Refreshment Break

SPONSORED BY Nexsen Pruet LLC

10:15 a.m. First Line of Defense: Engagement Letters

The engagement letter is critically important to identify responsibilities and the scope of the engagement and to document key terms that can help or harm professionals. Learn more about the effects of such clauses, including arbitration, hold-harmless/indemnification, limitations, caps, and others.

Kathryn S. (Kate) Whitlock, Hawkins Parnell & Young LLP, Atlanta, GA



Dennis L. Galvin, *Argo Pro*, Boston, MA

11:15 a.m. Cyber: The Anatomy of a Hack

You thought you were minding your business, but guess who snuck in the "virtual" door? This panel will address breaking and entering in the cyber age. Notably, a cyber expert will walk the group through a hack in real time.

Sean C. Pierce. Harbuck Keith & Holmes LLC. Birmingham, AL

Marissa Olsen, Coalition Inc., New York, NY

Matthew (Matt) Wagenknecht, **CISSP, CREA, CEH**, Citrin Cooperman, Providence, RI

**Excellent, useful, practical content, great speakers, and an all-around fun and smart group of lawyers and professionals."

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

1:30 p.m. Claims Professional Roundtable: Your Opportunity to Ask the Clients How They Mind Their Business

Hear a crowd-sourced discussion of questions directed to claims professionals across all lines. Topics will include coverage nightmares, claim headaches, issues with panel counsel, undisclosed ongoing negligence in renewal applications, burning limits, excess exposure, suing your insured or panel counsel, lying to the carrier, and managing insured expectations.

- MODERATOR | Kimberly K. (Kim) Noble, JD, CPCU, RPLU, CCP, Thompson Flanagan, Chicago, IL
- **Bolanle Akinrimisi**, *Beazley Group*, Atlanta, GA
- Lisa Fontana Brennan, Markel, Chicago, IL
- Nicholas A. Gumpel, Western Litigation Inc., Bridgewater, NJ
- Todd D. Hampton, Berkley Select, Chicago, IL
- Megan Halverson Trexler, Chubb, Basking Ridge, NJ

3:00 p.m. Refreshment Break

3:15 p.m. Oops! Now What? Managing Claims Repair and Protecting a Client's Reputation

Although the claim is reported, there is still time to prevent a public lawsuit. This panel will explore different solutions for resolving a claim before suit is filed, including creative ways to avoid lawsuits and to protect the client's reputation.

Ryan D. Bolick, *Cranfill Sumner & Hartzog LLP*, Charlotte, NC

- Mark A. Scruggs, Lawyers Mutual Liability Insurance of NC, Cary, NC
- Roseanne DeBellis, Great American Insurance Group, Exton, PA

4:05 p.m. How to Train Your Expert

This presentation will discuss prevention of disaster through vetting, training, and preparing your expert for trial. Topics will include strengths and weaknesses on direct and cross-examination, as well as situations where the expert believes that he or she should take control of the matter.

Daniel W. Gerber, *Gerber Ciano Kelly Brady LLP*, New York, NY

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

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

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7:30 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner (*on your own*). More details on-site.

FRIDAY, DECEMBER 6

7:00 a.m. Continental Breakfast

8:00 a.m. Opening Remarks and Introductions

Kimberly K. (Kim) Noble, JD, CPCU, RPLU, CCP, Thompson Flanagan, Chicago, IL

Excellent, useful, practical content, great speakers, and an all-around fun and smart group of lawyers and professionals.

8:05 a.m. The Addicted Lawyer

The rate of alcoholism and addiction is significantly higher for attorneys than for others. This panel will discuss why this disturbing trend exists for attorneys and will present opportunities to identify and help clients, colleagues, and peers.

Thomas P. Scrivo, O'Toole Scrivo LLC, Cedar Grove, NJ

> Jonathan P. Zayle, Athens Programs Services Inc., Parsippany, NJ

9:00 a.m. Informal Break

9:10 a.m. **Taking Back Control of Litigation**

Surprises are inevitable. This presentation will tackle necessary shifts in thinking, including reinvigorating one's negotiation strategies when the paradigm of a claim shifts.

T. Andrew Graham. Hall Booth Smith PC. Atlanta, GA

Denis K. Sheehan, *Markel*, Deerfield, IL

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

10:15 a.m. The Buck Stops Here: Liability and Non-Lawvers

In any legal practice, there are multiple nonlawyer participants. The client, though, looks to the lawyer to provide the legal service. This panel will discuss how a lawyer can strike a balance between delegation and oversight, to avoid unauthorized practice of law or other claims.

David Y. Choi, Goldberg Segalla LLP, Los Angeles, CA

→ Gawain Charlton-Perrin, The Hanover Insurance Group, Itasca, IL

Scott Barabash, Aspen Insurance, San Francisco, CA

11:05 a.m. Natural Disasters: When Real Estate and Insurance Agents Become the Insurance

In the wake of natural disasters, victims are often left looking for funds. This panel will discuss when plaintiffs and their lawyers try to create "coverage" by generating a claim against the insurance agent/broker or real estate professional.

Zandra E. Foley, Thompson Coe Cousins & Irons LLP, Houston, TX

David S. Perlmutter, AIC, Claims Services, Orange, CA

11:55 a.m. A.I. and You

Artificial intelligence (A.I.) is changing how professionals function. This session will discuss balancing the benefits and risks while advising clients about A.I. in their professions, as well as typical claims. The speakers will explore whether disclosure provides any protection when A.I. fails.

Ashley T. Parrish, Cantey & Hanger LLP, Dallas, TX

Thompson Mackey, CRM, ARM, EPIC Insurance Brokers and Consultants. Duluth. GA

12:45 p.m. The Modern Professional: Ethics in the Digital Age

This presentation will discuss the potential to swipe left into an unexpected attorney-client relationship or the unauthorized practice of law. We will explore how a lawyer's online activities can affect his or her ethical, disciplinary, and professional exposure.

Katie S. Phang, Katie S. Phang PA, Coral Gables, FL

1:45 p.m. Adjourn

"Loved the programming and networking events. So great seeing old friends every year and meeting new ones!"

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Join DRI online and follow the prompts to register for this seminar and receive an immediate price reduction.

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DRI Financial Aid Policy

Individuals who demonstrate need may receive limited financial aid to attend DRI CLE programs under the following terms and conditions:

Applicants must be licensed to practice law in the United States, Canada or other foreign jurisdiction. Proof of admission to the bar, including applicant's bar or Supreme Court number, must accompany the request.

Applicants must show proof of identity and citizenship.
Applicants must execute and deliver the approved DRI application for financial aid to the DRI Education Department, 55 W.
Monroe, Suite 2000, Chicago, IL 60603 at least sixty (60) days in advance of the first day of the seminar.

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If Just the right amount of social activities and opportunities. I appreciate the amount of thought that went into planning the off-site events as well; great ideas and exellent planning.



Diversity

Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives,

backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Harassment and Discrimination

DRI is committed to the policy of equal opportunity regardless of race, color, religion, sex, sexual orientation, gender, national origin and disability in all of its programs and activities, as well as maintaining an environment in our programs and activities which is free from all forms of harassment or discrimination of any kind. Pursuant to this policy, if any person who attends our programs or activities experiences unlawful discrimination or harassment, this should be reported to the Executive Director so that appropriate action may be taken.

GENERAL INFORMATION

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, or its subsidiaries. To qualify for free registration, in-house counsel must be a DRI member and a member of the DRI Corporate Counsel Committee *or* be sponsored by a DRI member who is both registered and has paid for the seminar. Nonmember in-house counsel may utilize this offer only once. This offer excludes the DRI Annual Meeting and the DRI Business Management Principles for Lawvers Seminar.

Claims Executives

Claims professionals are eligible for free registration to DRI seminars. Claims professionals are defined as any individuals employed by a corporation or insurance company, who spend a substantial portion of their professional time hiring or supervising outside counsel in the representation of businesses, insurance companies or their insureds, associations, or governmental entities in civil litigation. To qualify for free registration, the claims professional must be a DRI member under a corporate membership *or* be sponsored by a DRI member who is both registered and has paid for the seminar. **Nonmember claims professionals may utilize this offer once per calendar year. This offer excludes the DRI Annual Meeting.**

CLE/Claims Adjusters Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to **16** 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. Texas CE credits pending approval and are not being offered at this time.** Credit availability and requirements vary from state to state; please **check the DRI website** at **dri.org** for the latest information for your state.

Registration Policy

Save \$100 when you register November 4, 2019. (See the registration form for pricing.) The registration fee includes course materials, continental breakfasts, refreshment breaks, networking receptions, and access to the DRI App. 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 11, 2019 (*please allow 10 days for processing*). Registrations received after **November 11, 2019**, will be processed on-site.

Refund Policy

The registration fee is fully refundable for cancellations received on or before **November 11, 2019.** Cancellations received after **November 11** and on or before **November 18, 2019.** will receive a refund, less a \$100 processing fee. Cancellations made after **November 18** will not receive a refund, but 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 (312.795.0747) or email (**seminars@dri.org**) to DRI's Accounting Department. Processing of refunds will occur within four weeks after the date of the seminar. All refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

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 \$775, regardless of membership status if received on or before **November 4**, 2019. After **November 4**, the group rate is \$875. All registrations must be received at the same time to receive the discount.

Travel Discounts DRI offers discounted meeting fares on various major air carriers for **DRI Professional Liability Seminar** attendees. To receive these discounts, please contact Direct Travel, DRI's official travel provider, at 800.840.0908. As always, to obtain the lowest available fares, early booking is recommended.

DRI Financial Aid Policy

See page 6.

- 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.
- A small portion of your room rate offsets the costs of the seminar.
- DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at **Sheraton New York Times Square Hotel**, **811 7th Avenue**, **New York**, **NY 10019** (**click here** to view hotel photos).

Take advantage of the group rate of **\$409 Single/Double** in one of two ways:

- Reserve online: Click here or visit dri.org and go to the DRI Professional Liability Seminar page and click on the "Book hotel" button.
- Or contact the hotel directly at 212.581.1000 and mention the DRI Professional Liability Seminar.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **November 4, 2019**, to be eligible for the group rate. Requests for reservations made after **November 4** are subject to room and rate availability.

FACULTY Click on any name to view bio.

- **Bolanle Akinrimisi**, Beazley Group, Atlanta, GA
- > Scott Barabash, Aspen Insurance, San Francisco, CA

Ryan D. Bolick, Cranfill Sumner & Hartzog LLP, Charlotte, NC

- Lisa Fontana Brennan, Markel, Chicago, IL
- Gawain Charlton-Perrin, The Hanover Insurance Group, Itasca, IL

David Y. Choi, Goldberg Segalla LLP, Los Angeles, CA

Roseanne DeBellis, Great American Insurance Group, Exton, PA

Penelope M. (Penny) Deihl, Clark Hill PLC, Los Angeles, CA

Zandra E. Foley, Thompson Coe Cousins & Irons LLP, Houston, TX

Dennis L. Galvin, Argo Pro, Boston, MA

Daniel W. Gerber, Gerber Ciano Kelly Brady LLP, New York, NY

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 - Nicholas A. Gumpel, Western Litigation Inc., Bridgewater, NJ
- Todd D. Hampton, Berkley Select, Chicago, IL

Melody J. Jolly, Cranfill Sumner & Hartzog LLP, Wilmington, NC

Seth L. Laver, Goldberg Segalla LLP, Philadelphia, PA

Thompson Mackey, CRM, ARM, EPIC Insurance Brokers and Consultants. Duluth. GA

- **Erin McCartney**, Attorney Protective, Flourtown, PA
- Kimberly K. (Kim) Noble JD, CPCU, RPLU, CCP, Thompson Flanagan, Chicago, IL
- Marissa Olsen, Coalition Inc., New York, NY

Ashley T. Parrish, Cantey & Hanger LLP, Dallas, TX

David S. Perlmutter, AIC, Lancer Claims Services, Orange, CA

Katie S. Phang, Katie S. Phang PA, Coral Gables, FL

LaToyia Watkins Pierce, FirstService Residential, Dallas, TX

Sean C. Pierce, Harbuck Keith & Holmes LLC, Birmingham, AL Courtney B. Schulnick, Marshall Dennehey Warner Coleman & Goggin PC, Philadelphia, PA

Thomas P. Scrivo, O'Toole Scrivo LLC, Cedar Grove, NJ

- Mark A. Scruggs, Lawyers Mutual Liability Insurance of NC, Cary, NC
- **Denis K. Sheehan**, Markel, Deerfield, IL

Jill Huntley Taylor, PhD, Dispute Dynamics Inc., Philadelphia. PA

- Megan Halverson Trexler, Chubb, Basking Ridge, NJ
- Matthew (Matt) Wagenknecht, CISSP, CREA, CEH, Citrin Cooperman, Providence, RI
- R. Bruce Wallace, Nexsen Pruet, Charleston, SC

Kathryn S. (Kate) Whitlock, Hawkins Parnell & Young LLP, Atlanta, GA

Jonathan P. Zayle, Athens Programs Services Inc., Parsippany, NJ

View faculty bios on the Professional Liability Seminar webpage; click on "View speakers" button.

Denotes the **DRI CLIENT CONNECTION**: In-house and claims professional speakers

Professional Liability Committee Resources and Opportunities

Over the last several years the membership of the **DRI Professional Liability Committee** has continued to grow, and the group has authored scores of publications for DRI print and electronic media. As they move forward, the strategic plan for the committee is to build upon these traditional strengths, and to increase their programming efforts within DRI significantly.

The committee publishes a quarterly electronic newsletter, *Riding the E&O Line*, and submits regularly to DRI's *For The Defense* magazine, as well as its membership-wide weekly newsletter, *The Voice*. The publications team is always looking for content, typically in the form of articles dealing with lawyers, accountants, insurance agents/brokers, financial advisors, real estate professionals, educators, or clergy. In addition, they like to run a "practice tips" article, as well as a "member spotlight" each quarter.

For the past several years, the committee has offered its marquee education offering, described in this brochure. Each year the committee has also presented educational seminars during the committee's business meeting held at the DRI Annual Meeting. If you are interested in presenting a seminar at next year's seminar or Annual Meeting, please contact the committee leadership with a proposed topic.

As you can see, the Professional Liability Committee has ample opportunities to get involved, and you are encouraged to do so. Write an article. Attend the seminar and the Annual Meeting. Propose a seminar or webinar topic. Become an active participant in the steering committee. These are all great ways to network, market yourself, stay abreast of legal developments in the professional liability field, and gain valuable education—and they all benefit the committee!

- Learn more about the committee and its leadership: https://dri.org/committees/leadership/0202
- Access the DRI Professional Liability Committee Community at http://community.dri.org/home. Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Subcommittees
 - Accountants
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 - Cyber Liability
 - Communities (Online)
 - Design Professionals
- Publications
 - Newsletter: *Riding the E&O Line* (four times a year)

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September 19-20, 2019

Talc Litigation

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October 16-19, 2019

Annual Meeting

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November 14–15, 2019

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Symposium

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November 14-15, 2019

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Westin Boston Waterfront, Boston, MA

December 5-6, 2019

Insurance Coverage and

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Sheraton New York Times Square Hotel, New York, NY

January 22-24, 2020

Women in the Law

The Scottsdale at McCormick Ranch.

Scottsdale, AZ

January 30-31, 2020

Civil Rights and Governmental

Tort Liability

Manchester Grand Hyatt, San Diego, CA

February 5-7, 2020

Product Liability Conference

New Orleans Marriott, New Orleans, LA

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December 3-4, 2020

Professional Liability

Sheraton New York, New York, NY

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Professional Liability Seminar

December 5-6, 2019 Sheraton New York Times Square Hotel | New York, NY



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Professional Liability Seminar

December 5-6, 2019 Sheraton New York Times Square Hotel New York, NY

DRI is the place to secure lawyerto-lawyer referrals.

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