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Leading Underwriting, Claims Handling, Risk Management & Defense Strategies

November 19 – 20, 2014 • The Carlton Hotel on Madison Avenue • New York, NY

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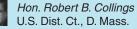
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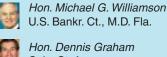
David T. Valanek Markel

No other legal malpractice event has ever had a judicial presence like this one. Attend to learn from 10 esteemed federal and state judges in the area:



U.S. Dist. Ct., N.D. Ga.

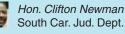




U.S. Bankr. Ct., M.D. Fla.

Inquire about special

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Hon. John Younge Pa. Ct. Common Pleas



Sessions Include:

- The Relationship Between Insurance Companies and Outside Counsel, Limiting Liability, Managing Litigation, New and Emerging Disclosure Requirements, the Claims Review Process, Evolving Case Law, and More
- Insurance Marketplace Update: Trends in Claims, Coverage and Underwriting in the LPL Market
- The Latest Cyber and Privacy Threats Being Faced by the Legal Community: Novel Risk Management Practices and Recent Developments in Cyber/Privacy Insurance for Lawyers
- 1 HOUR OF CLE-ETHICS: The Interplay Between Ethics and LPL Claims and Protecting Against Damage from Companion Ethics Cases
- Social Media for Lawyers: Limiting Exposure to Liability and the Latest Insurance Coverage Issues Being Raised
- Disciplinary Actions: What to Do When You Receive the Notice from Your State Bar
- Coverage Implications for Non-Client Litigation
- View From the Plaintiff's Bar: Adapting Your Claims and Litigation Strategies to New and Innovative Theories Being Brought by Your Adversaries
- A Practical Due Diligence Checklist on Preventing the Most Common Attorney Errors in Civil Litigation
- Best Practices in Risk Management: Avoiding LPL Claims
- Responding to the Government: When Malpractice Becomes Fraud or Deception

Here's just some of the companies and firms already participating:

AIG	CNA
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Colorado Supreme Court OARC	Schiff Gorman, LLC
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Though several years removed from the fallout from the implosion of the real estate market and accompanying foreclosures and transactional failures, **claims against attorneys in this space are still being filed in droves.** In addition to the wave of bankruptcies, Ponzi schemes and the broader state of the economy leading to increased lawsuits against attorneys by frustrated clients, there's also been a spike in claims being filed against attorneys during matrimonial and trusts and estates cases. Additionally, the use of e-discovery, cloud computing and social media brings new retention, network security and privacy risks. Now, more than ever, attorneys and law firms must take action to ensure that they are protected from former disgruntled clients and third parties looking to recoup losses and/ or share blame by bringing malpractice claims against attorneys.

And as the risk of legal malpractice claims rises, **insurance companies that provide LPL coverage must reevaluate their underwriting and claims management procedures** to ensure that they are diminishing their exposure to risk and minimizing losses.

In response, attend ACI's LPL/Legal Malpractice conference, the highest level event on the market. With New York as a leader in the development of legal malpractice issues, ACI has put together a **national faculty** that will congregate at the Carlton Hotel on Madison Avenue and provide novel insights and strategies on and including:

- The Relationship Between Insurance Companies and Outside Counsel, Limiting Liability, Managing Litigation, New and Emerging Disclosure Requirements, the Claims Review Process, Evolving Case Law, and More
- · Trends in Claims, Coverage and Underwriting in the LPL Market
- The Latest Cyber and Privacy Threats Being Faced by the Legal Community: Novel Risk Management Practices and Recent Developments in Cyber/Privacy Insurance for Lawyers
- The Interplay Between Ethics and LPL Claims and Protecting Against Damage from Companion Ethics Cases
- Social Media for Lawyers: Limiting Exposure to Liability and the Latest Insurance Coverage Issues Being Raised
- · Disciplinary Actions: What to Do When You Receive the Notice from Your State Bar
- Coverage Implications for Non-Client Litigation
- View From the Plaintiff's Bar: Adapting Your Claims and Litigation Strategies to New and Innovative Theories Being Brought by Your Adversaries
- A Practical Due Diligence Checklist on Preventing the Most Common Attorney Errors in Civil Litigation
- Best Practices in Risk Management: Avoiding LPL Claims
- Responding To The Government: When Malpractice Becomes Fraud or Deception

This event will fill up quickly, so register now by calling 1-888-224-2480, faxing your registration form to 1-877-927-1563, or registering online at www.AmericanConference.com/LPL

Who You Will Meet:

- LPL Insurance Professionals, including:
 - Underwriters, Claims Managers, Product Managers, Corporate Counsel, Risk Managers and Brokers
- Law Firm General Counsel and Managing Partners
- Private Practice Attorneys Specializing in:
 - Legal Malpractice Litigation
 - Lawyers' Professional
 Liability
- Insurance Coverage
 Litigation
- Professional Responsibility and Ethics

DAY ONE WEDNESDAY, NOVEMBER 19, 2014

7:30 Registration and Continental Breakfast

8:00 Chairs' Welcoming Remarks

Michael C. Miller Partner Steptoe & Johnson LLP Dennis R. McCoy Partner Hiscock & Barclay LLP

8:05 OPENING YEAR-IN-REVIEW AND STRATEGY SESSION: The Relationship Between Insurance Companies and Outside Counsel, Limiting Liability, Managing Litigation, New and Emerging Disclosure Requirements, the Claims Review Process, Evolving Case Law, and More

Larry Fine Global Head, Professional Liability Claims AIG Property Casualty

Laura M. Simon Executive Vice President B&B Protector Plans, Inc., d/b/a Lawyer's Protector Plan

John C. Minett SVP and Counsel – Professional Liability Claims Manager Endurance Services Ltd.

Timothy J. Gephart VP of Claims Minnesota Lawyers Mutual

Panel Moderator:

Edward J. Zulkey General Counsel Emeritus and Senior Counsel Baker & McKenzie LLP

9:15 Insurance Marketplace Update: Trends in Claims, Coverage and Underwriting in the LPL Market

Daniel M. Zureich President and CEO Lawyers Mutual Liability Insurance Company of North Carolina

Stephen S. van Wert Lawyers Professional Liability Insurance Program Manager Willis

Kurt B. Bounds Vice President, Business Development & Service ISBA Mutual Insurance Company

Stuart Pattison Senior Vice President Endurance Worldwide Insurance

Scott R. Ammer Vice President Financial Services ECC Insurance Brokers, Inc. Milind Pandya SVP – Head – Small & Mid Size Lawyers Professional Liability SwissRe

Susan Kilano Vice President Ahern Insurance Brokerage

- · Emerging claims new products and potential causes of action
- Recent trends in underwriting
- Self-insured retentions

10:30 The Latest Cyber and Privacy Threats Being Faced by the Legal Community: Novel Risk Management Practices and Recent Developments in Cyber/Privacy Insurance for Lawyers

David J. Rock Senior Claims Analyst, E&O Claims Allied World Insurance Company

Chris Andrews Vice President, Professional Liability Manager Lexington Financial Lines AIG

Kim G. Quarles Senior Vice President Willis America's Administration, Inc.

David T. Vanalek Manager, Claims Markel

Margaret A. Reetz Attorney Kerns Frost & Pearlman, LLC

Carl E. Metzger Partner Goodwin Procter LLP

- The disturbing trend of frequent and large-scale data breaches
- Assessing the risks associated with:
- o Simple negligence
- o Rogue employees
- o Not encrypting sensitive data
- o Increased use of electronic databases that store vast amounts of information
- o Outsourcing information technology
- Examining the latest developments in cyber/privacy insurance coverage – knowing what types of coverage are available, and assessing what you might need and when
 - o Data compromise protection
 - o Third-party liability coverage
 - o Network asset protection
 - o Cyber extortion coverage
 - o Multimedia insurance
- Risk management practices for attorneys to protect against privacy and data security exposures
- Cloud computing

11:45 Social Media for Lawyers: Limiting Exposure to Liability and the Latest Insurance Coverage Issues Being Raised

Kim Noble Senior Vice President Lawyers and Real Estate Division **OneBeacon**

Sally Field Legal Professional Liability Leader Attorney Protective

Joseph A. Starr Partner

Starr Butler Alexopoulos & Stoner PLLC

Brett A. Scher Partner Kaufman Dolowich & Voluck, LLP

Brian J. Dusek Partner McCullough, Campbell & Lane LLP

Regan E. Miller Managing Director Wortham Insurance & Risk Management

- Assessing the risks to employers when employees discuss work-related issues online
- · Managing client data and maintaining attorney-client privilege
- · Potential defamation liability
- · The discoverability of social media communications
- · BYOD issues related to social media
- Addressing the gap in the GL form that excludes interactive media coverage
- Best practices in drafting firm policy and social media policies
- The effect of interactive media coverage on firm risk managers
- Insurance issues
- Insurance impacted and coverage issues raised
- · Reputation, endorsements and testimonials

1:00 Networking Lunch for Attendees and Speakers

2:00 Disciplinary Actions: What to Do When You Receive the Notice from Your State Bar

Joseph J. Hester Attorney-at-Law In Private Practice

John S. Gleason Of Counsel **Colorado Supreme Court OARC**

Steven M. Carpenter Claims Attorney **Oregon State Bar Professional Liability Fund**

Joseph P. Garin Partner **Lipson Neilson Cole Seltzer Garin PC**

Michael S. Ross Principal Law Offices of Michael S. Ross

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- Tips and strategies on how to best defend lawyers against grievances and disciplinary actions addressing issues of communication, diligence, trust accounts and other Disciplinary Rules of Professional Conduct
- Non-lawyers and the unauthorized practice of law o Legal outsourcing
 - o The authorized practice of law v. the unauthorized practice of law
 - o Who may provide legal services?

3:05 Coverage Implications for Non-Client Litigation

Shauna J. Reeder Assistant Vice President CNA

Diana C. Manning Member Bressler, Amery & Ross, P.C.

Daniel B. Meyer Member Meyer Law Group LLC

Kevin Flynn Equity Partner Mendes & Mount, LLP

- · In-concert liability claims against lawyers
- Assessing and defending against "aiding and abetting breach of fiduciary duty" claims
- Counterclaims
- Malicious prosecution claims
- · Coverage under typical LPL policies for claims by non-clients

4:05 Afternoon Break

4:15 View From the Plaintiff's Bar: Adapting Your Claims and Litigation Strategies to New and Innovative Theories Being Brought by Your Adversaries

Andrew Lavoott Bluestone Attorney At Law Bluestone Law Firm

John K. Villa Partner Williams & Connolly LLP

- Claims other than legal malpractice including defamation, negligent misrepresentation, and breach of a fiduciary duty
- Alternative remedies to LPL suits
- Emerging theories of liability and recent trends in the areas of:
 - o Real estate transactions
 - o Trusts & Estates proceedings
 - o Matrimonial actions and "settler's remorse"
 - o Judiciary law section 487 claim
 - o Family law cases
 - o Mergers and acquisitions

5:00 A Practical Due Diligence Checklist on Preventing the Most Common Attorney Errors in Civil Litigation

Dennis R. McCoy Partner **Hiscock & Barclay LLP**

James R. Kahn Partner Margolis Edelstein

Elliot R. Schiff Managing Member Schiff Gorman, LLC

Clifford B. Cohn Principal **Cohn & Associates**

Eileen Garczynski Partner & Sr. Vice President Ames & Gough

Civil litigation is one of the most prevalent areas for legal malpractice claims, and attorneys must be especially careful to consider and analyze all aspects of representation. Learn how to incorporate a proven practical checklist on preventing the most common malpractice claims.

6:15 Conference Adjourns

DAY TWO THURSDAY, NOVEMBER 20, 2014

7:30 Registration and Continental Breakfast

8:00

View from the Bench: An Unparalleled Opportunity to Hear How Judges Interpret Arguments in the Legal Malpractice Litigation Context



Honorable Roslyn O. Silver United States District Court District of Arizona



Honorable Warren W. Eginton United States District Court District of Connecticut



Honorable Michael Baylson United States District Court Eastern District of Pennsylvania



Honorable Timothy C. Batten, Sr. United States District Court Northern District of Georgia

Honorable Robert B. Collings United States District Court District of Massachusetts



Honorable Michael G. Williamson United States Bankruptcy Court Middle District of Florida



Honorable Dennis Graham Judicial Branch, State of Colorado Colorado Court of Appeals



Honorable Clifton Newman Circuit Court South Carolina Judicial Department

Honorable John Younge First Judicial District of Pennsylvania Philadelphia Court of Common Pleas, Trial Division – Civil

Honorable Sandra Moss (ret.) First Judicial District of Pennsylvania Philadelphia Court of Common Pleas, Trial Division – Civil

Moderator:

A. Michael Furman Partner Furman Kornfeld & Brennan LLP

9:40 Morning Break

9:45 Best Practices in Risk Management: Avoiding LPL Claims

Michael Barrett Director of Risk Control Professional Services, Lawyers CNA

Jonathan B. Bruno Partner **Kaufman Borgeest & Ryan LLP**

- · Reducing risk of exposure to malpractice claims
- Identifying risks with clients
- · Identifying risks with firm partners and employees
- · Risk management and risk mitigation strategies
- Special considerations for high densities of sensitive data in the areas of Trust & Estates, Business Law and Litigation and M&A

10:25 **Responding to the Government: When Malpractice Becomes Fraud or Deception**

Michael C. Miller Partner

Steptoe & Johnson LLP

Additional Speaker TBA Check back at AmericanConference.com/LPL

Hear what should be discerned from recent cases dealing with the penal law, tax law, and judiciary law §487.

11:15 ONE HOUR OF CLE ETHICS: The Interplay Between Ethics and LPL Claims and Protecting Against Damage from Companion Ethics Cases

Richard A. Simpson Partner Wiley Rein LLP

Anthony P. Colavita Partner

L'Abbate, Balkan, Colavita & Contini, L.L.P.

Michael P. Downey Partner

Armstrong Teasdale LLP

Lisa L. Shrewsberry Partner

Traub Lieberman Straus & Shrewsberry LLP

- The relationship between an ethics complaint and a legal malpractice claim
- The impact of a companion ethics case on a legal malpractice claim
- Use of ethics opinions and rules in the litigation of legal malpractice

12:15 Conference Ends



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ETHICS

Continuing Legal Education Credits



Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This course is identified as nontransitional for the purposes of CLE accreditation.

ACI certifies that the activity has been approved for CLE credit by the New York State Continuing Legal Education Board in the amount of 13.5 hours, of which 1.0 is ethics.

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Course objective: Lawyers' professional liability and its relationship to the business of insurance. CPE Credit: 13.5 hours.

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SAVE THE DATES:

Cyber & Data Risk Insurance September 29–30, New York City

D&O Liability September 30 – October 1, New York City

ERISA Litigation October 27–28, New York City

Medical Professional Liability October 30–31, New York City

Bad Faith Claims and Litigation November 18–19, Orlando

Virtual & Digital Currency November 20–21, New York City Asbestos Claims and Litigation January 15–16, Philadelphia

AML & OFAC Compliance for Insurance January 20–21, New York City

Litigating Disability Insurance Claims January 22–23, Philadelphia

Employment Practices Liability Insurance January 27–28, New York City

Admiralty & Maritime Claims February 4–5, Houston

Insurance Regulation February 26–27, New York City

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Over a century ago, this luxury hotel in New York City's Midtown area helped transform the neighborhood into one of Manhattan's most desirable areas. Today, this Midtown Manhattan hotel's new, modernized look makes it a centerpiece of the city's NoMad (North of Madison Square Park) neighborhood located north of the Flatiron building and south of Herald Square. At The Carlton Hotel in New York City, guests seeking an extraordinary urban getaway will be pleasantly surprised by its seamless integration of old-world charm and modern flare.

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LPL/LEGAL MALPRACTICE

Leading Underwriting, Claims Handling, Risk Management & Defense Strategies

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Registration Fee

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