

The Great Debates in Insurance Law: Effective Settlement Strategies at Mediation

Date: Friday, February 8, 2013 | 9:00 am to 12:20 pm

Location: Westin Harbour Castle Conference Centre, 2 Harbour Square

Program Chairs: **Patrick Brown**, McLeish Orlando LLP
Mark Coleman, Forbes Chochla LLP



3 Substantive Hours
0 Professionalism Hours

*Applied for Law Society Accreditation

Note: New members may apply any program that contains a minimum of **0.5 Professionalism Hours** toward the annual CPD requirement.

Expert litigators debate contentious issues in insurance litigation with a focus on mediation strategies. This program will feature three debates and each one will seek input from attendees via a vote at the end of the debates. In addition to insightful information from experienced counsel, attendees will gain valuable tips from mediators, adjusters and other professionals on effective strategies. What is and is not an effective strategy will be discussed. Each debate will be followed by a Question and Answer session in which the panel will address and make practical recommendations to resolve the issue. The debates will focus on mediations with particular emphasis on Tort and Accident Benefits Mediations, including Effective Strategies in Lumping Out and Settling Accident Benefits, Effective Strategies and Tips for Mediating Tort Claims and Advocacy and Demonstrative Tools for Mediation.

<p>9:00 am Introductory Remarks</p> <p>9:05 am Effective Strategies and Tips for Mediating Tort Claims</p> <ul style="list-style-type: none"> • Use of Expert Reports • Timeliness of Reports and Briefs • Effective Persuasion • Reporting to your client/the insurer • Setting the reserves • Taking instructions from your client at mediation • Negotiation strategies and techniques • Post-mediation steps toward settlement • Pre-mediation offers • Issues over authority • The role of the adjuster and the plaintiff • Should the plaintiff say anything? • Who offers the best lunch? <p>Mediator: Richard F.L. Rose QC, Global Resolutions Jim Davidson, Will Davidson LLP Leonard Kunka, Thomson Rogers Anna Petronio, Manager, Claims Programs, The Dominion of Canada General Insurance Company</p> <p>9:55 am Break</p> <p>10:15 am Effective Strategies in Lumping Out and Settling Accident Benefits</p> <ul style="list-style-type: none"> • What reports are necessary to seek a lump out? • Do you need a future care report? • Using burn rates in your numbers • Obtaining and using structure quotes • What are reasonable discounts? • What are cost/benefits to the insurer? • Pros and cons of settlement • Reversionary interests • Negotiating structure terms <p>Mediator: Paul Torrie, Global Resolutions Mediator Barry Chobotar, Henderson Structured Settlements LP - Hamilton Eric K. Grossman, Zarek Taylor Grossman Hanrahan LLP Dale Orlando, McLeish Orlando LLP Wanda Rumsam, Adjuster</p>	<p>11:05 am Advocacy and Demonstrative Tools for Mediation</p> <ul style="list-style-type: none"> • PowerPoint presentations – are they effective? • Obtaining and using video Will-Say statements • Using Live Experts – Hot-tubbing • Live Witnesses • Using Charts and Photos • Using Surveillance at Mediation • Time Factors <p>Roger Oatley, Oatley, Vigmond Personal Injury Lawyers LLP - Barrie Howard Kohn, Forbes Chochla LLP Paul Torrie, Global Resolutions, Mediator Larry Loftus, CAA - Thornhill</p> <p>11:55 am Questions and Answer Period</p> <p>12:15 pm Concluding Remarks</p> <p>12:20 pm Program Concludes</p>
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Your registration fee includes the keynote address, welcome reception, special events, breakfasts, lunches, refreshments, and access to the electronic materials for ALL programs.

PROGRAM REGISTRATION IS ONLINE www.oba.org/institute2013

Questions? pd@oba.org