

Going Under Cover: Coverage for Non-Coverage Lawyers

Insurance Law



Webcast

Date: Thursday, June 04, 2020 | 9:00 am to 12:00 pm

Location: OBA Conference Centre
20 Toronto Street, 2nd Floor, Toronto

Agenda: 8:30 am Registration
9:00 am Program Commences
12:00 pm Program Concludes



Substantive Hours: This program contains a total of 3 hours of Substantive content.

The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Ontario.

Join us for a unique program on coverage and the issues it raises. Our stellar faculty will explain coverage, including who is insured, what your client can expect and what they can rely on. Navigate all the issues raised by the “additional insured” such as duty to defend, defence cost allocation agreements, and overlapping coverages. Gain a valuable update on recent key coverage cases and benefit from tricky coverage and exclusion issues. Make sure you are fully up to speed in this complex area so you can provide your clients with timely and relevant advice.

Program Chairs: **Marcus A. Knapp**, Ricketts Harris LLP
Mary A. Teal, Van Arnhem & Associates - Travelers Canada

8:30 am Registration and Coffee

9:00 am **Welcome and Opening Remarks**

9:05 am **Coverage Explained**

- Hear what every lawyer needs to know about coverage
- Who is an insured and what can your client expect if added as an insured when something goes wrong?
- Can your client rely on contractual provisions for indemnity and/or defence?
- What happens when the commercial risk is contractually shifted, but the loss transferee has breached the contractual requirement to insure?

9:45 am **Issues Posed by the “Additional Insured” Coverage**

- Who is an additional insured?
- The duty to defend with respect to covered and non-covered allegations
- Retaining control over the defence and all the issues that come with it
- Protecting your client when the insurer appoints counsel or when you act for the insurer
- The pitfalls of negotiating a defence cost allocation agreement

- What happens when your client requests a defence and is refused and how do you litigate a defence obligation?
- How do you advise your client when there are overlapping coverages?

10:20 am Break

10:35 am **Key Coverage Case Update**

- Get an update on the key cases in this area
- Understand how the law is constantly evolving in this area from the Court of Appeal and lower courts
- Discuss contract interpretation in duty to defend cases involving multiple insurers and shifting the allocation of risk

11:15 am **Tricky Coverage and Exclusion Issues**

- Learn more about tricky coverage and exclusion issues
- What is the “your work” exclusion, and how has it been applied recently?

11:55 am Questions

12:00 pm Concluding Remarks

Choose an item. www.oba.org/pd
Questions? pd@oba.org