

ALFA INTERNATIONAL

THE GLOBAL LEGAL NETWORK



Employer Liability: Stemming the Rising Tide

2010 ALFA International Seminar on Employment Practices Liability Insurance (EPLI), ERISA, D&O Issues and Managing the Tripartite Relationship

Co-Hosted by ALFA International's Labor & Employment and Insurance Practice Groups

**The Ritz-Carlton Battery Park | New York, New York
June 16-18, 2010**

www.alfainternational.com

Stemming the Rising Tide of Employment Litigation

In a recent survey, companies have reported that employment litigation is the top area for increased legal costs and that no other area of the law engenders more lawsuits. Wage-hour, age, sex, race and disability discrimination and ERISA cases are all on the rise, as are class actions and other multi-plaintiff claims. Newly enacted federal and state laws and regulations have expanded workplace rights, and the Obama administration has pledged to step up federal enforcement activities in the employment arena.

In managing risk, companies routinely have to choose whether to purchase insurance, “self-insure” or combine both options. Two of ALFA International’s practice groups – Insurance and Labor & Employment – have joined together to deliver a program that features presentations on a variety of topics by experienced and well-qualified senior claims personnel, risk managers, brokers, in-house counsel, ALFA International attorneys and others. The program will provide guidance and present corporate and insurer perspectives on EPLI and other types of insurance coverage available to protect against such risks. It will also address issues that arise when insurers, companies, officers, directors, fiduciaries and employees are faced with claims, lawsuits and other proceedings involving employment issues and other corporate risks, including the many practical and ethical issues associated with those risks.

ALFA International invites you to participate in this cutting edge program and hopes you will attend!

What is ALFA International?

ALFA International, the global legal network, is an organization of independent law firms. ALFA International’s membership is comprised of 133 international law firms (85 U.S. based firms, 48 non U.S. based firms) employing over 9,000 lawyers and 10,000 other legal professionals. Member firms are located in nearly every U.S. state as well as in Canada, Mexico, across Europe, Latin America, South America, Africa and the Pacific Rim. ALFA International’s basic objective, accomplished through its member firms and their activities, is to improve the quality and efficiency of legal services and to provide those services to clients within a reasonable and value oriented cost formula across jurisdictions around the world.

Wednesday, June 16, 2010

5:30 p.m.-8:30 p.m.

WELCOME RECEPTION & BUFFET DINNER AT BOBBY VAN’S STEAKHOUSE

We will kick-off the 2010 EPLI Seminar with a one-of-a-kind dinner in an original bank vault at Bobby Van’s Steakhouse and Grill located across from the New York Stock Exchange. You will be transported to another time, when JP Morgan and John D. Rockefeller ruled Manhattan, as you walk through the impressive six-foot circular vault door and view the mirrored pillars, classic lighting and walls lined with original antique deposit boxes in “The Vault.” We hope you will join us as we dine on prime steaks and fresh seafood at this unique New York restaurant.

Thursday, June 17, 2010

7:45 a.m.-8:45 a.m.

BREAKFAST

The Ritz-Carlton Ballroom

8:45 a.m.-12:15 p.m.

GENERAL SESSION

The Ritz-Carlton Ballroom

8:45 a.m.-9:00 a.m.

INTRODUCTORY REMARKS

Sarah H. Lamar

*Chair, ALFA International Board of Directors
HUNTER, MACLEAN, EXLEY & DUNN, P.C.
Savannah, Georgia*

David M. Eisenberg

*Program Co-Chair, ALFA International
Labor & Employment Practice Group
BAKER STERCHI COWDEN & RICE L.L.C.
Kansas City, Missouri*

Glenn F. FencI

*Program Co-Chair,
ALFA International Insurance Practice Group
JOHNSON & BELL, LTD.
Chicago, Illinois*

9:00 a.m.-10:30 a.m.

THE TRIPARTITE RELATIONSHIP – BUILDING AN EFFECTIVE ALLIANCE

When an EPLI claim is made against an employer, it’s not alone since its insurer and counsel quickly become a part of the defense. Keeping in mind that the best defense strategy always involves communication, each member of

this team must maintain his or her respective loyalties while understanding each other's positions and the effect of those positions on the defense goals. This session will address the best practices to ensure the proper relationship between the insured employer, the insurer and counsel and to provide the optimal defense for all concerned. We will address how strategies are formed, how communications and conflict should be handled between the parties, and the idiosyncratic dynamics of building an effective alliance.

Jessica A. Desany

Moderator
CARTER, CONBOY, CASE, BLACKMORE,
MALONEY & LAIRD, P.C.
Albany, New York

George D. Fagan

Moderator
LEAKE & ANDERSSON, L.L.P.
New Orleans, Louisiana

Morris Barto

Vice President
GENERAL REINSURANCE CORPORATION
Atlanta, Georgia

Marion R. (Mickey) Clark

Senior Litigation Attorney
RADIOSHACK CORPORATION
Fort Worth, Texas

James Mandarino

Assistant Vice President
ZURICH NORTH AMERICA
New York, New York

10:30 a.m.-10:45 a.m.
BREAK

10:45 a.m.-12:15 p.m.
THE SCARY CASE – FACTS OR ALLEGATIONS
THAT MAKE YOU WINCE – ASSESSING AND
HANDLING THE PUNITIVE DAMAGES CLAIM

What are the issues faced by litigants when punitive damages are pled and can be supported? Does the venue of federal court versus state court play a role in how the punitive damages claims will be handled? What steps should defense counsel take to minimize the potential for punitive claims both with the court and with a jury? What issues arise in the context of insurance when punitive damages are pled? This session will address the many important questions that arise when punitive damages are asserted and suggest how to best answer those questions from the defense perspective.

Carol B. Ervin

Moderator
YOUNG CLEMENT RIVERS LLP
Charleston, South Carolina

Adair Bledsoe, Jr.

Assistant General Counsel
COMPUTER SCIENCES CORPORATION
Columbia, South Carolina

Virginia (Ginny) Morris-Ardin

Professional Liability Claims Specialist
PHILADELPHIA INSURANCE COMPANIES
Bala Cynwyd, Pennsylvania

Doug Onley

Senior Claims Counsel
UNITED EDUCATORS
Chevy Chase, Maryland

Marie Milie Jones

Panelist
MEYER, DARRAGH, BUCKLER,
BEBENEK & ECK, P.L.L.C.
Pittsburgh, Pennsylvania

12:15 p.m.-1:15 p.m.
LUNCH

The Ritz-Carlton Ballroom

1:15 p.m.-4:45 p.m.
BREAKOUT SESSIONS

1:15 p.m.-2:15 p.m.
GROUP 1

A. MEDIATION: BEYOND SHUTTLE
DIPLOMACY

This panel will discuss potential benefits and drawbacks of mediating an EPLI claim; what to look for in selecting a mediator for a particular claim and how effective is mandatory mediation. When is the right time to begin the mediation process: pre-suit, after discovery or on the eve of trial? Are certain practices in mediation such as opening statements or preliminary ex parte contact with mediators helpful or harmful? How does the type of EPLI claim, i.e., first party, third party, class action, etc., affect the approach to mediation and who should attend the mediation? Panelists will discuss how to verify that the mediator and the other side are being candid during mediation, what should be done if they're not, and other related considerations in approaching mediation of EPLI claims.

Dean A. Hoistad

Moderator
AXILON LAW GROUP, PLLC
Missoula, Montana

Deanna M. Beacham

Assistant Vice President
CHUBB & SON
Warren, New Jersey

Jonathan H. Kurens

Senior Vice President
AON RISK SERVICES
New York, New York

Eric Ross

Specialty Lines Claims
BEAZLEY GROUP
Farmington, Connecticut

Michael W. Hawkins

Panelist
DINSMORE & SHOHL LLP
Cincinnati, Ohio

B. EMPLOYMENT LAW UPDATE:
THE TIMES – THEY ARE A-CHANGIN'

A classic line from a 1964 Bob Dylan song, yet the title could not be more appropriate for the world we live in today. President Obama took office with an ambitious agenda, much of it involving employment law. This session will discuss recently enacted and currently proposed legislative and regulatory changes that may significantly affect how companies do business. The panel will explore what has transpired to date, what lies ahead, and how companies and their insurers can best prepare themselves to deal with the changing landscape.

Schaun D. Henry

Moderator
MCNEES WALLACE & NURICK LLC
Harrisburg, Pennsylvania

Jeff Randall

Vice President, Human Resources
TIMBAR PACKAGING & DISPLAY
Hanover, Pennsylvania

Krista L. Reynolds

Human Resources Director
MORGAN PROPERTIES
King of Prussia, Pennsylvania

Nate Douty

Vice President of Human Resources
HERSHEY ENTERTAINMENT & RESORTS
Hershey, Pennsylvania

2:15 p.m.-2:30 p.m.
BREAK

2:30 p.m.-3:30 p.m.
GROUP 2

A. ERISA LITIGATION: WHERE ARE WE AND WHERE ARE WE GOING?

From expanded discovery following Glenn to the potential for jury trials, learn about recent shifts and trends in ERISA litigation. Will health care reform impact ERISA litigation? Can states regulate away discretionary clauses? These, and other hot topics, will be addressed by a panel of in-house experts.

Bradley J. Betlach

Moderator

HALLELAND LEWIS NILAN & JOHNSON, P.A.
Minneapolis, Minnesota

Stephen Warch

Deputy General Counsel

UNITEDHEALTHCARE
Edina, Minnesota

Jim Kochinski

Counsel

ING EMPLOYEE BENEFITS
(RELIASTAR LIFE INSURANCE CO.)
Minneapolis, Minnesota

Andrew C. Stabnick

Assistant Vice President & Senior Counsel

THE HARTFORD FINANCIAL
SERVICES GROUP, INC.
Simsbury, Connecticut

B. ALTERNATIVE LEGAL FEES: THEORY MEETS REALITY

In an age of tight (or contracting) legal budgets, outside counsel and their in-house colleagues are exploring ways to contain and predict fees while maintaining vigorous representation and favorable results. In past years, while alternative fee agreements were the topic of great debate, relatively few strayed from the comfortable billable hour. However, in today's environment, woe to the GC or outside firm that does not at least consider an alternative billing protocol. Hear from panelists who have either provided or purchased legal services, in a manner other than the 6-minute interval.

Bradley R. Johnson

Moderator

TAYLOR, DAY, CURRIE, BOYD & JOHNSON
Jacksonville, Florida

Leah Cooper

Managing Attorney

RIO TINTO
London, England

Timothy L. Williams

Assistant General Counsel

WINN-DIXIE STORES, INC.
Jacksonville, Florida

Greg Williamson

Senior Vice President - Human Resources

LENDER PROCESSING SERVICES INC.
Jacksonville, Florida

Christopher A. Page

Panelist

YOUNG, MOORE AND HENDERSON, P.A.
Raleigh, North Carolina

3:30 p.m.-3:45 p.m.

BREAK

3:45 p.m.-4:45 p.m.

GROUP 3

A. REDUCING RISK IN WAGE AND HOUR LITIGATION: HOW TO RIDE THE TIDE

Employers today are confronted with a host of complex compensation issues. This panel will offer an overview of recent federal and state law developments relating to wage-hour laws and regulations, including: the proper classification of employees, retention of independent contractors, temporary workers or leased employees, proper deductions from wages, commission pay plans, payment of bonuses, treatment of volunteers, recording meal and rest breaks, and calculating hours worked, including out-of-office use of "smartphones" or other electronic devices. The panelists will offer some practical insight for addressing these issues and will provide an update and share their experiences in managing the ever increasing number of wage and hour class and collective actions.

James M. Peterson

Moderator

HIGGS, FLETCHER & MACK, L.L.P.
San Diego, California

Tamara F. de Wild

Legal Counsel - Risk Management Department

O'REILLY AUTO PARTS
Springfield, Missouri

R. Clinton Saxton

Managing Director Litigation

FEDEX
Memphis, Tennessee

Kimberly S. Moore

Panelist

STRASBURGER & PRICE
Dallas, Texas

B. PRE-LITIGATION INVESTIGATION BY INSURERS - OPPORTUNITIES AND PITFALLS

Pre-litigation investigation by insurers gives insurers and their policyholders a unique opportunity to investigate the facts of an underlying incident, analyze the potential risks and exposure, and make appropriate decisions as to whether to settle a claim or proceed to litigation. However, if litigation ensues, pre litigation investigation may be the subject of extensive discovery by plaintiffs and could potentially cause significant problems and aggravate the exposure of the policyholder and/or the insurer. This presentation will outline available pre-litigation techniques and discuss potential errors which could lead to the discovery of prejudicial evidence in subsequent litigation.

James Johansen

Moderator

BUTT THORNTON & BAEHR PC
Albuquerque, New Mexico

Anthony "Tony" Mills

Senior Coverage Counsel

ZURICH INSURANCE COMPANY
Schaumburg, Illinois

John McCarthy

Director of Commercial Casualty Claims

FARMERS INSURANCE EXCHANGE
Westlake Village, California

Elizabeth P. Johnson

Panelist

FOWLER WHITE BURNETT P.A.
Miami, Florida

4:45 p.m.

ADJOURNMENT

5:00 p.m.-9:00 p.m.

DINNER CRUISE ABOARD A PRIVATE YACHT

What better way to enjoy the sights and sounds of New York than aboard a private yacht sailing along the East and Hudson Rivers? We hope you will join us for this luxury boat ride complete with cocktails, hors d'oeuvres and dinner.

Cocktails will be served dockside from 5:00 p.m. – 6:00 p.m. as guests arrive and then it's "anchors away" as the boat sets sail at 6:00 p.m. and cruises until 9:00 p.m.

Friday, June 18, 2010

7:45 a.m.-8:45 a.m. WOMEN'S INITIATIVE BREAKFAST

The Ritz-Carlton Ballroom

GETTING HIRED: DOES GENDER MATTER?

Marketing? Networking? Gender? Does it really matter? This interactive panel of women general counsel, risk managers and experienced ALFA International attorneys will discuss the factors considered when retaining outside counsel. The panel will identify marketing strategies that are successful as well as ones you should avoid. Additionally, the panel will talk about ways to make the most of the existing network you have developed and how to use internal networks to enhance your value in your own organization.

Angela Logan Edwards

Moderator

DINSMORE & SHOHL LLP
Louisville, Kentucky

Colleen Lewis

Moderator

DINSMORE & SHOHL LLP
Cincinnati, Ohio

Sue Cotter

Counsel

AETNA
Hartford, Connecticut

Anne Tooley

Director of Risk Management

PARSEC, INC.
Cincinnati, Ohio

8:00 a.m.-9:00 a.m. GENERAL BREAKFAST

Rise

9:00 a.m.-12:15 p.m. GENERAL SESSION

The Ritz-Carlton Ballroom

9:00 a.m.-10:00 a.m. EPLI CLAIMS SETTLEMENT: ACHIEVING A SUCCESSFUL RESOLUTION

Numerous factors contribute to the effective settlement of EPLI claims. This panel will

discuss the issues involved in reaching an effective resolution, including timing, the balance of defense costs with settlement costs, the importance of a strategic plan and effective budget, the impact of settlement on the employer, and (as always) obtaining the best resolution possible. The panel will also discuss the effective use of third parties to effectuate settlement, including magistrates, facilitators and mediators.

Theresa Smith Lloyd

Moderator

PLUNKETT COONEY
Detroit, Michigan

Barry Pulver

Claims Consultant

HARTFORD FINANCIAL PRODUCTS,
A UNIT OF THE HARTFORD FINANCIAL
SERVICES GROUP
New York, New York

Pamela Schwager

Assistant Vice President

CHARTIS
New York, New York

Andrew Monaghan

Associate Claims Examiner

UNITED STATES LIABILITY
INSURANCE GROUP
Wayne, Pennsylvania

10:00 a.m.-10:15 a.m. BREAK

10:15 a.m.-11:15 p.m. STRATEGIES FOR AVOIDING CLAIMS AGAINST OFFICERS AND DIRECTORS AND RELATED COVERAGE ISSUES

Deteriorating economic conditions not only can prompt a bankruptcy filing surge, but also could result in a flood of ensuing lawsuits and claims as creditors and shareholders seek to recoup their losses. These claims could present a host of challenging D&O coverage issues. Executive performance can result in litigation and trigger coverage in numerous ways. This panel will discuss strategies for avoiding D&O claims, methods that can be instituted for risk avoidance, and issues to be considered when analyzing related coverage issues.

Steven H. Schwartz

Moderator

BROWN & JAMES, P.C.
St. Louis, Missouri

David T. Vanalek

Manager, Claims - Professional Liability

MARKEL
Deerfield, Illinois

Cheryl Katz

Assistant Vice President

CHARTIS
New York, New York

Joel R. Hlavaty

Panelist

FRANTZ WARD LLP
Cleveland, Ohio

11:15 a.m.-12:15 p.m. EPLI COVERAGE TRENDS IN THE "REAL WORLD"

How to defend claims by employees that their legal rights were violated is a challenge every employer faces. Is Employment Practices Liability Insurance still part of the answer? Find out what kinds of employers purchase this type of coverage and what value the typical coverage provides for small, medium, and large employers as this distinguished panel explores the current state of the marketplace and policy issues frequently arising with respect to EPLI coverage.

Gary A. Bague

Moderator

HAIGHT BROWN & BONESTEEL LLP
Los Angeles, California

Robert L. Herchert

Senior Vice President

WILLIS
Irvine, California

Jane M. Stahl

Litigation and Employment Attorney

SHAW INDUSTRIES GROUP, INC
Dalton, Georgia

James Grant

Senior Producing Broker

GROSVENOR BROKERS
London, England

12:15 p.m. ADJOURNMENT

12:15 p.m.-1:15 p.m. LUNCH

The Ritz-Carlton Ballroom

Faculty Bios

GARY A. BAGUE is a partner in the ALFA International firm of Haight, Brown & Bonesteel LLP in Los Angeles, joining the firm after graduating from U.C. Hastings College of Law in 1980. He has served as chair of the firm's Risk Management and Insurance Law Department. Currently, Mr. Bague devotes a large part of his practice to advising and representing insurance carriers, brokers, agents and insureds with regard to coverage and liability issues. Mr. Bague has served as a panelist for California's Continuing Education of the Bar (CEB) on insurance coverage topics, is a contributing author for the book, *Causes of Action, Insurance Chapter*, by James Publishing, and has served as co-editor of ALFA International's Insurance Law Compendium. He is a member of the ABA and DRI.

MORRIS BARTO holds the title of Vice President and serves as Manager of General Reinsurance Corporations D&O, EPLI and Professional Liability claims. He was largely involved in the design and development of GCR's EPLI products, which are used by many insurers. Mr. Barto has authored numerous articles and is a frequent speaker on the topic of Employment Practices Insurance coverage. Before joining General Re, Morris practiced law in an insurance defense firm in Texas. He is licensed to practice in Texas, Connecticut, and Georgia.

DEANNA M. BEACHAM is an Assistant Vice President and manages employment practices liability claims for Chubb's Mid-Atlantic Zone. She manages complex, high exposure, class and mass action employment claims, government initiated actions, and single plaintiff claims brought by highly-compensated executives. Prior to joining Chubb in 1999, Deanna was in private practice in New Jersey where her practice focused on the defense of management in employment-related matters. She began her legal career as a law clerk for the Honorable Garrett E. Brown, Jr., United States District Judge, for the District of New Jersey. Deanna graduated *cum laude* from Seton Hall Law School, where she served as an Articles Editor on the Seton Hall Law Review. She has been a member of the Bar of the State of New Jersey since 1990.

BRAD BETLACH is a shareholder of the ALFA International member firm Hallelund Lewis Nilan & Johnson in Minneapolis. Prior to joining Hallelund in 2000, he was Associate General Counsel for Allina Health System, where he primarily defended professional liability matters and provided advice and counsel to the Human Resources

departments throughout the system. Brad currently represents insurance companies across the country in claims-related and other litigation, including lawsuits brought pursuant to ERISA and those alleging common law breach of contract and bad faith. He is a graduate of the University of Minnesota Law School (*cum laude*) and clerked for now U.S. District Court Judge Ann D. Montgomery and the Minnesota Court of Appeals. Brad serves on ALFA International's Insurance Law Practice Group Steering Committee, and is a member of DRI and the Minnesota Defense Lawyers Association. He is admitted to practice in the state and federal courts of Minnesota and Wisconsin, as well as the United States Supreme Court, the Fourth and Eighth Circuit Court of Appeals and the United District Court of Colorado.

ADAIR BLEDSOE, JR. is Assistant General Counsel for Computer Sciences Corporation. He has been with CSC since 1995. Mr. Bledsoe manages the CSC Legal Department's Labor & Employment Law Group, which handles related legal issues for CSC's domestic business units employing approximately 47,000 individuals. Prior to joining CSC, he practiced labor and employment law with Smith, Currie & Hancock in Atlanta, Georgia. Mr. Bledsoe received a B.A. in History and English (minor) from the University of Virginia. He earned his law degree from the University of South Carolina.

MARION R. (MICKEY) CLARK is a Senior Litigation Attorney for RadioShack Corporation, having served in that position since 1990. He is responsible for the management of employment-related, SEC, and ERISA claims and litigation throughout the United States as well as all claims and litigation matters throughout the Caribbean. In addition, he provides employment-related and ADA Title III advice to management and staff members. Mr. Clark received his B.S. in Business Administration from the University of Texas at Dallas and his J.D. from Southern Methodist University. In 2004 Clark co-authored an article in the National Law Journal entitled "New ADA Guidelines Will Affect Many Employers".

LEAH COOPER is the Managing Attorney (similar to the General Counsel in the U.S.) for Rio Tinto in London, England. Rio Tinto is one of the world's leaders in finding, mining and processing mineral resources. Leah leads over 100 Rio Tinto in-house lawyers around the world. She is responsible for an annual legal budget of approximately \$100,000,000. Leah has recently received international praise for saving over \$10,000,000 by outsourcing legal services. Leah attended the University of Georgia School of Law.

SUE COTTER has been employed by Aetna for 25 years, and has worked in Aetna's Law & Regulatory Affairs Department since 1998. As in-house counsel for Aetna, Sue manages litigation filed against the Company related to group disability, life and health products. In addition to her litigation management responsibilities, Sue is also involved in risk management assessment and counseling with her business clients. Sue has been involved in pro bono efforts with Lawyers For Children America, The Truancy Prevention Program sponsored by the Connecticut Bar Association, and The Lawyers for Warriors Program, assisting disabled veterans in obtaining disability benefits. Sue graduated from Western New England College School of Law (Springfield, MA), having attend law school part-time in the evenings while continuing to work full-time at Aetna.

JESSICA A. DESANY is a director with the Albany, New York ALFA International firm of Carter, Conboy, Case, Blackmore, Maloney & Laird, P.C. Ms. Desany is a trial attorney who practices in the areas of civil litigation, including actions defending claims of professional liability through D&O and E&O claims, as well as legal malpractice and other professional liability claims. Ms. Desany's practice includes an emphasis on insurance coverage analysis and litigation on behalf of insurers. Ms. Desany is a graduate of the University of Notre Dame and the State University of New York at Buffalo School of Law.

TAMARA F. DE WILD is Legal Counsel for O'Reilly Automotive, Inc. d/b/a O'Reilly Auto Parts and its subsidiaries. O'Reilly Auto Parts (ORLY) is a retailer of aftermarket automotive parts, tools, supplies, equipment, and accessories based in Springfield, Missouri. At O'Reilly, Ms. de Wild counsels Human Resources and management on labor and employment related issues including ADA, FMLA, wage and hour issues, severance matters, non-compete and non-solicitation agreements, and other employment related matters; reviews and responds to complaints and charges filed with the EEOC and state agencies; manages and coordinates the defense of discrimination, harassment, and retaliation claims and other employment related litigation with outside counsel; and works with Human Resources in developing, implementing, and updating employment policies, procedures, and practices. Ms. de Wild was in private practice for 13 years prior to joining O'Reilly, most recently at Lathrop & Gage in Springfield, Missouri. Ms. de Wild received her undergraduate degree from Drury University and her J.D. from Wake Forest University School of Law.

NATE DOUTY is a 30 year veteran in the Human Resources Profession and is Vice President of Human Resources for Hershey Entertainment & Resorts (HE&R) and a member of the HE&R executive committee. In his position Nate leads a team of 35 HR professionals. Founded in 1927 by chocolate magnate, Milton S. Hershey, HE&R operates hotels, theme parks, golf courses, a "Chocolate Spa" and other travel destination businesses in and around Hershey PA, "The Sweetest Place on Earth". HE&R employs a very diverse workforce of 8,500 at peak operating periods including collectively bargained employees. HE&R strives to be an employer of choice and HR is leader in driving a culture of change and adoption of technology. Nate is active in local workforce development, educational and healthcare boards.

ANGELA LOGAN EDWARDS is a partner in the Louisville, Kentucky ALFA International law firm of Dinsmore & Shohl. She practices in the areas of ERISA and other benefits litigation and commercial litigation. She counsels clients with business disputes and represents employee benefit plans, insurers, claims administrators and employers with benefits issues, including claims for wrongful denials of benefits and fiduciary breaches. She has represented clients in federal district courts in Kentucky, Ohio and Michigan and in the Fifth and Sixth Circuits. After completing her undergraduate degree in finance at Transylvania University and her law degree at the University of Kentucky, Angela began her legal career in September of 1994 as a law clerk for the Honorable Jennifer B. Coffman, United States District Court Judge for the Eastern and Western Districts of Kentucky. She is a member of ALFA International's Insurance Law Practice Group Steering Committee and served as Moderator of the ERISA panel at the 2007 Insurance Practice Group Seminar. She is also a member of ALFA International's Women's Initiative Practice Group and serves as the liaison between the Women's Initiative Practice Group and the Insurance Law Practice Group.

DAVID M. EISENBERG is a partner in the Kansas City, Missouri ALFA International law firm of Baker Sterchi Cowden & Rice, LLC. He represents employers in all aspects of employment law and labor relations matters. He maintains an active litigation practice in federal and state courts (primarily in Kansas and Missouri), and before the EEOC, NLRB, and state administrative agencies. Mr. Eisenberg has been selected to *Missouri/Kansas Super Lawyers* each year since the program's inception. He is a member of the ABA Appellate Practice Editorial Board, and the ABA Subcommittee on Appellate Rules. He is a graduate of Brooklyn College, holds a master's degree in Economics from Brown University, and law degree from Georgetown University.

JILL F. ENDICOTT is a partner in the Louisville, Kentucky ALFA International law firm of Dinsmore & Shohl, where her practice focuses on business and complex commercial litigation. Ms. Endicott represented the Kentucky Executive Director of Insurance in his capacity as Liquidator of Kentucky Central Life Insurance Company in the largest lawsuit of that statutory insolvency. She has served as a Special Justice of the Kentucky Supreme Court and is a frequent speaker at continuing legal education programs. Ms. Endicott received a B.A. from the University of Pennsylvania and a J.D. with Honors from George Washington University Law School. She is Chair of ALFA International's Insurance Law Practice Group, served as Program Chair for Day One of the 2005 Insurance Practice Group Roundtable Seminar in New York City, and served as Program Coordinator for the 2006 Insurance Practice Group Seminar in Chicago on Catastrophic Losses.

CAROL B. ERVIN is a partner in the Charleston, South Carolina ALFA International law firm of Young, Clement, Rivers LLP. She received her B.A. *summa cum laude* from the University of the South in Sewanee, Tennessee and was named to Phi Beta Kappa. Ms. Ervin received her J.D. from Duke University School of Law. Ms. Ervin serves as Chair of her firm's Employment Law Practice Group. She is an experienced trial attorney and focuses her practice on the representation of businesses in employment law and litigation. Ms. Ervin is a Fellow in the American College of Trial Lawyers and an Associate Member of the American Board of Trial Advocates. She is certified by the South Carolina Supreme Court as a specialist in labor and employment law. Ms. Ervin is a past member of ALFA International's Board of Directors and is a past Chair of ALFA International's Labor and Employment Law Practice Group. Ms. Ervin possesses an AV-Rating from Martindale-Hubbell, the highest available rating for professional abilities and ethics, and is listed with the "Best Lawyers in America" and South Carolina's "Super Lawyers" in Labor and Employment Law.

GEORGE D. FAGAN is a founding partner of Leake & Andersson, LLP, the ALFA International firm in New Orleans, Louisiana, and is the lead partner for business, employment and insurance coverage litigation and other matters. Mr. Fagan has substantial employment litigation experience and also handles coverage and extra contractual litigation for D&O, EPL, E&O, fidelity, health and life, and property insurers, as well as commercial and securities litigation. He has been included in the Best Lawyers in America listing since 2000, has an "AV" Martindale rating, and is a member of the Federation of Defense and Corporate Counsel. Mr. Fagan is the Chair Emeritus of the

ALFA International Labor & Employment Practice Group and is a past Chair of ALFA International's Insurance Practice Group. He served as a member of the ALFA International Board of Directors from 2006-2008. Mr. Fagan received his undergraduate degree from Washington & Lee University (*cum laude*) and his law degree from LSU Law School.

GLENN F. FENCL is a shareholder of the Chicago, Illinois ALFA International firm of Johnson & Bell, is head of their Insurance Coverage Group and is the ALFA International Program Co-Chair for the 2010 EPLI Seminar, representing the Insurance Practice Group. His cases involving coverage include DJA, duty to defend, bad faith etc under both first party policies and commercial general liability policies. He has handled numerous coverage trials in Federal and state jurisdictions. Mr. Fencl also handles construction and insurance litigation for general contractors including Washington Group International and has more than 25 jury verdicts. He is a member of the International Association of Defense Counsel (IADC). Mr. Fencl received his undergraduate degree from University of Illinois and his law degree from IIT Chicago-Kent with Honors.

JAMES GRANT has been broking specialist for North American professional liability insurance in the Lloyd's and London market since 1994. His focus includes placement of U.S. law firms into the marketplace, EPLI coverage and other insurance. He is a senior producing broker at Grosvenor Brokers, one of the largest independent London market brokers for American professional liability insurance, with representation of over 440 US law firms, two of which are in the top 10 of AM listed law firms. James Grant travels extensively to the U.S. and has been instrumental in the development of key market products, and has spoken at previous international ALFA International conferences on the state of the insurance industry.

MICHAEL W. HAWKINS is a partner in the Cincinnati, Ohio ALFA International member firm of Dinsmore & Shohl LLP and currently serves as Chair Emeritus of ALFA International. His practice consists exclusively of representing U.S. and Global employers in all phases of employment law, litigation and labor relations matters. He also serves as an Arbitrator and Mediator on The American Arbitration Association Labor and Employment Panel and for The National Arbitration Forum as well as a Mediator with the International Mediation Institute. Mr. Hawkins has been listed since 1992 in *The Best Lawyers in America* in labor and employment law. He is a Fellow with the College of Labor & Employment Lawyers and Litigation Counsel of America. He is a graduate of the University of Kentucky and the University of Kentucky School of Law, where he was Lead Articles Editor of the *Law Review* and graduated

Order of the Coif. He argued NLRB v Kentucky River and CBOCS v Humphries before the US Supreme Court.

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ROB HERCHERT received his Masters of Business Administration degree from the University of Wolverhampton in England. After his post graduate studies he began working with a Lloyd's broker in London. His main responsibilities included the placement of professional liability and employment practices liability coverage for law firms in the Lloyd's of London and European company marketplace. Rob joined Hilb Rogal & Hobbs (HRH), now Willis, in its Orange County office in 2002 to serve the company's existing law firm clients and to assist in the development of new business opportunities. By utilizing his considerable knowledge of the London/European marketplace and his contacts with specialist underwriters in the United States/Bermuda, Rob is able to offer clients an in depth knowledge of the international law firm professional liability and employment practices liability marketplace. Since returning to the United States, Rob has earned the Accredited Adviser of Insurance (AAI) designation and the Registered Professional Liability Underwriter (RPLU) designation and he has become actively involved in the Professional Liability Underwriting Society (PLUS).

JOEL R. HLAVATY is one of the founding partners of Frantz Ward LLP, the ALFA International member firm in Cleveland, Ohio. Joel graduated from John Carroll University with honors and he received his law degree with honors from the University of Akron. Joel focuses his practice on the representation of management in all phases of labor relations and employment litigation. He routinely advises employers on all aspects of their relationships with employees, as well as with respect to matters concerning litigation prevention

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DEAN A. HOISTAD is a partner in Axilon Law Group, PLLC, the ALFA International member firm in Missoula, Montana, which specializes in insurance and employment law practice. Dean has an LL.M. degree in Insurance Law and nearly 35 years of insurance litigation experience. He has completed advanced ADR training and been approved for appointment to court rosters of neutral ADR providers. He has served as mediator and arbitrator in hundreds of insurance litigation disputes.

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KRISTA L. REYNOLDS is the Human Resources Director for Morgan Properties. Morgan Properties provides residential apartments to its customers and has operations in ten states in the United States. The Company operates a total of 30,000 apartment homes. Ms. Reynolds joined Morgan Properties in 2002. She is a graduate of Rider University and a native of Plainsboro, New Jersey.

ERIC ROSS has been involved in the management of professional liability and employment practices claims for nearly 15 years and currently serves as Beazley's employment practices claims focus group leader. In this role, Eric oversees and sets strategy for the management of all of the company's employment practices, private company D&O, fiduciary and crime claims. Eric regularly works with the company's underwriters, product managers and actuaries in the maintenance and development of related products. Prior to joining Beazley, Eric managed the Executive Liability claim group for the Travelers Bond organization.

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JANE M. STAHL is a Litigation and Employment Attorney with Shaw Industries Group, Inc. A Berkshire Hathaway company, Shaw is a floor-covering manufacturer with over 25,000 employees. Ms. Stahl is the sole in house

Employment Counselor for Shaw. In addition to her labor/employment counseling responsibilities on all aspects of employment law, Ms. Stahl manages all of the Company's Employment litigation. Prior to becoming Shaw's in-house Employment and Litigation attorney in 2001, Ms. Stahl's private practice focused in the area of Labor/Employment Counseling and Litigation for 6 years in Chattanooga, Tennessee. Ms. Stahl received both her law degree and her undergraduate degree from the University of Tennessee.

ANNE TOOLEY is the Director of Risk Management at Parsec, Inc., Cincinnati, Ohio. Anne has an extensive career and background in insurance and risk management. Anne manages the insurance and risk analysis program, the multi-state workers compensation area and all corporate claims and lawsuits for a prime Intermodal Operator for many of the major railroads in the U.S. and Canada. Anne has primary responsibility for selection of legal counsel and develops programs to mitigate losses and improve safety policies and procedures. Anne has served on the Risk and Insurance Managers Society, RIMS, Ohio River Valley Chapter Board for ten years and is an Associate Member of the ABA. She is an advisor on the Insurance Subsection of Labor and Employment, National Workers Compensation Defense Committee. Anne graduated from UC-Davis, in Davis California with a degree in Economics.

DAVID T. VANALEK is an attorney and Manager of Professional Liability Claims at Markel in Deerfield, Illinois, just outside of Chicago. Mr. Vanalek joined Markel in 2007 as a senior claims attorney, and shortly thereafter assumed a management role overseeing a team of claims professionals and attorneys responsible for a wide array of professional liability product lines, which has included over the years Miscellaneous Errors & Omissions, Non-Profit Directors & Officers, Employment Practices Liability, Lawyers, Insurance Agents & Brokers, Architects & Engineers, Financial Advisors, and Information Technology and Data Breach claims. Prior to joining Markel, Mr. Vanalek was in private practice, representing clients in jury and non-jury cases in state and federal court in California and Illinois. He received his Bachelor's degree, *magna cum laude*, in Political Science from the University of California, Los Angeles, and his law degree from the University of California, Davis, where he served as an Editor on *Law Review*, and had the pleasure of serving as the first judicial extern for a newly appointed associate justice of the California Supreme Court. Mr. Vanalek is a member of the California and Illinois State Bar, and has been published in the *San Francisco Daily Journal*.

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GREG WILLIAMSON is the Senior Vice President for Human Resources at Lender Processing Services. He began his career at LPS as in-house Labor and Employment Counsel before moving to Human Resources in 2009. LPS is the nation's leading provider of mortgage processing services, settlement services, mortgage performance analytics and outsourcing services for lenders. More than 50% of all residential mortgages in the US are processed through LPS. The company has 8,600 employees nationwide. Greg served in the United States Army before attending law school at the University of Florida.

General Information

MEETING LOCATION

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Tel: (212) 344-0800
Fax: (212) 344-3804

REGISTRATION

Contact your ALFA International attorney to register.

HOTEL

ALFA International Hotel Room Rates:

The Ritz-Carlton Battery Park
\$325 per night, single or double occupancy

New York Marriott Downtown
85 West Street (2 blocks from Ritz-Carlton)
New York, New York 10006

Tel: (212) 385-4900
Fax: (212) 227-8136
\$238.00 per night, single or double occupancy

The deadline for obtaining a room reservation at the ALFA International rate is **Friday, May 14, 2010**. After this date, hotel reservations at the ALFA International rate will be on a space-available basis.

Hotel reservation requests are submitted by completing the seminar registration process. Please contact your ALFA International attorney to register.

CLE CREDIT

ALFA International certifies that this activity has been approved for CLE credit in the amount of 9 hours.

ATTENDANCE IS OPEN ONLY TO MEMBERS OF ALFA INTERNATIONAL AND THEIR INVITED GUESTS.

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