



# BAD FAITH LITIGATION

The essential forum that shapes the future of bad faith litigation strategies for leading outside counsel, in-house counsel, and claims professionals in the insurance industry

November 21–22, 2013 | Hyatt Regency Miami | Miami, FL

## Learn from and network with:

**Paul Berne**  
Lancer Insurance Company

**Larry R. Levine**  
Infinity Insurance Company

**Cass Davis**  
Veolia Transportation

**Susane Scott, SCLA PLCS**  
Universal North America

**Robyn L. Sondak**  
Travelers Bond and Financial Products

**Cindy Khin**  
Medmarc Insurance Group

**R. Wade Vandiver, J.D.**  
Argo Group US

**Stephen Broer**  
Guardian Life

**Tony Stompanato**  
AIG

**Lance Albright**  
QBE North America

**Sean Costello**  
Nationwide

**Dave Raszeja**  
MetLife

**Meg Weist**  
EMC Insurance Companies

**Richard Vavra**  
Allstate Insurance Company

## Featuring an Exceptional Faculty of Judges, Including:



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U.S. Dist. Ct., E.D. Mich.



**Hon. Allan Tereshko**  
Phila Ct. Common Pleas



**Hon. Algenon L. Marbley**  
U.S. Dist. Ct., S.D. Ohio



**Hon. James L. Robart**  
U.S. Dist. Ct., W.D. Wash.



**Hon. Sandra Mazer Moss**  
Phila. Ct. Common Pleas



**Hon. Mark Bernstein**  
Phila Ct. Common Pleas

## Sessions include:

- View from the policyholder's bar: tailoring your bad faith strategies to the latest wave of claims being asserted
- Insurers in-house roundtable: counsel and claims professionals speak out on new and emerging issues in bad faith claims
- Hot topics and issues on the horizon: emerging case law, hotbed jurisdictions, and new risks
- Exploring the theory of bad faith claims in the absence of coverage
- Claims management: properly training claims handlers, and implementing best practices to minimize institutional bad faith claims
- Procedural and substantive issues and strategies in the bad faith context: attorney-client privilege, wasting a policy, burning limits, removal, pleading, social media and beyond
- Recognizing the red flags to avoid bad faith set ups
- The scope and limits of duty to defend, duty to settle, and initiating settlement negotiations
- Reservation of rights and using consent judgments: assigning rights to the plaintiff and determining whether the settlement could result in a bad faith suit
- Discovery requests: defining permissible limits within the scope of discovery

## ACI's 26th installment of its renowned Bad Faith Litigation forum converges on Miami with in-depth topics researched from the leaders in the industry and expert insights from seasoned in-house professionals, top law firms and experienced jurists from across the nation.

Bad faith disputes continue to generate a significant amount of litigation. The claims are costly, huge verdicts are being handed down every day, and more states are passing statutory bad faith laws. It is now more important than ever for insurers and policyholders to stay current on all that is happening in the bad faith litigation arena. Practitioners must stay ahead of the curve and create the best strategies for resolving coverage disputes, responding to demand letters, negotiating settlement demands, and managing discovery disputes.

In response, **American Conference Institute** brings you its 26th installment of its acclaimed **Bad Faith Litigation** forum for all critical updates on case law, proposed legislation and strategies. Get effective tips on how you can ensure the best result for your case and client. This installment will feature:

- ***Insurers In-house roundtable:*** This specialized in-house panel will focus on 1) best practices in claims investigation and litigation decisions; 2) settling bad faith claims and working with outside counsel; 3) dealing with the insured; and much more
- ***View from the Policyholder's Bar:*** Adapt your strategies to the new wave of claims being asserted and hear what key actions (or inactions) could lead your client into litigation.
- ***Discussions with distinguished jurists:*** Get valuable insight on effective theories and evidentiary issues, from state and federal judges that have presided over bad faith suits.
- ***Narrowly tailored panel sessions:*** Our narrowly tailored, comprehensive panels will shed light on the most effective ways to recognize bad faith set-ups, properly investigate a claim, litigate questionable coverage, manage discovery, respond to punitive damage claims and much, much more.

**Register now** by calling 888-224-2480 or faxing your registration form to 877-927-1563. You can also register online at [www.AmericanConference.com/BadFaithMIA](http://www.AmericanConference.com/BadFaithMIA)

### Who You Will Meet:

#### Plaintiff and Defense Attorneys Specializing in:

Insurance Bad Faith  
Extra-Contractual Damages  
Insurance Defense  
Litigation  
Personal Injury  
Worker's Compensation  
Appellate Practice  
Mold, Asbestos and Other Toxic Torts  
Life, Health and Disability Claims

#### Insurance Industry Professionals, Including:

Corporate Counsel  
Defense Counsel  
Claims Managers  
Adjusters  
Compliance Office  
Risk Managers

## Day One: Thursday, November 21, 2013

7:30 Registration and Continental Breakfast

8:00 **Co-Chairs' Welcoming Remarks**

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**David A. Strauss**  
Member  
King, Krebs & Jurgens, PLLC

**Lewis F. Collins, Jr.**  
Partner  
Butler Pappas Weihmuller Katz Craig LLP

8:05 **View From the Policyholders' Bar: Tailoring Your Bad Faith Strategies to the Latest Wave of Claims being Asserted**

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**Fred Cunningham**  
Slawson Cunningham Whalen & Gaspari

**Jason S. Mazer**  
Sharholder  
Ver Ploeg & Lumpkin, P.A.

**Barry Buchman**  
Partner  
Gilbert LLP

**Daniel P. Mitchell**  
Barr, Murman & Tonelli, P.A.

**Darin McMullen**  
Shareholder  
Anderson Kill & Olick, P.C.

- How to put together a bad faith claim from nuts to bolts
- Reviewing common bad faith claims
- Facts supporting bad faith awards
- Current bad faith trends including punitive damages
- Using mediation as a tool to illustrate bad faith exposure
- First party v. third party bad faith suits
- Exploring statutory and common law bad faith

9:20 **Insurers In-House Roundtable: Counsel and Claims Professionals Speak Out on New & Emerging Issues in Bad Faith Claims**

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**Cass Davis**  
Director of Claims  
Veolia Transportation

**R. Wade Vandiver, J.D.**  
Complex Claims Litigation Director  
Argo Group US

**Sean Costello**  
Managing Counsel  
Litigation Practice Group/P&C Class Actions  
Nationwide

**Larry R. Levine**  
Vice President & Assistant General Counsel  
Corporate Litigation Department  
Infinity Insurance Company

**Robyn L. Sondak**  
Senior Counsel  
Travelers Bond and Financial Products

**Richard Vavra**  
Corporate Counsel  
Allstate Insurance Company

### Moderator

**Louis H. Kozloff**  
Partner  
Nelson Levine de Luca and Hamilton

### Defending Bad Faith Claims and Working with Outside Counsel

- Recognizing when and why to settle
- Negotiating settlement
- Managing high risk cases and litigation
  - Tips for managing "must win cases"
- Taking bad faith cases to trial
  - Selecting, supporting, and managing outside counsel
  - How and when to use outside counsel
  - Selecting outside counsel

### Dealing with the Insured

- Communicating with your insured after the court determines coverage exists
- Whether and how to settle a coverage claim
- What to do when your insured won't settle
  - Risks of settling over the insured's objection

### Handling Medicare Issues in Liability Cases

- Exposure to Medicare in large claims
- Medicare liens and set aside agreements

### Bad Faith / Extra-Contractual Exposure from the In-House Perspective

- What does a bad faith claim mean to an insurer
  - What is "real" bad faith case?
  - Defending the company's actions
  - Does bad faith mean to how you do business?

10:40 Morning Break

10:50 **Hot Topics and Issues on the Horizon in the Bad Faith Context: Emerging Case Law, Hotbed Jurisdictions, New Risks, Recent Trends and What to Expect for 2014**

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**Matthew M. Haar**  
Partner  
Saul Ewing LLP

**David Strauss**  
Member  
King, Krebs & Jurgens, PLLC

**Mark Shapiro**  
Shareholder  
Akerman Senterfitt LLP

**Susan B. Harwood**  
Partner  
Boehm Brown Harwood, PA

- Examining bad faith suits in direct action states
- How a large self insured retention affects bad faith suits
- State by state distinction of the reasonable expectation doctrine and how this affects bad faith
  - Using the reasonable expectations doctrine to resolve issues in the insurance contract
  - Recognizing the issues with ambiguous language, technical issues, number of occurrence, etc.
- Institutional bad faith claims in the class action context
  - Class certification on institutional policies and procedures
  - Attorney's fees
- Bad faith allegations in the pre-contract stage
  - *Grudkowski v. Foremost Ins. Co.*
- Bad Faith allegations even after the insurer has paid out the policy limits
  - Insurer impeding claims against another party
  - Impairing the insured by reaching settlement which hinders insured's actions to recover against others

### Florida

- Examining the increase in first party property damage bad faith suits
- Insurer's liability in the third party context
- Proposed legislation in the first party context
- How the appraisal process has increased bad faith claims
- Communication between insurer and insured over settlement negotiations
- Improper claims handling
- What are duties, if any, owed to non insured and claimant?
- Splitting defenses of co-insureds and possible bad faith claims
- How bad faith is changing procedurally in the UM context
- The increasingly complex removal landscape in the UM context
- New set up angles to watch for

### Pennsylvania

- Examining the *Kvaerner* case
  - Denying coverage for construction defects
  - Preventing bad faith suits for claims based on negligent supervision
  - Filing reservation of rights to prevent bad faith claims
- Recovering attorney's fees under the bad faith statute
- Filing a Declaratory Judgment action does not automatically allow a bad faith suit to be filed: factual basis to file a claim
- Examining the *Calfayan* case
  - Poor workmanship and negligent construction is not covered under property damage and therefore, a bad faith suit is prevented
  - Finding no occurrence when contractors hire faulty sub contractors
- How conduct of counsel in the course of litigation can give rise to bad faith litigation
  - Duty of good faith attached to counsel when insurer denies claim

### Washington

- Growing concern with the issue of consent judgments
  - Policyholders issuing consent judgments with plaintiffs

### Colorado

- Discovery issues; Damages that are recoverable; Attorney fees
- Allowing the insured to stipulate with the plaintiff even though a defense is provided
- Examining case law related to first party bad faith: payment of settlement, transforming liability claim to first party bad faith

## 11:55 Examining the Theory of Bad Faith in the Absence of Coverage

### **Harry M. Baumgartner**

Member  
Bressler, Amery & Ross, P.C.

### **Laura Foggan**

Partner  
Wiley Rein LLP

### **David J. McMahon**

Managing Partner  
Barger & Wolen LLP

### **Chad Marzen**

Assistant Professor of Legal Studies in Business  
Florida State University

- Examining *Capstone v. American Motorist*
  - Bringing a bad faith claim for delays in the investigation by the insurer if there is no claim for the coverage
- Duty of good faith owed by the insurer or individual adjusters
  - Personal liability of insurance claims adjusters under state insurance codes, unfair claims practices acts, and state deceptive and unfair trade practices acts

- Personal liability for insurance bad faith: Examining the traditional rules as well as *Wiseman v. Universal Underwriters Ins. Co.*, *Leonhardt v. GEICO Casualty Co.*, *Pohto v. Allstate Ins. Co.* and *IDS Property Casualty Ins. Co. v. Gambrell*

## 1:00 Networking Lunch for Delegates and Speakers

## 2:00 Procedural and Substantive Nuances in the Bad Faith Context: Attorney-Client Privilege, Wasting a Policy, Burning Limits, Removal, Pleading, Social Media and Beyond

### **Craig Stewart**

Partner  
Edwards Wildman Palmer LLP

### **Lewis F. Collins, Jr.**

Partner, Board Certified Civil Trial Attorney  
Butler Pappas Weihmuller Katz Craig, LLP

### **Albert Tong**

Partner  
Burke, Williams & Sorensen, LLP

### Wasting a Policy

- How competing demands from multiple interests can lead to bad faith litigation
  - Determining ways to avoid bad faith litigation
- Dealing with numerous investigations, lawsuits and demands
- Treating all insured fairly while paying out on the policy
- What is the additional obligation of the insurer once the policy is wasted and limits of the policy has eroded?
  - Spending money on the defense of the case erodes the policy
  - Insured taking over the defense
  - Responding to the insured's allegations the insurer improperly eroded the policy limits

### Burning Limits of an E&O Policy

- Examining the issue of "burning limits" of an E&O policy
  - Resolving issues when the insured wants to settle within the policy limits but the insurer refuses because there is no evidence the exposure is close to policy limits
  - Dealing with costs related to filing motions, expensive depositions, and request for discovery that may result in "burning limits" of the E&O policy

### Removal

- Attempts to defeat and how to preserve federal jurisdiction
- Using removal as a tool to get out of an unfavorable jurisdiction
- How plaintiffs seek abatement once an insurer files a motion to dismiss in premature bad faith suits & how to prevent abatement
  - How delays in the litigation ultimately lead to the suit being time barred and removal from state to federal court is prevented

### Pleading Requirements

- Pleading with specificity in bad faith litigation

### Consumer Protection/Unfair Trade Statutes

- How policyholder attorneys are utilizing consumer protection/unfair trade statutes to their advantage in insurance disputes

### Suits Against Adjusters

- Pleading an individual cause of action against adjusters
- How policyholders are moving past carriers and now filing suit against adjusters

### Social Media

- Examining the impact of social media in bad faith litigation
- Social media investigation on Facebook, Twitter, LinkedIn, etc.
- Authentication and preservation of social media investigation

3:00 Afternoon Break

3:10 **Claims Management: Properly Training Claims Handlers, and Implementing Best Practices to Minimize Institutional Bad Faith Claims**

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**Paul Berne**

Senior Vice President, Claims  
Lancer Insurance Company

**Susane Scott, SCLA PLCS**

Technical Specialist  
Universal North America

**Stephen Broer**

Counsel, Law Department  
The Guardian Life Insurance Company of America

**Tony Stompanato**

Regional Vice President  
AIG

**Cindy Khin**

Chief Claims Officer  
Medmarc Insurance Group

**Lance Albright**

Vice President; Program Claims  
QBE North America

**Dave Raszeja**

Home Office Casualty Manager  
MetLife

**Meg Weist**

Claim Superintendant  
EMC Insurance Companies

**Moderator**

**Christopher W. Martin**

Partner  
Martin, Disiere, Jefferson & Wisdom, L.L.P.

**Best Practices for Claims Investigations**

- Analyzing and evaluating the insured's liability
  - Conducting a quality, efficient, and cost effective investigation
  - Fixing problems related to inadequate investigations before they become bad faith issues
- Challenges that arise in internal claims handling
  - How to recognize questionable claims early on
  - Putting effective in-house policies and training in place
  - Ensuring best practices are in place and followed
  - Implementing a well documented quality control process that supports the diligence of the carrier in ensuring compliance
  - Proper management escalation
  - Effectively handling mass claims (asbestos, environmental)
- Properly training claims handlers to best handle a claim
  - Implementing claims handling guidelines
  - Understanding nuances in different areas of law
  - Minimizing mistakes to avoid cost to policyholders
  - Avoiding exposure for the carrier with best practices

**Litigation Decisions**

- Crafting a properly documented claims decision
- Allocation of covered and non-covered claims
- The role of the broker in bad faith claims in the D&O, EPLI and E&O areas
  - Involvement of the broker in the underlying policy coverage representation and a potential subsequent bad faith claim
- Splitting the case file

- When to split a file when a coverage/bad faith issue arises
- Ensuring an adjuster is making decisions in the best interest of the insured
- Utilizing a conflict screen in the claims handling process
- How to handle an ongoing claim while in litigation
  - How to staff the claim versus the litigation
  - What information should a claim handler receive?
  - Communication and how to protect privilege
  - How to use early litigation before resolution of a claim to your advantage

**Institutional Bad Faith Claims**

- Policies, procedures, training manuals, and best practices to avoid institutional bad faith claims
- Automated claims filing – taking the human element out and exposing the insurer to risk
- Discovering a pattern or practice and transforming this into a class action or institutional claim
- Responding to the policyholder's argument that certain computer program/databases drive down the value of a claim

4:50 **Recognizing the Red Flags to Avoid Bad Faith Set Ups**

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**Nejat A. Ahmed**

Member  
Cozen O'Connor

**Lee W. Marcus**

Founding Member  
Marcus & Myers, P.A.

**Ted Colquett**

Counsel  
Wilson & Berryhill, P.C.

**Thomas F. Segalla**

Partner  
Goldberg Segalla

**Time Limits**

- Handling and responding to the set-up time demand letter
  - Identifying what the letter really says and does not say
  - Identifying the set-up/traps
  - How to find out what you don't know and need to know
  - Seeking clarification of the terms of the demand and how to do it without rejecting the demand or making a counter offer
  - How to respond to the set up time demand letter
- What is the time to respond?
  - Missing a deadline – what do you do?
  - Does this lead to potential bad faith claims?
- Inoculation by providing effective communication to the insured
  - Requesting documents
  - Advising on investigation
  - Seeking input
- Traps of time limit demands – Florida vs. rest of country
- Reviewing recent trend of Federal courts requiring plaintiffs to prove "good faith" in third party claims
  - Placing the onus on plaintiffs to show they pursued their claim in good faith and communicated with the insurer
- Time limit settlement demands

**Demand Letters**

- Properly responding to demand letters
  - Responding to allegations that investigation was improper
  - Recognizing the cooperation of the insured to provide information in order for the insurer to effectively respond
  - Appropriately training adjusters to read between the lines and subtle context

- What are the gray areas?
  - What types of demand letters are unclear on how/when an insurer should respond?
  - Dealing with situations where the insurer has to respond/ make an offer without a demand letter
- How some courts are requiring plaintiffs to show good faith in the third party context
  - Plaintiffs must show communication with insurer and follow up for status of investigation
  - Using the plaintiff's failure to provide information to your advantage to negate the duty to defend
- Mixed coverage (property, bodily, and other types of coverage) for time limit demands

6:00 Conference Adjourns

## Day Two: Friday, November 22, 2013

7:30 Continental Breakfast

8:00 **View From the Bench: Judicial Insight on the Latest Bad Faith Claims, Theories and Discovery Issues**



**Hon. Donetta W. Ambrose**  
U.S. Dist. Ct, W.D. Pa.



**Hon. Algenon L. Marbley**  
U.S. Dist. Ct., S.D. Ohio



**Hon. David A. Katz**  
U.S. Dist. Ct., N.D. Ohio



**Hon. James L. Robart**  
U.S. Dist. Ct., W.D. Wash.



**Hon. George Caram Steeh**  
U.S. Dist. Ct., E.D. Mich.



**Hon. Sandra Mazer Moss**  
Phila. Ct. of Common Pleas



**Hon. Allan Tereshko**  
Phila. Court of Common Pleas



**Hon. Mark Bernstein**  
Phila. Court of Common Pleas

**Moderator**

**Michael J. Cawley**  
Partner  
Wilson Elser Moskowitz Edelman & Dicker LLP

9:50 Morning Break

10:00 **Reservation of Rights and Using Consent Judgments: Assigning Rights to the Plaintiff and Determining Whether the Settlement Could Result in a Bad Faith Suit**

**Wesley R. Payne, IV**  
Partner  
White and Williams LLP

**Edward J. Currie, Jr.**  
Shareholder  
Currie Johnson Griffin & Myers P.A.

**Jamie R. Carsey**  
Partner  
Thompson, Coe, Cousins & Irons, L.L.P.

**Reservation of Rights**

- Rejection of defense when offered under reservation of rights and insured demands waiver of coverage defenses
- Rejection of defense after conditional defense has been accepted: change in terms of the defense
- Necessity of unequivocal rejection
- Necessity that insurer be notified and invited to participate in negotiations
- Repercussions when insurer is invited to participate in settlement negotiations and refuses
- Recoupment issues
- Cumis counsel considerations
- Insured's entitlement to more than one Cumis counsel lawyer or firm
- Cumis counsel attorneys fees issues

**Denials of Coverage**

- The rule in *Coblentz v. American Surety Co. of N.Y.*
- Negotiating the Coblentz agreement: Stipulation for Judgment, Assignment, Consent Judgment, and Covenant Not to Execute/Release
- Insured settles with plaintiff and assigns coverage and bad faith claims to plaintiff, paying no money
- Necessity of arm's length negotiations
- Don't forget to include the agent/broker in assignment of rights!
- Whether it is necessary/advisable to notify insurer of pendency of negotiations
- Timing/sequence of execution of documents – the Cope problem
- Using expert review/opinion to establish *prima facie* reasonableness
- Need for court approval
- Indemnity agreements: vouching in the putative indemnitor in the non-insurance context

**Litigating the Consent Judgment/Assignment Case**

- The existence of other insurance that has unconditional duty to defend
- Other insurance: excess/umbrella and other primary insurer contribution
- Indemnity policies with no duty to defend
- Necessity of proving coverage
- *Prima facie* showing of reasonableness: shifting burden of proof to insurer
- Insurer's defenses: lack of reasonableness, fraud, collusion and bad faith
- Where judgment amount exceeds policy limits – necessity of proving bad faith
- Factors to be considered in subsequent bad faith action
- Examining hotbed jurisdictions: Washington, Arizona, Missouri, Colorado

11:00 **The Scope and Limits of Duty to Defend, Duty to Settle, and Initiating Settlement Negotiations**

**John B. Drummy**  
Partner  
Kightlinger & Gray, LLP

**Robert D. Allen**  
Law Offices of Robert D. Allen, PLLC

**Jay Barry Harris**  
Attorney  
Fineman Krekstein & Harris

**Jean Lawler**  
Senior Partner  
Murchison & Cumming LLP

- Duty to defend – *Post v. St. Paul Travelers* (3rd Cir.)
  - Denying coverage based on what is covered as defined in the policy
  - Reviewing exclusions in the policy

- Assessing whether “dishonest purpose” is bad faith
- What is the current scope of duty to defend?
- What is the obligation of the insured?
- What rights does the insured have to select counsel?
- What are the conflicts, if any?
- Analysis of the dissent
- No duty to defend by Travelers of the sanctions proceeding
- Duty to settle claims – *Du v. Allstate Insurance Company, et al.* (9th Cir.)
  - Genuine dispute doctrine to third-party claims
  - Insurer’s obligation to proactively initiate settlement discussions when liability is reasonably clear
  - Determining whether this is an undue burden
- Liability for failure to settle within policy limits
  - Realizing potential bad faith claims for failing to settle
  - Hiring an independent law firm to review whether settlement is appropriate
  - Establishing a defense to policyholder’s argument that settlement should have been occurred within policy limits
- *Johansen v. California State Auto Association*
  - Determining whether there is a duty to settle when there is valid coverage defense, exclusion
- *Howard v. American National Fire*
  - Duty to settle with multiple insurers
  - Failure to defend

- Circumstances where attorney/client privilege is waived and examining its impact during the course of litigation
  - Attacking attorney/client privilege as a means/method to gather evidence of bad faith
  - Examining whether attorney assisting with an investigation waives privilege

1:30 **Conference Ends – Lunch for Master Class Participants**

12:15 **Discovery Requests: Defining Permissible Limits Within the Scope of Discovery**

**Gregory Miller**

Director  
Podvey, Meanor, Catenacci, Hildner, Coccoziello & Chatman, P.C

**Matthew C. Lovell**

Partner  
Sedgwick LLP

**Michael Stevens**

Shareholder  
Martin and Seibert

**Steven A. Haney**

Senior Attorney  
Kopka Pinkus Dolin & Eads

**Moderator**

**Rick L. Hammond**

Shareholder  
Johnson & Bell, Ltd.

- Determining whether requests for claim files spanning years that is unrelated to loss at issue is overly broad and excessive
  - Protecting privileged information in claim files
- Personnel files
  - Showing individual adjuster did not exercise good judgment
  - Using performance evaluations
- How were other policyholders treated?
- Aggressively filing protective orders to defend against overly broad and excessive discovery requests
- What is permissible within the scope of discovery?
- Requesting discovery on reserves
  - How policyholders are requesting reserves on claims not covered under the policy but are set aside by the insurer in its reserves
  - Finding ways for coverage in the reserves if the claim is not covered in the underlying policy
- Requesting discovery on reinsurance
  - Examining the risk incurred by the reinsurer

**Post-Conference Master Class**

Friday, November 22, 2013

2:30 p.m. – 4:30 p.m.

**Advanced Master Class on Handling a Bad Faith Claim from Start to Finish**

**Steven P. Cholden, Esq.**

Partner  
Reilly, Janiczek & McDevitt, PC

This intensive master class will take you through the process of litigating a bad faith claim from initial claim, time limits, demand letters, depositions, discovery, settlement, to trial. Early preparation can have a lasting impact in bad faith litigation. Responses should be well thought out in anticipation from requests from the other side. The appropriate experts must be retained and the correct defense strategy should be formulated.

Attend this Class for maximum learning and networking value!

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**Wendy Tyler**  
Head of Sales, American Conference Institute  
Tel: 212-352-3220 x5242  
w.tyler@AmericanConference.com

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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.

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You are required to bring your state bar number to complete the appropriate state forms during the conference. CLE credits are processed in 4-8 weeks after a conference is held.

ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

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# BAD FAITH LITIGATION

The essential forum that shapes the future of bad faith litigation strategies for leading outside counsel, in-house counsel, and claims professionals in the insurance industry

November 21–22, 2013 | Hyatt Regency Miami | Miami, FL

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YES! Please register the following delegate for **BAD FAITH LITIGATION**

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I would like to receive CLE accreditation for the following states: \_\_\_\_\_ . See CLE details inside.

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Plus, learn from 8 federal and state judges who have presided over bad faith litigation suits

### Registration Fee

The fee includes the conference, all program materials, continental breakfasts, lunches and refreshments.

### Payment Policy

Payment must be received in full by the conference date. All discounts will be applied to the Conference Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organization.

### Cancellation and Refund Policy

You must notify us by email at least 48 hrs in advance if you wish to send a substitute participant. Delegates may not "share" a pass between multiple attendees without prior authorization. If you are unable to find a substitute, please notify **American Conference Institute (ACI)** in writing up to 10 days prior to the conference date and a credit voucher valid for 1 year will be issued to you for the full amount paid, redeemable against any other ACI conference. If you prefer, you may request a refund of fees paid less a 25% service charge. No credits or refunds will be given for cancellations received after 10 days prior to the conference date. ACI reserves the right to cancel any conference it deems necessary and will not be responsible for airfare, hotel or other costs incurred by registrants. No liability is assumed by ACI for changes in program date, content, speakers, or venue.

### Hotel Information

**American Conference Institute** is pleased to offer our delegates a limited number of hotel rooms at a preferential rate. Please contact the hotel directly and mention the "ACI - BAD FAITH" conference to receive this rate.  
 Venue: Hyatt Regency Miami  
 Address: 400 SE Second Avenue, Miami, FL 33131  
 Reservations: 888-421-1442 or 305-358-1234

### Incorrect Mailing Information

If you would like us to change any of your details please fax the label on this brochure to our Database Administrator at 1-877-927-1563, or email data@AmericanConference.com.

## 5 Easy Ways to Register

- MAIL** **American Conference Institute**  
45 West 25th Street, 11th Floor  
New York, NY 10010
- PHONE** 888-224-2480
- FAX** 877-927-1563
- ONLINE**  
AmericanConference.com/BadFaithMIA
- EMAIL**  
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 Promotional discounts may not be combined. ACI offers financial scholarships for government employees, judges, law students, non-profit entities and others. For more information, please email or call customer service.