



NYSBA **CLE**

Friday, May 6, 2011
Buffalo

Friday, May 13, 2011
Long Island

Friday, May 13, 2011
Syracuse

Friday, May 20, 2011
Albany

Friday, May 20, 2011
New York City



INCLUDES
1.0 ethics credits
See inside for
more details.

Insurance Coverage 2011 – What Every Practitioner Needs to Know

Reasons to Attend:

- Get an update on property damage, environmental coverage claims, construction litigation and homeowners insurance
- Learn more about coverage for social media and blogging and litigation holds
- Get an overview of construction industry litigation, including Chinese drywall, green insurance and new green builder endorsements
- Understand issues affecting additional insured coverage
- Includes 1.0 ethics credit

Register Now!

**Save Money, and Guarantee
Your Seat at the Program!!!**

Co-sponsored by the Torts, Insurance and Compensation Law Section and the Committee on Continuing Legal Education of the New York State Bar Association



Program Description

Insurance issues touch every aspect of litigation. Staying informed on the latest issues is key. The **Torts, Insurance and Compensation Law Section** and Committee on Continuing Legal Education of the New York State Bar Association are pleased to present *Insurance Coverage 2011—What Every Practitioner Needs to Know*. This timely program will provide an overview of emerging issues, policy defenses and coverage questions. Top speakers will address areas of substantive insurance coverage law and procedural aspects of insurance coverage litigation.

Topics include cyber-risks in the electronic frontier, coverage for social media and blogging, bad faith litigation, policy defenses, homeowners insurance, environmental coverage claims, bed bug litigation, lead paint claims, oil rig explosion litigation, Chinese drywall litigation, construction industry litigation and additional hot topics.

For more information about the Torts, Insurance & Compensation Law Section, go to www.nysba.org/TICL.

Agenda

9:00–9:10 a.m.	Welcome and Introduction	1:50–2:40	Environmental Coverage Claims—Lead is Dead—What's the Next Big Thing? <ul style="list-style-type: none">• Coverage for Bed Bugs, Bed Bug Litigation• Coverage and exclusions for lead paint claims• Oil Rig Explosion Litigation• D&O liability• Business interruption coverage NYC Venue: <i>BP Oil Rig Explosion—The Broad Implication of Various Coverages</i> <p>The consequences and trigger of D&O liability, business interruption coverage, first party, property and hospitality implications</p>
9:10–10:00	Update on Policy Defenses Pertinent to Property Damage, Construction Litigation and Homeowners Insurance <ul style="list-style-type: none">• Discussion on exclusions including expected or intended causes, contractual liability, employers' liability, mobile equipment and damage to property• Late notice under the new law Speakers: Laurie A. Giordano, Esq. (Buffalo) Elizabeth A. Fitzpatrick, Esq. (Long Island) TBD (Syracuse) Carolyn B. George, Esq. (Albany) Alan C. Eagle, Esq. (New York City)	Speakers: Valerie L. Barbic, Esq. (Buffalo) Stuart A. Panensky, Esq. (Long Island) Edward J. Smith, III, Esq. (Syracuse) Kenneth A. Krajewski, Esq. (Albany) Mark J. Pastuszak, Esq. (New York City)	
10:00–10:50	Bad Faith Litigation <ul style="list-style-type: none">• Discussion post Bi-Economy & Pansia in New York• Covenant of Good Faith & Fair Dealing—unreasonably denying a claim, refusing to defend, defenses and damages• Updates in first and third party context Speakers: Scott D. Storm, Esq. (Buffalo) Evan H. Krinick, Esq. (Long Island) TBD (Syracuse) Mirna M. Santiago, Esq. (Albany) Robert J. Permutt, Esq. (New York City)	2:40–2:50	Break
10:50–11:00	Break	2:50–3:40	Construction Industry Litigation <ul style="list-style-type: none">• Chinese Drywall Litigation• What exclusions and ensuing loss provisions may apply?• Green Insurance• New green builders' endorsements• A policyholder's uninsured claims and an insurer's unintended coverage NYC venue: <i>Chinese Drywall—The Constantly Evolving Coverage Conundrum</i> <p>Litigation update and coverage implications What exclusions and ensuing loss provisions may apply?</p>
11:00–11:50	The Electronic Frontier: Coverage for Social Media and Blogging <ul style="list-style-type: none">• An insured's obligation to maintain a Litigation Hold Policy• Personal & Advertising Injury Coverage• Errors and omissions• Exposures that may result from the use of social networking Speakers: Kevin T. Merriman, Esq. (Buffalo and Syracuse) Michael A. Miranda, Esq. (Long Island) Kevin T. Merriman, Esq. (Albany) Olivera Medenica, Esq. (New York City)	Speakers: Brian Biggie, Esq. (Buffalo) Glenn A. Kaminska, Esq. (Long Island) Steven E. Peiper, Esq. (Syracuse) Timothy E. Delahunt, Esq. (Albany) Ellen R. Clarke, Esq. (New York City) Sallie B. Kraus, Esq. (New York City)	
11:50–1:00 p.m.	Lunch Break	3:40–4:30 p.m.	Ethical Obligations in Limited Circumstances with Limited Funds <ul style="list-style-type: none">• Practical and ethical issues when claims arising under defense cost or burning limits policies• The ways in which a claims professional, a coverage attorney and a defense lawyer should handle the situation and protect interests Speakers: Alexandra M. George, Esq. (Buffalo) Monte E. Sokol, Esq. (Long Island) Eileen E. Buholtz, Esq. (Albany and Syracuse) Eric D. Suben, Esq. (New York City)
1:00–1:50	Update on Issues Affecting Additional Insured Coverage <ul style="list-style-type: none">• Triggers, insuring clauses, conditions, exclusions and priority of coverage Speakers: Kenneth A. Krajewski, Esq. (Buffalo and Syracuse) Rona L. Platt, Esq. (Long Island) Jason L. Shaw, Esq. (Albany) Justin N. Kinney, Esq. (New York City)		

7.0 TOTAL CREDITS 6.0 areas professional practice; 1.0 ethics

This **basic-level** course has been approved for MCLE credit in **New York** for all attorneys, including newly admitted (less than 24 months).

This program has also been approved for MCLE credit by the **State Bar of California** and the **Pennsylvania Continuing Legal Education Board** for **5.0** credit hours of substantive law and **1.0** credit hour of ethics. All inquiries regarding MCLE credits may be directed to **(518) 487-5606**.

The New York State Bar Association's Committee on Continuing Legal Education has been certified by the New York State Continuing Legal Education Board as an accredited provider of continuing legal education in the State of New York.

IMPORTANT NOTICE: PARTIAL CREDIT FOR PROGRAM SEGMENTS NOT ALLOWED. Under the New York State Continuing Legal Education Board Regulations and Guidelines, attendees at CLE programs cannot receive MCLE credit for a program segment unless they are present for the entire segment. Persons who arrive late, depart early, or are absent for any portion of the segment will not receive credit for that segment.

Program Faculty

Overall Planning Chairs

Elizabeth A. Fitzpatrick, Esq.
Lewis Johs Avallone
Aviles, LLP
Melville

Joanna M. Roberto, Esq.
Goldberg Segalla LLP
Mineola

Local Panels

Buffalo: Dan D. Kohane, Esq. (Chair), Hurwitz & Fine, P.C., Buffalo * Valerie L. Barbic, Esq., Trevett Cristo Salzer & Andolina P.C., Rochester * Brian Biggie, Esq., Goldberg Segalla LLP, Buffalo * Alexandra M. George, Esq., Hiscock & Barclay LLP, Albany * Laurie A. Giordano, Esq., Leclair Korona Giordano Cole LLP, Rochester * Kenneth A. Krajewski, Esq., Brown & Kelly, LLP, Buffalo * Kevin T. Merriman, Esq., Ward Greenberg Heller & Reidy LLP, Rochester * Scott D. Storm, Esq., Mura & Storm PLLC, Buffalo.

Long Island: Elizabeth A. Fitzpatrick, Esq. (Chair), Lewis Johs Avallone Aviles, LLP, Melville * Glenn A. Kaminska, Esq., Ahmuty Demers & McManus, Albertson * Evan H. Krinick, Esq., Rivkin Radler LLP, Uniondale * Michael A. Miranda, Esq., Miranda Sambursky Slone Sklarin Verveniottis, LLP, Mineola * Stuart A. Panesky, Esq., Traub, Eglin, Lieberman, Straus & Shrewsbury LLP, Red Bank * Rona L. Platt, Esq., Wright Risk Management Company, LLC, Uniondale * Monte E. Sokol, Esq., L'Abbate Balkan Colavita Contini, LLP, Garden City.

Syracuse: Kenneth A. Krajewski, Esq. (Chair), Brown & Kelly, LLP, Buffalo * Eileen E. Buholtz, Esq., Connors Corcoran PLLC, Rochester * Steven E. Peiper, Esq., Hurwitz & Fine, P.C., Buffalo * Edward J. Smith III, Esq., Smith, Sovik, Kendrick & Sugnet, P.C., Syracuse.

Albany: Jean F. Gerbini, Esq. (Chair), Whiteman Osterman & Hanna LLP, Albany * Eileen E. Buholtz, Esq., Connors Corcoran, PLLC, Rochester * Timothy E. Delahunt, Esq., Kenney Shelton Liptak Nowak LLP, Buffalo * Carolyn B. George, Esq., Friedman, Hirschen & Miller, LLP, Albany * Kenneth A. Krajewski, Esq., Brown & Kelly, LLP, Buffalo * Kevin T. Merriman, Esq., Ward Greenberg Heller & Reidy LLP, Rochester * Mirna M. Santiago, Esq., White Fleischner & Fino, LLP, White Plains * Jason L. Shaw, Esq., Whiteman Osterman & Hanna LLP, Albany.

New York City: Joanna M. Roberto, Esq. (Chair), Goldberg Segalla LLP, Mineola * Ellen R. Clarke, Esq., Mendes & Mount, New York * Alan C. Eagle, Esq., Rivkin Radler LLP, Uniondale * Justin N. Kinney, Esq., Coughlin Duffy LLP, New York * Sallie B. Kraus, Esq., Axa Liabilities Managers, Stamford * Olivera Medenica, Esq., Wahab & Medenica, LLC, New York * Mark J. Pastuszak, Esq., Clausen Miller PC, New York * Robert J. Permutt, Esq., Nationwide Insurance Company, White Plains * Eric D. Suben, Esq., Traub Lieberman Straus & Shrewsbury LLP, Hawthorne.

Information and Policies

Pre-registration Strongly Advised: You can save money and guarantee your seat and course materials by registering early. Registrations received or postmarked within 10 days of the event, or at the door, are subject to a higher registration fee. Seating is limited in all locations and registrations are taken on a first-come, first-served basis. If you plan to pre-register within 10 days of the program or to register at the door, please call the CLE Registrar's Office at (800) 582-2452 to verify that the program is not sold out or that the date or location has not been changed. Pre-registrants are guaranteed a seat and set of course materials, and will automatically be notified if there are any such changes in the date or location of the program.

Cancellations are easy – full refunds are given: Your full registration fee will be refunded if you give us notice no later than the close of business (4:45 p.m. EST) on the day prior to the date of the program for which you registered. To cancel, write the CLE Registrar's Office at One Elk Street, Albany, New York 12207; or fax (518) 487-5618; or call (800) 582-2452. If you do not cancel and do not attend the program, a complete set of materials will be forwarded to you in consideration of the registration fee. Non-registrants may purchase program materials after the final program date.


MCLE Credit: This program is acceptable for MCLE credit in New York and many other MCLE jurisdictions. Please see inside of this brochure for details.

Tuition Assistance: NYSBA members may apply for tuition assistance to attend this program, based on financial hardship. Under that policy, any member of our Association who has a genuine financial hardship may apply in writing, not later than five working days prior to the program, explaining the basis of his/her hardship, and, if approved, may receive tuition assistance, depending on the circumstances. For more details, please contact our CLE Registrar's Office at (800) 582-2452.

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Tape Recording of NYSBA Seminars is not permitted.

 **Accommodations for Persons with Disabilities:** NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Cindy O'Brien at 518-487-5585.

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Please enroll me in "Insurance Coverage 2011 – What Every Practitioner Needs to Know"

- Buffalo, Friday, May 6, 2011 (0B302) Long Island, Friday, May 13, 2011 (0B303) Syracuse, Friday, May 13, 2011 (0B306)
 Albany, Friday, May 20, 2011 (0B301) New York City, Friday, May 20, 2011 (0B304)

PROGRAM FEES

Early registrations, received or postmarked 10 days prior to the date of the registered session:
 NYSBA members—\$150 non-members—\$235 NYSBA student members—\$45

Late registrations, received or postmarked thereafter, and on-site registrations:
 NYSBA members—\$165 non-members—\$250 NYSBA student members—\$60


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May 6, 2011
Buffalo
Holiday Inn Amherst
1881 Niagara Falls Blvd.
Amherst, NY 14228
(716) 691-8181

Friday
May 20, 2011
Albany
New York State Nurses Association
11 Cornell Road
Latham, NY 12110
(518) 782-9400

Friday
May 13, 2011
Long Island
Melville Marriott
1350 Old Walt Whitman Road
Melville, NY 11747
(631) 423-1600

Friday
May 20, 2011
New York City
New York Hotel Pennsylvania
401 7th Avenue (b/w 33rd & 32 St.)
New York, NY 10001
(212) 736-5000

Friday
May 13, 2011
Syracuse
Sheraton Syracuse University Hotel
801 University Avenue
Syracuse, NY 13210-0801
(315) 475-3000

 See our Spring 2011 schedule online at www.nysba.org/cle

REGISTER EARLY, SAVE MONEY, AND GUARANTEE YOUR SEAT AT THE PROGRAM!!!

NYSBA **CLE** *presents*

Insurance Coverage 2011 – What Every Practitioner Needs to Know



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more details.



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