



Mound Cotton Wollan & Greengrass LLP
COUNSELLORS AT LAW



ST. JOHN'S UNIVERSITY
THE PETER J. TOBIN COLLEGE OF BUSINESS
Maurice R. Greenberg School of Risk Management, Insurance and Actuarial Science
YOUNG PROFESSIONALS CLAIMS HANDLING 101 SEMINAR
November 6, 2023

Agenda

Introduction

Dean Brandon Sweitzer, St. John's University
Ray Mattia, President of the Loss Executives Association

Why Are Claims Issues Important?

Dr. Mark J. Browne, Faculty Chair/Greenberg School

Why Do Claims Organization Exist?

Paul Aviles, Allied World Assurance Company
Jose Mogartoff, Zurich and Loss Executives Association

- Determine Coverage
- Determine if a Defense is Owed to Insured
- Determine Amount of Loss
- Determine Recovery Potential

Claims 101 (various presenters):

- What Happens When a Notice of Loss is Received?
- Duty of Good Faith and Unfair Claims Handling Statutes -
Cos Suriano, Mound Cotton Wollan & Greengrass LLP
- Claims Adjustment
Karl New, Munich Re
Kelly Doherty-Schaffner, Allied World Assurance Company
 - Single Insurer Claims

- Market Claims
- Delegated Authority Claims (MGAs/MGUs/London)
- High SIRs and Rise in Captives
- Duty to Defend
- Disputes: Coverage and Quantum and How They Are Adjudicated
- Increasing Coverage GAPs Causing Complexities
- Independent Adjuster
- Loss Location Inspection
- Policy Terms, Exclusions and Conditions
- Reinsurance
- The Role of Experts
 - Building Consultants (building codes) – *Jonathon Held, J.S. Held*
 - Engineers – *Jonathon Held, J.S. Held*
 - Accountants (forensic accounting) – *Louis D. Magnan, Jr., J.S. Held*
 - Lawyers – *Cos Suriano, Mound Cotton Wollan & Greengrass LLP*
- Communication with Policyholder –
 - Karl New, Munich Re*
 - Paul Aviles, Allied World Assurance Company*
 - Kelly Doherty-Schaffner, Allied World Assurance Company*
 - Acknowledgment of Claim
 - Possible Reservation of Rights
 - Meeting with Policyholder
 - Providing Counsel to Defend Insured in Liability Claim
 - Requests for Documents/Information Supporting the Claim
- What Happens in Different Types of Claims from A Legal Perspective?
 - Liability Claims – *Kelly Doherty-Schaffner, Allied World Assurance Company*
 - Property Catastrophes – *Cos Suriano, Mound Cotton Wollan & Greengrass LLP*
 - Area Wide Losses, e.g. floods, hurricanes, wildfires, freeze
 - Energy Losses – *Jose Mogartoff, Zurich and Loss Executives Association*
 - Electric Grid
 - Refinery Fires
 - Energy Industry Interdependence
- Role of Different Professionals and Reporting – *Karl New, Munich Re*
 - Brokers
 - Modeling
 - Actuarial
 - Reporting to Senior Management
- Legal (*various presenters*):
 - What Happens if the Policyholder and Insurers Do Not Agree as to Coverage?
 - Coverage and Quantum Disputes
 - Appraisal
 - Litigation
 - Arbitration

- Appeals
- Alternate Dispute Resolution
- Mediation