

# INDUSTRY LEADERS FORUM

## TIPS FOR HITTING THE CURVE BALLS

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\*\*A separate booklet entitled *Fair Claims Handling Statutes, A 50 State survey* is also included as part of this seminar.

## **PANELISTS AND PRESENTERS**

**ANNARITA BUSBEE** has been in private practice in Atlanta for the past thirteen years. She joined Owen Gleaton Egan Jones & Sweeney in December 2008, and was previously a partner at Seacrest Karesh in Atlanta, where she worked for 10 years. Ms. Busbee represents Fortune 500 corporations, insurance companies and governmental entities in the areas of medical malpractice, governmental liability, employment law, as well as general civil litigation matters. Annarita received her undergraduate degree from the University of Virginia in 1991 and her J.D. from the University of Memphis in 1997. Prior to entering private practice she worked for the Chief Judge of the Tennessee Criminal Court of Appeals and a civil trial judge in Memphis, Tennessee. She is on the Board for Children without a Voice (CWAV), an organization dedicated to the prevention of child abuse, has served as a violinist in the Atlanta Lawyers' Orchestra, and is a founder of a youth running program to combat childhood obesity in Roswell, Georgia.

**MARIO C. CIANO** served as Managing Partner of Reminger Co., LPA from 1990 to 2005. A few of his many accomplishments include his vision to successfully expand Reminger & Reminger from 45 attorneys in two offices to over 125 attorneys in eight offices. An Italian immigrant, Mario's hard work, entrepreneurial spirit and sense of fairness makes him a frequently requested mediator by both plaintiff and defense attorneys for complex litigation matters. Mr. Ciano has been recognized and included among the 'Best Lawyers in America' for the last ten years. He has been a featured 'Leading Lawyers' by Inside Business Magazine and is a member of the Federation of Defense and Corporate Counsel and Defense Research Institute. He is also a faculty fellow for the National Institute of Trial Advocacy and a life delegate of the Eighth Ohio Judicial District. He frequently lectures to peer groups on various trial litigation and professional liability issues. His areas of practice include D&O Professional Liability, Business/Commercial Litigation, Insurance and Mediation. Mr. Ciano received his B.A. in 1965 and his J.D. in 1968 from Western Reserve University. He is a member of the Board of Directors of Eagle International Associates, Inc.

**JOHN E. CUTTINO** is a Shareholder with Turner Padgett Graham & Laney, P.A. in Columbia, South Carolina. He has been an active trial attorney throughout his 29 year legal career. His practice is confined to civil litigation including, but not limited to, products liability, retail pharmacy liability, major torts, construction defect, personal injury and commercial matters. He is also a certified civil mediator. Prior to entering private practice, he served as a law clerk to South Carolina Circuit Judge Dan F. Laney, Jr. He is a 1979 graduate of Wofford College and a 1982 graduate of the University of South Carolina School of Law. Mr. Cuttino is admitted to practice in all South Carolina Courts, the United States District Court for the District of South Carolina, the United States Courts of Appeals for the Fourth and Federal Circuits, and the United States Supreme Court. He is a member of the South Carolina and American Bar Associations, is a past Chair of the South Carolina Bar Trial and Appellate Advocacy Section, and a past member of the South Carolina Bar House of Delegates. He is a member of DRI – The Voice of the Defense Bar (2008 Chair, DRI Construction Law Committee; 2009 – Present, Member of DRI National Board of Directors); The International Association of Defense Counsel (IADC); South Carolina Defense Trial Attorneys Association; the American Judicature Society; and a Permanent Member of the U.S. Fourth Circuit Judicial Conference. He has been selected for inclusion in Best Lawyers in America (Construction Law 2008-2011 and Products Liability Litigation 2010-2011) and South Carolina Super Lawyers (Civil Litigation Defense 2008-2011). Mr. Cuttino is Chairman of the Board of Directors of Eagle International Associates, Inc.

**CHASE W. DEITS** is currently Assistant Vice President, National Accounts Casualty Claims of Arch Insurance Company in Alpharetta, Georgia since 2006. Chase oversees the Arch NAC approved third party claims administrators, conducts claims audits, delegates authority on large claims, conducts due diligence on self-administered programs, handles regulatory issues and assists Arch underwriting. Prior to joining Arch, Chase was a Claim Manager for seven years with ESIS (ACE USA) managing eight liability teams for the Southeast Region, as well as handling Workers Compensation claims for Louisiana and Mississippi. His 27 year claims career also included positions at CIGNA and SAFECO. Chase received a B.S. in Business Administration from the University of South Carolina and his M.S.A. from Central Michigan University. He served in the United States Airforce, 1980-1985 and the Georgia Air National Guard, 1985-1996.

**PETER F. DeJESSO** recently served as Vice President and Specialty Claims Manager for Maxum Specialty Insurance Group. With over 30 years experience in claims management, Pete was responsible for the overall handling and resolving of claims activity, adequately establishing claim reserves and staying current on the legal environment as it relates to claim issues. Prior to joining Maxum, Pete was the Senior Claims Specialist for Caliber One Indemnity Corporation. Previous to that, he served as Vice President for insurance companies including Investors Underwriting Company and First Oak Brook Corporation. Through his career in the insurance industry, Pete as gained extensive and valuable experience in managing both the technical and administrative details of a claims operation, resolving complex claims and litigation matters, and establishing strong business relationships. Pete holds an Associates Degree in Business from Union College and a Bachelor of Science degree from Seton Hall University.

**DANIEL C. FARRELL** is the President of Farrell Claim Service in Hollywood, Florida. Dan has held the position of Vice President of Claims with an Excess and Surplus Lines carrier and a TPA responsible for worker's compensation claims in 40 states. He has spent 12 years with primary insurance carriers and 26 with independent adjustment companies. He is a multiline adjuster with primary focus in casualty lines including Professional Liability, Worker's Compensation and Premises Liability Claims. Dan has obtained his CPCU, AIM and AIC and served as President of the Orlando and South Florida Claim Associations.

**GYTIS GAVELIS** is currently Specialty Claims Director for Catlin Insurance in Atlanta. With over 30 years claims experience, Gytis began his claims career with the Royal Insurance Company. This was subsequently followed by associations with General Accident, General Re / National Re, Colonial Indemnity and Catlin, Inc. Through the years, Gytis has been involved in the resolution of many high exposure and extremely complex claims and possesses an ability to understand and analyze intricate claims, coverage and litigation issues. In his current position, he oversees the company's Casualty Claims operation. As a Second Vice President at General Re, he worked with client companies in the resolution of a significant number of complicated and high exposure claims. Through his association with these clients, Gytis observed first hand both effective and ineffective litigation management efforts. Gytis has participated in numerous industry panels and has conducted various educational and training seminars throughout the course of his career. He is a graduate of Boston State College with a B.S. Degree in Management.

**WADE G. MANOR** is the Managing Partner of the Mississippi offices of Scott, Sullivan, Streetman & Fox located in Jackson and Natchez, Mississippi. There are 16 attorneys practicing in the Mississippi offices. His law practice revolves around the defense of insurance companies and insureds throughout the state with a focus on first-party claims of bad faith and uninsured/underinsured motorist disputes. Mr. Manor also has a significant practice in the areas of premises liability, professional E&O claims, motor vehicle liability and other property and casualty claims. He is also a faculty member of the National Business Institute which provides continuing education to attorneys in Mississippi. Mr. Manor received his B.S. from Auburn University and his J.D. from Mississippi College School of Law.

**MARK REESE** is Vice President and Managing Team Leader of the Primary GL/Binding Authority Units. Prior to coming to RSUI, Mark was a Claim Account Manager for ACE USA. In this position, he oversaw new third party administrator approval, assisted underwriters in setting up insurance programs, and assisted the finance department in management of loss funds and coordination of claims audits. Mark graduated from the University of Utah, with honors, with a degree in Finance. He began his insurance career with Travelers in Denver, Colorado in 1973 where he trained and worked as a multi-line claims representative. He supervised general liability, products liability, medical malpractice and auto claims in various locations with Travelers. In 1987 he moved to Atlanta, Georgia and handled umbrella excess claims for The London Agency which became Westchester Specialty Group and eventually ACE USA. Mark joined RSUI in December of 2002 to lead the Primary GL Unit. He has eleven professionals working in his unit. Mark is licensed in Georgia, South Carolina, North Carolina, Texas, Oregon, Florida, Connecticut, West Virginia, Kentucky, Louisiana and Delaware.

**DANIEL J. RIPPER** is a partner in the law firm of Luther-Anderson, PLLP in Chattanooga, Tennessee and has been in practice since 1992. He is licensed in all state and federal courts in both Tennessee and Georgia, as well as the Sixth and Eleventh Circuit Courts of Appeal and the United States Supreme Court. Dan received his BA from the University of Notre Dame in 1989 and his JD from the University of Tennessee in 1992. Since that time he has represented corporations and other businesses as well as individuals in a variety of civil and criminal cases. His practice primarily focuses on the defense of insureds in auto, product and legal malpractice matters along with the frequently associated coverage disputes. He also represents professionals before licensing and disciplinary boards and individuals in significant criminal matters. As a result he has tried over 150 cases to verdict before a jury. Mr. Ripper is a frequent program presenter for insurance company adjuster CEU programs on topics including ethics, claims handling practices, negotiation and handling of coverage issues. He is a member of the Tennessee Bar Association, the Georgia State Bar and the American Bar Association.

**BECKY VOGEL** has over 10 years of experience in the insurance industry and presently serves as a Senior Technical Specialist at Colony Specialty where she handles liability claims throughout the United States. She is responsible for handling complex coverage issues, assessing liability exposures, negotiating settlements and monitoring trials of complex claims. She was employed previously as Assistant Vice president for Maxum Indemnity Company where she had similar responsibilities for both general liability and professional liability claims. Becky holds a Bachelor of Science degree from Philadelphia Biblical University. She also holds the AIC and ASLI designations. She is a Licensed Adjuster in the State of Georgia, received an Associate designation in Claims in 2005 and in Surplus Lines in 2007 and is a member of professional organizations in her field.

**TIMOTHY W. WALDECK** of Waldeck Law Firm P.A. located in Minneapolis, Minnesota, is licensed and practices law in both Minnesota and Wisconsin. He is a 1970 graduate of Bradley University and a J.D. graduate of Drake University in 1972. He is a member of the Hennepin County and Minnesota State Bar Associations; the Minnesota Defense Lawyers Association; the State Bar of Wisconsin; the Twin Cities Claims Association; and is Vice Chairman of Eagle International Associates, Inc. AV rated by Martindale Hubbell. Mr. Waldeck has practiced exclusively in insurance defense throughout most of his career providing defense to both surplus lines and standard line carriers with primary emphasis in defense of products liability, professional liability, and clergy abuse claims.

Mr. Waldeck has been a presenter for continuing education for adjusters and continuing legal education for lawyers throughout the years, including the following: Discovery in Liquor Liability Cases-Minnesota CLE; Employers Coverage B Exposure in 3rd Party Claims- Minnesota Claims Association; Bad Faith Litigation in Minnesota and Wisconsin-Eagle International Association; Construction Coverage Issues-Eagle International Association; Evaluating and Negotiating of Claims-Eagle International Associates; and was most recently a presenter for the CLM Annual Conference 2011 Roundtable - Commercial Litigation: Two's Company, Three's a Crowd. In addition, he's a contributing author for Engineering Testimony published by the Biomedical Engineering through the University of Iowa. Mr. Waldeck has been involved in the trial of hundreds of lawsuits and has over 50 appellate court decisions from the State of Minnesota, State of Wisconsin and the 8th Federal Circuit.

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