2019 Florida Liability Claims Conference

June 5-7, 2019
Disney’s BoardWalk Inn

CLE...Networking...Pixie Dust...and more!
You are invited to join us for the 23rd Annual FDLA Florida Liability Claims Conference. Our Planning Committee is working tirelessly to make this the best FLCC ever. We have a stellar line up of speakers covering timely and important topics, exciting new events added to make your experience even more magical, and a beautiful new location in which to enjoy it all. We hope you’ll bring the family and join us for the FDLA’s signature event!

Jeff Johnson
FLCC Event Chair

FLCC Planning Committee

Mark Berlick
Ryan Jones
Traci McKee
John Miller
Frank Pierce, IV
William Peterfriend
Heath Vickers
Jacqueline R. A. Root

The Florida Defense Lawyers Association invites you to experience the 2019 Florida Liability Claims Conference (FLCC) held at Disney’s BoardWalk Inn, June 5th – 7th. In its 23rd year, the FLCC remains Florida’s premier educational event for civil defense attorneys and insurance professionals.

This year, Disney’s BoardWalk Inn will provide a magical backdrop for opportunities to earn CLE credits, mingle with other defense lawyers and insurance professionals, engage in discussions on Florida’s hot topics, expand your professional network, and attend exclusive events.

EVENT HIGHLIGHTS

WEDNESDAY, JUNE 5

- **Inaugural FLCC Diversity Dinner**
  Hosted by the FDLA Diversity & Inclusion and Women in the Law Committees
  *Sponsored by Butler Weihmuller Katz Craig LLP*

- **Fireworks & Desserts Party at Epcot’s World Showcase Lagoon**
  The official conference kick-off

THURSDAY, JUNE 6

- **NEW TO FLCC – FDLA’s Annual Business Meeting**
  Vote in the new 2020 Executive Board
  FDLA members only, please

- **Annual Sponsors & Exhibitors Appreciation Reception**

- **Past Presidents Reception at The Attic**

FRIDAY, JUNE 7

- **Mickey and Minnie Meet & Greet**
  During breakfast
  *Ticketed event for guests*
INAUGURAL FLCC DIVERSITY DINNER
SPONSORED BY BUTLER WEIMULLER KATZ CRAIG LLP

Come join the FDLA Diversity & Inclusion Committee and the Women in the Law Committee as they host our Inaugural FLCC Diversity Dinner. This is a special ticketed event, designed to provide an opportunity to learn more about these two incredible committees, the work they are doing to better the industry and to support and actionably seek diversity among firms. Come celebrate their successes with a delicious dinner and special keynote speaker, Kori Carey. Kori is an advocate, speaker and inclusion strategist. She is passionate about people, human and civil rights, diversity and inclusion, and is a former litigator and trial attorney. You do not want to miss it! Space is limited, so purchase your tickets today.

FIREWORKS & DESSERTS PARTY

There is no better way to kick-off your stay at Disney than with a private Fireworks & Desserts Party at Epcot’s World Showcase Lagoon. Come indulge in delightfully sweet treats while watching a fireworks show around the world. It’s the perfect amount of pixie dust to start your magical stay in the Happiest Place on Earth! This is a special ticketed event for all. Make sure to purchase tickets for you and your guests.

FDLA ANNUAL BUSINESS MEETING & BOARD ELECTION

FDLA will host its Annual Business Meeting and 2020 Board Election on Thursday morning. While this typically happens at the FDLA Annual Meeting in September, incorporating it into the FLCC schedule provides an opportunity to include as many members as possible in this important process.

SPONSORS & EXHIBITORS APPRECIATION RECEPTION

Come meet the incredible FLCC sponsors and exhibitors at an informal reception designed to mingle, network, and have fun. Enjoy a drink with old friends, make some new ones, and thank our generous supporters.

PAST PRESIDENTS RECEPTION

An invitation-only event honoring all past FDLA presidents, held at Disney’s BoardWalk Villa’s “best-kept secret,” The Attic. This cozy and intimate venue is the perfect place to celebrate FDLA’s 52-year history, our past presidents and their service.

MICKEY AND MINNIE MEET & GREET

Reserve a space for your family as the 23rd FLCC brings you the perfect Disney experience. Get a personal meet and greet and photo-op with Mickey and Minnie at our Friday morning conference breakfast. Enjoy a delicious buffet of Mickey-shaped waffles, eggs, potatoes, bacon, and more. The perfect pairing – a delicious savory meal sealed with a sweet kiss from our guests of honor. Remember, guests must have a ticket to attend.

REGISTRATION DETAILS

Register and reserve your room online at www.fdla.org/flcc.php. Be sure to include all the optional events for you and your guests. To make hotel reservations by phone call Disney Reservations at 407-939-4686 and mention FLCC. Room Rate - $249.00. Room block closes May 4, 2019. Room rate cannot be guaranteed past the May 4th deadline.
THURSDAY, JUNE 6, 2019

7:00-7:55 am  Registration / Continental Breakfast
7:55-8:25 am  FDLA Members Business Meeting
8:25-8:30 am  Opening Remarks

8:30-9:30 am

- Harvey v. GEICO Gen. Ins. Co. – How bad is it, and where do we go from here?
  Mihaela Cabulea, Of Counsel  David B. Krouk, Partner
  Matthew J. Lavisky, Partner  Anthony J. Russo, Partner
  Butler Weihmuller Katz Craig LLP
  This panel of experienced bad faith attorneys will discuss the landscape of third-party bad faith claims in Florida following the Supreme Court’s recent opinion in Harvey v. GEICO Gen. Ins. Co.

- Creative Applications of the Slavin Doctrine and Other Defenses
  Nanci Schanerman, Senior Associate
  Clyde & Co US LLP
  An overview of the Slavin doctrine and creative ways to apply this useful doctrine in construction litigation and beyond.

9:30-10:30 am

- Additional Insureds, Contractual Indemnity, and Effective Tender Under Insurance Policies
  Gabriel Coelho, Partner  Maura Krause, Partner
  Frank Pierce, IV, Partner
  Goldberg Segalla LLP
  In this three-part presentation, presenters will explore the interplay between contractual indemnification and additional insured rights, the limitations and responsibilities under the Florida Statutes, and the relevant factors to consider when sending or receiving tender of defense indemnity letters.

- The Latest Assault on Florida’s Public Policy Against Carriers Paying Insured’s Punitive Damages
  Ellis T. “E.T.” Fernandez, III, Managing Partner
  Fernandez Trial Lawyers, PA
  Although long prohibited, a recent 4th Judicial Circuit Judgment (currently on appeal supported by an Amicus brief filed by the FDLA) specifically requires the carrier to pay the insured’s punitive damages judgment. This session will explore the decision.

10:30-10:45 am  NETWORKING BREAK

10:45-11:45 am

- Not Just a Gladiator – How Litigation Counsel Knowledge Can (and Should) Mean Claim Prevention
  Edward J. Carbone, Partner  Jacqueline R. A. Root, Partner
  Pennington, P.A.
  This program will cover how outside defense counsel can (and should) help institutional clients with efforts to reduce the number and severity of claims.

- Death to Assignment of Benefits
  Mark Berlick, Partner  Ashby Underhill, Partner
  Bolin Law Group  Coquina Law Group P.A.
  With a 10,000% increase of AOB lawsuits since 2000, presenters will discuss how AOB lawsuits are crippling both the insurance industry and the Courts, ways Plaintiff’s are abusing AOB’s, and possible solutions to this crisis.

11:45 am-1:00 pm  LUNCH

1:00-2:00 pm

- Understanding Herniated Discs on MRI in the Legal Context
  Andrew Akerman, MD, Board Certified Neuroradiologist
  This session will explain the herniated disc as it pertains to the defense in a civil case, with a focus on when to settle and when to go to trial.

- Emerging Issues in First Party Litigation
  C. Ryan Jones, Partner  John Henley, Claims Attorney – UPC Insurance
  Traub Lieberman Straus & Shrewberry LLP  UPC Insurance
  In this session, defense counsel and in-house counsel discuss the emerging trends in first-party property insurance cases, as well as the latest strategies used by plaintiffs and defendants in litigating those issues.
3:15-4:15 pm

**Vehicle Downloads and Other Emerging Technologies**
Ken Oliver, Equity Shareholder
*Kubicki Draper*
William Fischer, M.S., P.E., Principal
*Fischer Forensic Engineering*

Discussion of the legal and engineering processes of currently available technology (from vehicles and other sources) to be utilized in the progression of accident analysis.

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2:00-3:00 pm

**Rise of the Drones: Current UAV/UAS Law Landscape**
Michael J. Corso, Chair, Tort & Insurance Litigation Department
*Henderson, Franklin, Starnes & Holt, P.A.*

In this session, Florida Civil Trial Expert Michael Corso, who is also an aerospace engineer, will discuss the state of the law with regard to drone safety campaigns, FAA drone regulations and enforcement, federal and state legislation, and Fourth Amendment protections.

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**ABC’s of Defending Spinal Injury Claims in Florida – For Adjusters**
Dexter Romanez, Esq, Partner
*Quintairos, Prieto, Wood & Boyer, P.A.*

This session will explore all the ins and out of defending spinal injury cases in Florida.

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**Accidents Happen - But Did They Cause The Injuries Being Claimed?**
Michael Markushewski, BSMET, Chief Technical Officer, V.P.
Timothy Tresierras, Ph.D., P.E., CXLT, Senior Engineer
*ARCCA*

Based on a combination of structural mechanics and biology, a biomechanist assesses injury causation to determine whether an accident event could have resulted in the injuries claimed. In addition to breaking down that process, presenters will also discuss the science and mechanics behind some of the popular but hazardous toys and amusements that have contributed to the 240,000 toy-related injuries that occur annually in the U.S. according to the CPSC.

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**Bad Faith and the Mirror Image Rule**
Gregory S. Glasser, Esq., Partner
Brett A. Kaplan, Esq., Partner
*Klein Glasser Park & Lowe, PL*

An exploration of the current status of bad faith law, from the perspective of the Mirror Image Rule and as it applies to a claimant’s demand and insurer’s acceptance.

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**Appraisal Process for Property Claims**
Michael J. Schofield, Shareholder, Mediator, Partner,
Umpire, Arbitrator
*Clark Partington*

This session will serve as a review of the appraisal process, the parties, handling same, and the applicable case law.

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3:00-3:15 pm    NETWORKING BREAK

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3:15-4:15 pm

**Avoid the Traps: How to Respond to Conditional Demands and Spoliation of Evidence Requests**
Andrew Douberly, Esq., Partner
Christopher Nigro, Esq., Associate
*Dickinson & Gibbons, P.A.*

The presenters will provide instruction on common issues that arise in responding to conditional demands and requests to preserve evidence.

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4:15-5:15 pm

**Defending Against Letters of Protection**
Andrew Bolin, Partner
*Bolin Law Group*

The session will address the prevalence of Letters of Protection in injury cases and defense strategies to defend the damages claims that are based upon them including the limits of discovery post Worley.

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5:15-6:30 PM

**Welcome Reception**

**Exhibitor & Sponsor Appreciation**
FRIDAY, JUNE 7, 2019

7:00-8:30 am  Continental Breakfast and Character Meet and Greet

8:30-3:00 pm  ADJUSTER TRACK

ADJUSTER TRACK – 5-Hour Law and Ethics Update

Presented by attorneys from:
McIntosh Sawran Cartaya
Boyd Jenerette
Henderson, Franklin, Starnes & Holt, P.A.
Luks Santaniello Petrillo & Jones

8:30-9:30 am

Seeing Things More Clearly: Using CT Scans for Evidence Evaluation

Felicia Svedlund, Ph.D., Managing Scientist in Biomedical Engineering
Hernan Sanchez-Casalongue, Ph.D., Managing Scientist in Polymer Science and Materials Chemistry
Exponent
Mark Greene, Shareholder
Banker Lopez Gassler P.A.

Program attendees will gain an understanding of how to apply CT and x-ray imaging to assess the design, manufacture, and use conditions of products in litigation cases.

9:30-10:30 am

Segment Iron Pipes & the Residential Wastewater System

Jason Anderson, PE
Alan Dunlavy, PE
S-E-A, Ltd.

This presentation will address some of the defense options for “cast iron pipe” property claims brought by plaintiff’s lawfirms.

Medical Malpractice Case Law Update

Philip Moring, Partner
Thomas E. Dukes III, Partner
McEwan, Martinez, Dukes & Hall, P.A.

This session will cover developments in Florida court rulings in the area of medical malpractice addressing both liability and damages issues.

8:30-10:45 am  NETWORKING BREAK

10:45-11:45 am

Annual Case Law Update

John Miller, Stockholder
Henderson, Franklin, Starnes & Holt, P.A.
Miguel Roura, Partner
Roig Lawyers

This session will review some of the more important tort defense cases of the last year.

Statutory Fee Claims: Adventures in Wonderland

Jesse Butler, Partner
Dickinson & Gibbons

Confronting the unique issues presented in cases where the plaintiff asserts a right to attorney fees under FDUTPA, and other fee statutes.

11:45 am-1:00 pm  LUNCH

1:00-2:00 pm

Emerging Liability in an Ever-Changing Technological Landscape

Nicole Fluet, Partner
Kenneth Hall, Associate
Galloway Johnson Tompkins Burr & Smith

Johnn Kreuser, Construction Division Manager
Rimkus Consulting Group

A look at the effects of evolving technology on the claims industry and legal landscape, with a focus on new innovations in autonomous vehicles and smart home devices.

Investigations: If You’re Not First, You’re Last

Lucas Delgado, B.A.I.
Rachel W. Delgado, Esq.
RSSI – Investigations

Learn how to effectively mitigate your potential exposure through early investigations.
A FOCUS ON SERVICE

The Spring of Tampa Bay
A Women’s Professional Clothing and Toiletry Drive

May 8, 2019
SEMINAR: Strategies for Defending Florida Negligent Security Claims
At the DRI Retail and Hospitality Seminar
Loews Royal Pacific and Sapphire Falls Resorts at Universal Orlando
Orlando, FL

May 16, 2019
Deposition Skills Seminar and Networking Cocktail Hour
Offices of Clarke Partington
Pensacola, FL

August 2019 (Date TBD)
Insurance Coverage, First Party, and Bad Faith Symposium
Tampa, FL

September 26-27, 2019
Law Firm Leaders and Emerging Leaders Seminar
The Tampa Marriott Waterside Hotel
Tampa, FL

FDLA will be collecting gently used women’s clothing and toiletries (full-sized preferred, but hotel sized accepted) throughout the three-day conference at check-in, during networking and business sessions, and at meals. Look for our official donation center at each event. If you have any questions regarding the drive, you can reach out to Young Lawyers Division Chair, Jacqueline Root at jroot@penningtonlaw.com.
Make plans today to join us for

The 2019 FLCC
June 5-7, 2019 • Disney’s BoardWalk Inn

Don’t miss out on this incredible opportunity to network with colleagues, receive CLE credit, and expand your professional circle all with a touch of Disney magic mixed in. Register today for the 2019 Florida Liability Claims Conference.

REGISTRATION:

FDLA Member: .................. $500

Non-FDLA Member: .............. $550
(includes initial FDLA membership)

Insurance Adjusters: ............ $150

TICKETED EVENTS:

FLCC Diversity Dinner: ........... $50

Fireworks and Desserts Party: .... $50

Mickey and Minnie Meet and Greet & Continental Breakfast
(Included with registration. Ticket required for non-attendee guests only.)

Adults: ......................... $40
Children (3-12): ................. $20

REGISTER TODAY AT
www.fdla.org/flcc.php