

# 17th Annual Insurance Insolvency & Reinsurance Roundtable

March 24-27, 2010 | The Fairmont Scottsdale Princess, Scottsdale, AZ

## CONFERENCE CHAIRS:

Debra Hall, Principal, Global Regulatory and Risk Consultants, Washington, DC

Neal Moglin, Partner, Lovells LLP, Chicago

Peter Thomas, Executive Vice President and Managing Director, Willis Re, McLeansville, NC

Wednesday, March 24, 2010

- 12:00 Networking Luncheon - *Sponsored by Cozen O'Connor*
- 1:30 **The Legal Threats**
- Climate tort – the next asbestos
  - Environmental liability – the sleeping giant wakes
  - Emerging legislative risks – consumer safety runs with scissors
  - Nanotechnology- a \$1 trillion business by 2015
  - Regulatory enforcement – a new sheriff in town
  - Mass tort – big business in the 21st Century
- Moderator: Pete Thomas, Executive Vice President & Managing Director, Willis Re, McLeansville, NC*  
*Daniel McNeel Lane, Jr., Esq., Akin Gump Strauss Hauer & Feld LLP, San Antonio, TX*  
*Francis McGovern, Professor of Law, Duke University School of Law, Durham, NC*  
*Chip Merlin, The Merlin Law Group, Tampa, FL*  
*Barry Weissman, Esq., Sonnenschein Nath & Rosenthal LLP, Los Angeles*
- 2:45 **Identifying and Evaluating Unexpected Risks in An Ever-More Complex/Interconnected World**
- Expect the unexpected: thinking outside of the models & actuarial triangles
  - Translating today's uncertainties into manageable risks and opportunities
  - Drawing on the "collective experience of the crowd"
- Teri Taylor, CPCU, ARM, AIC, ARP, AU, Senior Vice President, Sustainability and Emerging Risk Management, Swiss Re America Holding Corporation, Overland Park, KS*
- 3:30 Afternoon Break
- 3:45 **New Strategies for Attorneys - In-House Counsel and Firms**
- Responding to the changing expectation of clients
  - Evaluating the evolving marketing opportunities
  - Partnering with experts to maximize client services
  - Assessing new strategies for dispute resolution
- Moderator: John Nonna, Esq., Dewey & LeBoeuf LLP, New York*  
*Nathaniel Slavin, Founder, Wicker Park Group, Chicago*  
*Timothy Stalker, Esq., Stalker Vogrin Bracken Frimet, Philadelphia*  
*Peter Taylor, Lovells LLP, London*
- 5:00 Adjourn
- 6:00 Opening Night Cocktail Reception - *Sponsored by Navigant Consulting, Inc.*

Thursday, March 25

- 7:30 **Breakfast and Keynote Address**
- Sponsored by Sonnenschein Nath & Rosenthal LLP*  
*Howard Schweitzer, Esq., Cozen O'Connor, Washington, DC*  
 Howard Schweitzer played a key role in the U.S. federal government's financial crisis response as Chief Operating Officer of the \$700 billion Troubled Asset Relief Program, a position he held until August, 2009.

- 9:00 **Regulating in a Post-Recession Era**
- Are insurance exchanges (NYIE) and alternative vehicles like cat bonds and sidecars useful or dangerous tools to access capital?
  - Systemic risk: Should insurance entities be part of financial conglomerates?
  - Recessions impact asset recovery: When does overdue mean "never get paid"? Will collateral be the norm instead of the exception?
- Moderator: Maxine Verne, Senior Vice President & General Counsel, SCOR Reinsurance, New York*  
*Tal Piccione, President & CEO, US RE Corporation, Pearl River, NY*  
*Andrés Portilla, Deputy Director, Regulatory Affairs Department Institute of International Finance, Washington, DC*  
*John Rathgeber, Chairman of Arch Reinsurance Company, Morristown, NJ*
- 10:30 Morning Break - *Sponsored by Saul Ewing LLP*
- 11:00 **Addressing the Risk of Non-Compliance**
- Examining the way insurers and reinsurers manage compliance risk including:
- Privacy and data protection issues
  - Financial disclosure and reporting requirements
  - Fraud, bribery and corruption issues
  - OFAC
- Moderator: Neal Moglin, Lovells LLP, Chicago*  
*Carl Groth, Group Chief Risk Officer, Torus Insurance, Jersey City, NJ*  
*Howard Mills, Director & Chief Advisor, Deloitte & Touche USA LLP, New York*  
*Stuart Stein, Esq., Hogan & Hartson, Washington, DC*  
*Teri Taylor, CPCU, ARM, AIC, ARP, AU, Senior Vice President, Sustainability and Emerging Risk Management, Swiss Re America Holding Corporation, Overland Park, KS*
- 12:30 Networking Luncheon - *Sponsored by Lovells LLP*
- 2:00 **Collecting Reinsurance: The Path of Resistance**
- The insolvency clause and why it rewrites the reinsurance agreement
  - Negotiating techniques in run-off vs. receiverships
  - Leveraging the reinsurer vs. receiver
  - Is run-off an excuse to settle at a discount?
- Moderator: Fran Semaya, Esq., Nelson Levine deLuca & Horst, New York*  
*Bill Barbagallo, Barbagallo & Stuehrk, Simi Valley, CA*  
*Patrick Hughes, Special Deputy Receiver & Chief Executive Officer, Office of the Special Deputy Receiver, Chicago*  
*John Parker, Senior Vice President-Reinsurance, Reinsurance Counsel, TIG Insurance Company, Manchester, NH*
- 3:30 **Part VII Transfers – What's All the Fuss?**
- Separate fact from fiction on Part VII
  - Use of Part VII in facilitating business run-off
  - Are the rights of cedents or reinsurers being trounced?
  - Are there adequate safeguards that can be built into business transfers?
  - Will US courts enforce Part VII decisions entered by UK courts?
  - The Scottish Lion decision and Schemes of Arrangement
- Moderator: Debra Hall, Principal, Global Regulatory and Risk Consultants, Washington, DC*  
*Paul Braithwaite, Senior Managing Director, FTI Consulting, Inc., New York*  
*Romy Comiter, Senior Manager, SMART UK-LECG, London*  
*Forrest Krutter, Senior VP & GC, Berkshire Hathaway Group, Omaha, NE*  
*Maxine Verne, Senior Vice President & General Counsel, SCOR Reinsurance, New York*
- 5:00 Adjourn
- 6:00 Networking Reception - *Sponsored by Dewey & LeBoeuf LLP*

Friday, March 26

- 7:30 **Breakfast and Keynote Address**  
*Sponsored by Bulter Rubin Saltarelli & Boyd LLP*  
*Howard Epstein, Esq., Schulte Roth & Zabel LLP, New York*
- 8:30 **Litigation and Regulatory Implications of Environmental, Economic, Life, Health and Casualty Exposures**
  - Environmental trends and food safety issues as an emerging insurance risk, as well as a national security issue
  - Longevity/mortality and chronic health conditions: the impacts of shifting demographics on labor supply, savings/investment, consumer spending, and trade
  - The long-term effects of the global financial crisis and recession on government policy, retirement savings, and insurance reserves
  - Litigating complex life, health, and casualty insurance matters with overlapping investment risks and actuarial risks*Moderator: David Mordecai, President, Risk Economics Limited, Inc., New York*  
*Howard Epstein, Esq., Schulte Roth & Zabel LLP, New York*  
*Samantha Kappagoda, former Senior Economist of Caxton Associates Global Macro Fund, New York*  
*Tomas Philipson, University of Chicago, Chicago*
- 9:45 **Morning Break - Sponsored by Saul Ewing LLP**
- 10:15 **Utmost Good Faith: The Guiding Principle of Reinsurance**
  - What are the origins?
  - How important is it?
  - Does it run both ways?
  - Must it be express or is it always implied?
  - Does it only apply to placement?
  - Is it equally applicable to treaties and facultative certificates?
  - Does it affect allocation?*Moderator: Stephen Schwab, DLA Piper, Chicago*  
*Robert Hall, RMH Consulting, Naples, FL*  
*William O'Neill, Esq., Crowell & Moring LLP, Washington, DC*  
*Teresa Snider, Esq., Bulter Rubin Saltarelli & Boyd LLP, Chicago*
- 11:15 **The Arbitration Process – In Need of Reform or Still Working?**
  - What's wrong with the system and how can we begin to fix it?
  - What's working about the current system that we should keep?
  - How can we get real change?
  - Who is resistant to change and why?*Moderator: Larry Schiffer, Esq., Dewey & LeBoeuf LLP, New York*  
*Paul Dassenko, Principal, Azure Advisors, Inc., New York*  
*Ronald Gass, President, The Gass Company, Inc., Weston, CT*  
*Lawrence Greengrass, Esq., Mound Cotton Wollan & Greengrass, New York*  
*Paul Hummer, Esq., Saul Ewing LLP, Philadelphia*  
*Richard Mason, Esq., Cozen O'Connor, Philadelphia*  
*Michael Zeller, Chief Reinsurance Compliance Officer and Vice President, AIG Global Reinsurance Division, Chartis Insurance, New York*

12:30 **Adjourn**

- 1:00 **Golf Tournament (Scramble Format)**  
*Held at the Champions Course at the Tournament Players Club of Scottsdale, followed by a reception and award's ceremony. Lunch & transportation will be provided. Pre-registration and pre-payment required. The completely new course was designed by Randy Heckenkemper offering the consummate desert golf experience.*
- 1:30 **Tennis Tournament - Princess Tennis Center**
- 2:00 **Croquet at Your Leisure - Lagoon Lawn**
- 3:00 **Yoga Class - Willow Stream Spa**
- 6:00 **Family Barbeque**  
*Sponsored by Akin Gump Strauss Hauer & Feld LLP*

Saturday, March 27, 2010

- 8:00 **Networking Breakfast - Sponsored by Crowell & Moring LLP**
- 9:00 **Commutations Update – Promises, Pitfalls, Perspectives**
  - Overview of various commutations that have 'gone wrong'
  - What to watch out for that can kill the commutation
  - Commutations in run-off or receiverships*Moderator: Kathy Barker, President, Armour Risk Management Inc., Boston*  
*Sue Grondine, Esq., Chief Claims Officer and General Counsel R&Q USA, Cambridge, MA*  
*Christopher Kende, Esq., Cozen O'Connor, New York*  
*Rick Rosenblum, Esq., Akin Gump Strauss Hauer & Feld LLP, San Antonio, TX*  
*Leah Spivey, Vice President, Business Run-Off Operations, Munich Reinsurance America, Princeton, NJ*
- 10:30 **Adjourn**

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